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Via ECFS

October 28, 2008

Notice of Ex Parte Presentation (47 C.F.R. § 1.1204(10))

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

Subject: *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 ESP Exemption*
CC Docket No. 08-152
In the Matter of IP-Enabled Services
WC Docket No. 004-36
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. 08-286

Dear Commissioners:

The South Carolina Office of Regulatory Staff (ORS)¹ respectfully endorses the National Association of Regulatory Utility Commissioner's (NARUC's) Motion/Request for Public Comment on

¹ ORS is the South Carolina state agency charged with the statutory duty of representing the public interest of South Carolina in utility regulation. Pursuant to S.C. Code Ann. § 58-4-10 (Supp. 2007), ORS must be considered a party of record in all filings, applications, or proceedings before the South Carolina Public Service Commission and must represent the public interest of South Carolina in utility regulation. Furthermore, it is the duty and responsibility of the ORS, when considered necessary by the Executive Director and in the public interest, to provide legal representation of the public interest before federal regulatory agencies and federal courts in proceedings that could affect the rates or service of any public utility. *See* S.C. Code Ann. § 58-4-50 (A)(8) (Supp. 2007). The public interest is clearly defined by statute as a balancing of the (1) concerns of the using and consuming public with respect to public utility services, regardless of the class of customer; (2) economic development of job attraction and retention in South Carolina; and (3) preservation of the financial integrity of the state's public utilities and continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services. S.C. Code Ann. § 58-4-10 (Supp. 2007).

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the recently circulated "Report and Order, Order on Remand, and Further Notice of Proposed Rulemaking" on Universal Service and Intercarrier Compensation Reform in the above listed dockets.

ORS commends the Federal Communications Commission (Commission) on its willingness to continue consideration of intercarrier compensation and universal service reform. Like other commenters in these proceedings, ORS believes that meaningful reform is achievable. However, the ORS respectfully requests the Commission solicit public input on these important issues which impact consumer rates, affordable service, universal service support and administration, broadband deployment, industry competition and changes to federal and state jurisdiction.

The ORS agrees with the recommendation made by NARUC that the Commission move forward on its deliberation regarding ISP-bound traffic under the *In Re. Core Communications, Inc.* remand and that the Commission issue a further notice of proposed rulemaking regarding intercarrier compensation and universal service reform and provide interested parties at least 90 days to consider and comment.

Sincerely,



C. Dukes Scott
Executive Director