

October 24, 2008

**EX PARTE**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: *Developing a Unified Intercarrier Compensation Regime, CC  
Docket No. 01-92; Federal-State Board on Universal Service, CC  
Docket No. 96-45; High-Cost Universal Service Support, WC  
Docket No. 05-337; IP-Enabled Services, WC Docket No. 04-36***

Dear Ms. Dortch:

On Thursday, October 23, Tina Pidgeon of General Communication, Inc. ("GCI") and I met with Scott Bergmann, Senior Legal Advisor to Commissioner Adelstein. During the meeting, GCI reiterated points it has made in prior filings in the above-captioned dockets, with particular attention to implementation of the tribal lands policy as set forth in its June 4, 2008 ex parte letter.

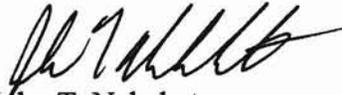
In addition, GCI explained that a blanket classification of interconnected VoIP traffic as an information service, or its overbroad application, could have unintended consequences on eligibility for universal service support of carriers that use a variety of network technologies to deliver their common carrier services. This result is entirely avoidable simply by allowing providers to opt for full telecommunications carrier status, by offering service under terms of common carriage, including pursuant to filed tariffs and under the jurisdiction of state commissions where service is provided. Just as it did in the *DSL Reclassification Order*, the Commission must afford "providers the flexibility to offer these services in the manner that makes the most sense as a business matter and best enables them to respond to the needs of consumers in their respective service areas," including as a telecommunications service. See *Appropriate Framework for Broadband Access to the Internet over Wireline*

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*Facilities; Review of Regulatory Requirements for Incumbent LEC Broadband Telecommunications Services, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14,853, 14,901 (¶ 89) (2005).*

Please address any questions to the undersigned.

Sincerely,



John T. Nakahata  
*Counsel to General Communication, Inc.*

Cc: Scott Bergmann  
Amy Bender  
Scott Deutchman  
Greg Orlando  
Nicholas Alexander  
Donald Stockdale  
Marcus Maher  
Randy Clarke  
Jennifer McKee