

ALLEN L. OVERCASH  
PAUL M. SCHUDEL  
EDWARD H. TRICKER  
WM. LEE MERRITT  
JOSEPH H. BADAMI  
KERRY L. KESTER  
ROBERT B. EVNEN  
JOEL D. HEUSINGER  
TERRY C. DOUGHERTY  
JENNIFER J. STRAND  
CRAIG C. DIRRIM  
BRUCE A. SMITH  
JEFFERY T. PEETZ  
KENT E. ENDACOTT  
KRISTA L. KESTER  
JAMES A. OVERCASH  
ANDREW B. KOSZEWSKI  
TODD W. WEIDEMANN  
MICHAEL D. MATEJKA  
FRANK J. MIHULKA  
PATRICK D. TIMMER  
NATHAN J. GURNSEY  
KORY D. GEORGE  
JEFFREY S. MAKOVICKA  
JILL D. FIDDLER  
MONICA L. FREEMAN  
BRIAN S. KOERWITZ  
ERIN L. GERDES  
SARA L. GUDÉ†

# WOODS & AITKEN

L " L " P

SUITE 500  
301 SOUTH 13TH STREET  
LINCOLN, NEBRASKA 68508-2578  
TELEPHONE 402-437-8500  
FAX 402-437-8558

WWW.WOODSAITKEN.COM

Email: PSchudel@woodsaitken.com  
Direct Dial: (402) 437-8509

OMAHA OFFICE  
SUITE 525  
10250 REGENCY CIRCLE  
OMAHA, NEBRASKA 68114  
TELEPHONE 402-898-7400  
FAX 402-898-7401

WASHINGTON, D.C. OFFICE  
THOMAS J. MOORMAN\*  
SUITE 200  
2154 WISCONSIN AVENUE, N.W.  
WASHINGTON, D.C. 20007  
TELEPHONE 202-944-9500  
FAX 202-944-9501

ADMITTED TO PRACTICE ONLY IN:  
\*THE DISTRICT OF COLUMBIA  
IOWA

OF COUNSEL  
KEITH A. PRETTYMAN

October 21, 2008

Marlene H. Dortch  
Secretary, Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

## Re: Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92

Dear Ms. Dortch:

Great Plains Communications, Inc. and Consolidated Companies, Inc.<sup>1</sup> (the "Companies") submit this *ex parte* filing to the Federal Communications Commission (the "Commission") in response to the AT&T and Verizon joint letter dated October 14, 2008, which suggests that the Commission should adopt a "simplified set of rules" that would be effective "to the extent that the Commission determines to subject all terminating traffic to section 251(b)(5) in the context of comprehensive intercarrier compensation reform" (the "AT&T/Verizon Proposal").<sup>2</sup> The Companies urge the Commission not to adopt new interconnection rules without compliance with the notice-and-comment requirements of the Administrative Procedure Act, 5 U.S.C. §553 ("APA") and the Regulatory Flexibility Act, 5 U.S.C. §603 ("RFA") concerning the rule changes that are contemplated by AT&T/Verizon Proposal.

Telecommunications interconnection rules are complex and any proposal that makes major changes in these rules in the guise of simplification could have significant ramifications for traffic

<sup>1</sup>The incumbent LEC affiliates of Consolidated Companies, Inc. are: Consolidated Telco, Inc., Consolidated Telecom, Inc., Consolidated Telephone Company and Curtis Telephone Company.

<sup>2</sup> AT&T and Verizon letter from Henry Hulquist and Donna Epps to Marlene Dortch, Secretary, Federal Communications Commission, Re: Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92 filed via electronic filing October 14, 2008.

exchange and will affect the multitude of interconnection agreements that have been subject to negotiation and/or arbitration since the passage of the Act. The Companies believe that the “simplified set” of rules suggested in the AT&T/ Verizon Proposal has not been presented with a sufficient level of detail to be applied in a real life setting. Further, there is evidence that suggests that the network edge concept set forth in the AT&T/Verizon Proposal differs significantly from the Basic Interconnection Architecture proposal filed by AT&T on September 12, 2008,<sup>3</sup> and the “edge” concept described in the Missoula Plan.<sup>4</sup> One significant difference between those proposals and the AT&T/Verizon Proposal is the exclusion of a Rural Transport Rule. This Rule limits the financial obligation for transport of rural local exchange carrier-originated traffic.

Implementing any major changes in interconnection rules without fully exploring the implications of such changes could result in unintended consequences that will harm rural networks and rural customers. We suggest that if the Commission desires to consider the AT&T/ Verizon Proposal, critical areas of inquiry, including but not limited to the following, should be examined:

1. How does the “simplified set of rules” proposed by AT&T/Verizon interrelate with rules and compensation for originating traffic, i.e. current access rules?
2. How does the “simplified set of rules” proposed by AT&T and Verizon impact rules and compensation for transit traffic and transport?
3. How many network edges may be established in each LATA under the AT&T/Verizon Proposal and what is the definition of an “end office”?
4. What are the economic burdens for rural local exchange carriers if a Rural Transport Rule is not included in a new rule set?

Without proper compliance with the APA and RFA, interested parties, including rural local exchange carriers, will be denied an opportunity to evaluate the proposal and place comments in the record regarding the financial and network implications of the AT&T/Verizon Proposal.

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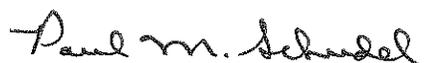
<sup>3</sup> See AT&T Ex parte Letter from Brian Benison to Marlene Dortch, Secretary, Federal Communications Commission filed by electronic submission September 12, 2008 involving meeting on September 11, 2008 between Hank Hultquist, Gary Phillips, Joel Lubin, David Hostetter, Mary Henze, Christopher Heimann, Cathy Carpino with several members of the Wireline Competition Bureau.

<sup>4</sup> See Missoula Plan, Letter from Tony Clark and Ray Baum NARUC to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 01-92, filed July 24, 2006, Section III.

Marlene H. Dortch  
Secretary, Federal Communications Commission  
October 21, 2008  
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Thank you for your consideration of the foregoing.

Sincerely,

A handwritten signature in black ink that reads "Paul M. Schudel". The signature is written in a cursive, slightly slanted style.

Paul M. Schudel,  
Legal Counsel for and on  
behalf of the Companies

cc: Chairman Kevin Martin  
Commissioner Jonathan Adelstein  
Commissioner Michael Copps  
Commissioner Robert McDowell  
Commissioner Deborah Taylor Tate  
Dana Shaffer  
Amy Bender  
Scott Deutchman  
Scott Bergmann  
Nicholas Alexander  
Don Stockdale  
Al Lewis  
Bill Sharkey  
Jay Atkinson