



**National Cable & Telecommunications Association**  
25 Massachusetts Avenue, NW – Suite 100  
Washington, DC 20001  
(202) 222-2300  
  
www.ncta.com

**Steven F. Morris**  
Vice President and Associate General Counsel  
  
(202) 222-2454  
(202) 222-2446 Fax

November 17, 2009

**EX PARTE**

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

**RE: National Broadband Plan, GN Docket No. 09-51  
Universal Service Reform, WC Docket No. 05-337  
Universal Service, CC Docket No. 96-45**

Dear Ms. Dortch:

On November 16, 2009, Neal Goldberg and the undersigned, on behalf of the National Cable & Telecommunications Association (NCTA), met with Jennifer Schneider, Legal Advisor to Commissioner Capps, Christine Kurth, Policy Director and Wireline Counsel to Commissioner McDowell, and Carol Simpson, Legal Advisor to Commissioner Clyburn, to discuss the Petition for Rulemaking filed by NCTA on November 5, 2009, and submitted for the record in the above-referenced dockets.

NCTA's petition asks the Commission to establish procedures to reduce the amount of high-cost universal service support provided to carriers in those areas of the country where there is extensive unsubsidized facilities-based voice competition and where government subsidies are no longer needed to ensure that service will be made available to consumers. Under NCTA's proposal, the Commission would establish a two-step process by which any party may request that the Commission reassess the level of support provided to a particular geographic area. In the first step, the Commission would determine whether an area meets one of two competition-based triggers. If either trigger is satisfied, the Commission would proceed to the second step, where it would identify any ILEC costs that cannot be recovered through any of the services (regulated or unregulated) provided over the network in the non-competitive portion of the study area.

Ms. Marlene H. Dortch

November 17, 2009

Page 2

NCTA explained that adoption of its proposal would help reduce the USF contribution factor and control the size of the existing high-cost fund, thereby enabling the Commission to begin considering whether, and how, it might be able to use USF funding to provide additional targeted subsidies that can more efficiently help to meet the Nation's broadband policy goals.

Please do not hesitate to call should you have any questions regarding this filing.

Respectfully submitted,

**/s/ Steven F. Morris**

Steven F. Morris

cc: J. Schneider  
C. Kurth  
C. Simpson