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December 7, 2009

VIA ELECTRONIC FILING

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

Re: Notice of Ex Parte Communication, GN Dockets No. 09-47, 09-51, and 09-137, WC Docket No. 05-25, and RM Nos. 10593 and 11358

Dear Ms. Dortch:

On December 4, 2009, Nancy Lubamersky, Vice President of Public Policy and Strategic Initiatives of TelePacific Communications (“TelePacific”), together with Tamar Finn and the undersigned, met with Jennifer Schneider, Legal Advisor to Commissioner Copps.

The participants discussed TelePacific’s interests in the development of the National Broadband Plan. In particular, TelePacific discussed its network deployment in California and Nevada and its small and mid-sized business customer focus. TelePacific explained that, notwithstanding its substantial network presence in California and Nevada, it must rely in most cases on interoffice transport provided by the incumbent local exchange carrier (“ILEC”) to reach the wire centers it serves. Moreover, TelePacific explained that ILEC-provided local loops represent the only means of reaching the customer premises for the overwhelming majority of customers that TelePacific serves. Thus, these ILEC facilities are critical inputs to the delivery of competitive broadband services.

TelePacific further noted that the Commission’s objective of ensuring affordable and ubiquitous broadband access through a national plan could be best served by leveraging such existing ILEC assets and ensuring that competitors gain reasonable access to these assets -- in lieu of forcing competitors to pay excessive prices for such access, allowing ILECs to take useful facilities out of commission, and/or precluding competitors by regulatory policy from obtaining any access to those facilities altogether. Reasonable access to ILEC facilities would also promote more efficient deployment of capital in furtherance of broadband deployment than compelling competitors to deploy redundant facilities to compete with the ILEC in the provision of broadband services. Finally, TelePacific noted that several studies -- including the recently released draft Berkman Center study and the most recent Pew Internet Study on Home Broadband Adoption -- confirmed that greater competition (*i.e.*, more than a mere duopoly) represented the greatest promise for achieving the objective of affordable and ubiquitous broadband availability.

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The attached handout was distributed at the meeting. Thank you for your attention to this correspondence. If you have any questions, please do not hesitate to contact me.

Sincerely yours,

/s/ electronically signed

Michael R. Romano

Enclosure

cc (by e-mail):

Jennifer Schneider