



State of North Carolina Utilities Commission

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NOTICE OF EX PARTE PRESENTATION (47 C.F.R. § 1.1204(10))

October 23, 2008 (Filed Via ECFS)

TO: The Honorable Kevin Martin, Chairman
The Honorable Deborah Taylor Tate, Commissioner
The Honorable Michael Copps, Commissioner
The Honorable Jonathan Adelstein, Commissioner
The Honorable Robert McDowell, Commissioner

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

FROM: North Carolina Utilities Commission (NCUC)

RE: NCUC SUPPORT FOR NARUC MOTION/REQUEST FOR PUBLIC COMMENT ON RECENTLY CIRCULATED "REPORT AND ORDER, ORDER ON REMAND, AND FURTHER NOTICE OF PROPOSED RULEMAKING" ON UNIVERSAL SERVICE AND INTERCARRIER COMPENSATION REFORM.

In the Matter of Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92, In the Matter of Petition of AT&T Inc. for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the ESP Exemption, CC Docket No. 08-152, In the Matter of IP-Enabled Services, WC Docket No. 04-36, In the Matter of Universal Service Contribution Methodology, WC Docket No. 06-122, In the Matter of Petition for Declaratory Ruling Filed by CTIA, WT Docket No. 05-194, In the Matter of Jurisdictional Separations & Referral to the Federal-State Joint Board, CC Docket No. 80-286.

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Commissioners:

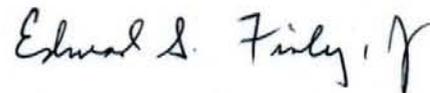
This letter is in support of the National Association of Regulatory Utility Commissioner's (NARUC's) Motion/Request for Public Comment on Recently Circulated "Report and Order, Order on Remand, and Further Notice of Proposed Rulemaking" on Universal Service and Intercarrier Compensation Reform in the above dockets.

The NCUC strongly concurs with NARUC that the Federal Communications Commission (FCC) should not rush "to resolve a thirteen billion dollar problem based on insufficient information, an inadequate record, and an incredibly compressed deliberative period." NARUC is correct that there is no need to do so, since the FCC can easily respond to the *In Re. Core Communications, Inc.*, remand on November 4th separately and then later address the issues after all the Commissioners have had the chance to digest the draft proposal and the FCC has had the opportunity to solicit public input and create a proper record.

Accordingly, the NCUC agrees with NARUC that the FCC should do the following:

1. Decide the future treatment of compensation for termination of ISP-bound traffic before the November 5th deadline.
2. Issue a further notice of proposed rulemaking summarizing the many discrete issues raised in the record and enunciating the FCC tentative conclusions and proposed legal theories and factual determinations on each such issue.
3. In view of the breadth of the proposed action, provide interested parties at least 90-days to consider and comment

Sincerely,



Edward S. Finley, Jr.
Chairman

ESF/JDL