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August 3, 2009

### VIA ELECTRONIC FILING

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
12<sup>th</sup> Street Lobby, TW-A325  
Washington D.C. 20554

Re: Ex Parte Notification: WC Docket No. 05-337; CC Docket No. 80-286

Dear Ms. Dortch:

On July 31, 2009, the undersigned of Skadden, Arps, Slate, Meagher & Flom LLP on behalf of the Coalition for Equity in Switching Support (“Coalition”) and Hargray Telephone Company (“Hargray”) met with Priya Aiyar, Chairman Julius Genachowski’s legal advisor for wireline competition and international issues.

We discussed the unequal treatment of similarly situated small incumbent local exchange carriers under the current Local Switching Support (“LSS”) regulations. To remedy the current inequity regarding LSS funding, the Coalition urges the Commission to reconsider on its own motion the discriminatory LSS rules adopted in the recent separations freeze extension *Report and Order*.<sup>1</sup> Alternatively, the Coalition asserts that the Commission should act favorably on the Coalition’s pending Petition for Reconsideration that seeks reconsideration of the LSS regulations adopted in the *Report and Order*. As it has expressed previously to the Commission, the Coalition continues to believe that issuance of a further notice of proposed rulemaking regarding LSS funding

<sup>1</sup>

See Jurisdictional Separations and Referral to the Federal-State Joint Board, CC Docket No. 80-286, *Report and Order*, FCC 09-44 (rel. May 15, 2009)(“*Report and Order*”).

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remains unnecessary, especially given the significant record established in the above-referenced proceedings justifying reconsideration of the discriminatory LSS regulations.

Because the Universal Service Administrative Company (“USAC”) does not finally close its books on a calendar year until the end of the following calendar year, I also noted that any revised regulations adopted by the Commission must be in effect no later than December 1, 2009 to provide Coalition members and other affected companies adequate time to prepare and file the necessary line count information for 2008.

Pursuant to Section 1.1206 of the Commission’s rules, a copy of this letter is being filed electronically with your office. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

*/s/ Antoinette C. Bush*

Antoinette C. Bush