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October 29, 2009

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

RE: *WC Docket No. 05-337*
GN Docket No. 09-51

Dear Ms. Dortch:

In accordance with Section 1.1206 of the Commission's Rules, we hereby provide notice that on October 28, 2009, John Burke, Board Member, Vermont Public Service Board ("Vermont Board"), George Young, Vermont Board Policy Director, and I met with Carol Simpson, Legal Advisor to Commissioner Mignon Clyburn and Jennifer Schneider, Legal Advisor to Commissioner Michael Copps, to discuss issues raised in the 10th Circuit remand, *Qwest Communications International Inc. v. FCC*, 398 F.3d 1222 (10th Cir. 2005) ("Qwest Remand"). Vermont made recommendations on issues that may be included in the FCC's upcoming NPRM, including a reasonable comparability benchmark, use of costs vs. rates in measuring comparability, statewide averaging, the cost model, and broadband issues.

John Burke and I also met with Carol Matthey and Rebekah Goodheart of the Broadband Team. We discussed Vermont's positions on issues in the Qwest Remand, including statewide averaging and the reasonable comparability benchmark. We also discussed the relationship between the Qwest Remand, the broadband plan currently under development and comprehensive universal service reform, encouraging broadband providers to extend service to underserved and unserved areas, expanding the contribution base for the Universal Service Fund ("USF") and USF support for broadband service.

If you have any questions or require any further information, please contact undersigned counsel directly.

Sincerely,

Birch, Horton, Bittner and Cherot

Elisabeth H. Ross

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Counsel for Vermont Public Service Board

cc: Carol Simpson
Jennifer Schneider
Carol Matthey
Rebekah Goodheart

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