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VIA ECFS

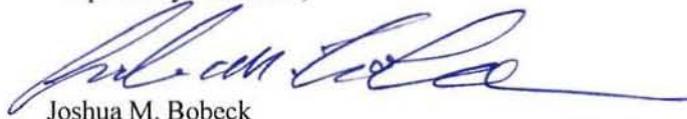
Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: GN Docket No. 09-51

Dear Ms. Dortch:

Pursuant to the Commission's *Ex Parte* rules, 47 C.F.R. § 1.1206, this letter provides notice that on October 13, 2009, Stephen W. Crawford, Senior Vice President and General Counsel, and Kent Major, President, Alpheus Communications, L.P. ("Alpheus") met with Robert A. Curtis, Deployment Director and Byron J. Neal, Senior Technologist, of the Commission's Broadband Plan Task Force. During the meeting, Alpheus discussed its views on the Commission's Broadband Plan as set forth in the attached document which was provided to the participants. Please contact the undersigned if there are any questions.

Respectfully submitted,



Joshua M. Bobeck

Counsel for Alpheus Communications, L.P.

Enc.

cc: R. Curtis
B. Neal
S. Crawford
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Alpheus Communications, L.P. – Discussion Points

Meeting with Rob Curtis – FCC

1. Key Focus for FCC should be to remove roadblocks to growth in Broadband Demand and Adoption
 - a. Need robust competition for supply
 - b. Need low cost access – apps and demand will follow.
 - c. Whole nation is underserved if supply is not competitive
 - d. Network effects apply to broadband - it is more valuable for all as more people have access and are connected
2. Not surprisingly, Last Mile access is still the largest impediment to growth on both supply and demand side
 - a. Getting worse as price per megabit decreases
3. Copper loops for Ethernet—major issue for future
 - a. The future is ethernet
 - b. Preservation of embedded plant – no retiring
 - c. Open the door for innovation over copper loops; new advanced equipment
4. Broadband Forbearance—bad decision
 - a. BOCs still control vast majority of last mile facilities needed to deliver Ethernet service
 - b. No justification for Ethernet at all levels
 - c. OCN predictive judgment in the TRO/TRRO not proving out
5. Dark Fiber Loops– Sec. 271—Allow for use of available facilities
 - a. Easy way to get large-scale broadband activity ASAP
 - b. Need quick rules to reduce BOC resistance
 - c. Use previously developed UNE rules, just at 271 prices
6. Fix Special Access abusive practices
 - a. UNE elimination clauses
 - b. Long term lock ups
7. Building Access needs to be fixed
 - a. Need uniform nondiscriminatory access among carriers - including incumbents
 - b. No discriminatory fees; all carriers (including incumbent) pay same access rates to landlord
8. Need to stop regulatory fee pile-on; getting out of hand
 - a. One easy fix is to clarify what the states can and cannot charge for
 - b. Add clear jurisdictional demarcations—federal vs. state