



**OPASTCO**

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August 20, 2009

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

***Ex Parte Notice***

**Re: A National Broadband Plan for Our Future  
GN Docket No. 09-51**

**High-Cost Universal Service Support  
WC Docket No. 05-337**

**Federal-State Joint Board on Universal Service  
CC Docket No. 96-45**

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

**Review of the Commission's Program Access Rules and Examination of  
Programming Tying Arrangements  
MB Docket No. 07-198**

**Annual Assessment of the Status of Competition in the Market for the Delivery of  
Video Programming  
MB Docket No. 07-269**

Dear Ms. Dortch,

On August 19, 2009, Mark Gailey of Totah Communications, Inc., Ron Laudner of OmniTel Communications, H. Keith Oliver of Home Telephone Company, and John Rose, Stuart Polikoff and Brian Ford of the Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO) met with Commissioner Meredith Attwell Baker and her acting legal advisor Christi Shewman. The purpose of the meeting was to introduce the Commissioner to OPASTCO and discuss broadly the regulatory reforms necessary for rural

incumbent local exchange carriers (ILECs) to offer high-speed broadband services to all of the rural consumers in their service areas going forward. During the conversation we made the following points, all of which have been discussed in greater detail in OPASTCO's filings in the above-captioned proceedings:

- The Commission should adopt definitions and standards for “broadband” in rural service areas that are the same as in urban areas and that keeps pace with the rapid evolution of technology and consumer demand.
- The Commission should recognize that mobile wireless platforms are not a viable substitute for wireline technologies for providing high-quality, high-speed broadband throughout rural service areas.
- The Universal Service Fund should be reformed, including:
  - Adding broadband to the list of services supported by the High-Cost and Low Income programs;
  - Continuing to base support for rural ILECs on their actual embedded costs;
  - Removing the cap on the high-cost loop support mechanism;
  - Supporting rural ILECs' high middle-mile transport costs; and
  - Expanding the base of contributors to the USF to include all facilities-based broadband Internet access providers.
- The intercarrier compensation rules should be reformed, including the establishment of a replacement mechanism for rural ILECs' lost revenues from access charges.
- The Commission should ensure that rural ILECs receive equitable rates, terms, and conditions for middle-mile transport, Internet backbone access, and video programming.
- The principles in the FCC's 2005 Internet Policy Statement should be maintained, without supplementation.

In accordance with FCC rules, this letter is being filed electronically in the above-captioned dockets.

Sincerely,

Stuart Polikoff  
Director of Government Relations  
OPASTCO

cc: Christi Shewman