



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

October 24, 2008

Marlene H. Dortch - Secretary  
Federal Communications Commission  
445 12th Street, SW - Room TW B204  
Washington, DC 20554

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

Dear Secretary Dortch:

Last Friday and this Monday, Joel Shifman and I met with Greg Orlando, Scott Deutchman, Scott Bergmann, and Nick Alexander. I respectfully request any waivers needed to file this notice out-of-time. During all of the meetings, I briefly reviewed NARUC's positions on (1) the need for additional time to comment on the broad range of issues apparently covered in the draft,<sup>1</sup> (2) the impact of the broad preemption included in the draft on State retail ratemaking and universal service plans.<sup>2</sup>

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<sup>1</sup> See generally, October 21, 2008 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 filed in the proceedings captioned: In the Matters of: *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, *Petition of AT&T Inc. for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the ESP Exemption*, CC Docket No. 08-152, *IP-Enabled Services*, WC Docket No. 04-36, *Universal Service Contribution Methodology*, WC Docket No. 06-122, *Petition for Declaratory Ruling Filed by CTIA*, WT Docket No. 05-194, *Jurisdictional Separations & Referral to the Federal-State Joint Board*, CC Docket No. 80-286. (Available at: [http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6520176561](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6520176561).)

<sup>2</sup> See generally, October 2, 2008 Letter to FCC Secretary Dortch from J. Ramsay" filed in the proceedings captioned: *In the Matters of: Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92, *Petition of AT&T Inc. for Interim Declaratory Ruling and Limited Waivers Regarding Access Charges and the ESP Exemption*, CC Docket No. 08-152, *IP-Enabled Services*, WC Docket No. 04-36, *Universal Service Contribution Methodology*, WC Docket No. 06-122, *Petition for Declaratory Ruling Filed by CTIA*, WT Docket No. 05-194, *Jurisdictional Separations & Referral to the Federal-State Joint Board*, CC Docket No. 80-286. (Available at: [http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native\\_or\\_pdf=pdf&id\\_document=6520173893](http://fjallfoss.fcc.gov/prod/ecfs/retrieve.cgi?native_or_pdf=pdf&id_document=6520173893).)

I also provided a copy of 47 U.S.C. §§ 410(c) and 254 to each advisor and pointed out the likelihood that the State Members of the Federal State Joint Board on Universal Service will exercise their statutory right to “participate in the deliberations, but not vote, when [the commission] has under consideration the recommended decision of the Joint Board or any further decisional action that may be required in the proceeding” – as is the case in on this draft order addressing both the Joint Board’s recommended decision and broader and intertwined intercarrier compensation issues.

If you have questions about this, or any other NARUC position, please to do not hesitate to contact me at 202.898.2207 or [jramsay@naruc.org](mailto:jramsay@naruc.org).

Sincerely,

James Bradford Ramsay  
NARUC General Counsel