Frank S. Simone
Assistant Vice President
Federal Regulatory

AT&T Services Inc.
1120 20th Street, NW
Suite 1000
Washington, DC 20036

T: 202.457.2321
F: 832.213.0282

May 20, 2009

EX PARTE

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

Re: Special Access Rates for Price Cap Local Exchange Carriers,
WC Docket No. 05-25

Dear Ms. Dortch:

On May 19, 2009, Robert Quinn, Jr., Christopher Heimann, and the undersigned, on behalf of AT&T, met with Nick Alexander, Legal Advisor to Commissioner Robert McDowell. During the meeting we discussed AT&T's support for the April 27, 2009 US Telecom *ex parte* letter filed in the above-referenced proceeding. Over the last four years, the Commission has collected an enormous amount of evidence on special access competition that demonstrates that the Commission's pricing flexibility policies have been an unqualified success. Special access prices have consistently fallen for all services at all bandwidths in all areas; output has steadily increased; new entry, expansion, and investment in broadband infrastructure have soared; and special access offerings tailored to customers' needs have become more common, efficient and innovative. However, if the Commission believes additional data is needed to reaffirm the robust competitiveness of this marketplace, the Commission should require all providers of competing special access services to submit the information outlined in the US Telecom letter regarding their special access networks and operations.

In addition, AT&T argued that it will be difficult for the Commission to align any effort to further regulate the TDM-based DS-1 and DS-3 services that are the subject of this proceeding with what is now a broad consensus that federal communications policy should do everything possible to encourage companies to invest in and deploy the broadband networks and infrastructure of the future.

Pursuant to section 1.1206 of the Commission's Rules, this letter is being filed electronically with the Commission.

If you have any questions, please do not hesitate to contact me at (202) 457-2321.

Sincerely,

cc: N. Alexander