



CenturyLink™

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EX PARTE NOTICE

February 25, 2010

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

Re: A National Broadband Plan for Our Future, GN Docket No. 09-51; Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92.

Dear Ms. Dortch:

On behalf of CenturyLink, I had an ex parte conversation by phone with Angela Kronenberg, Legal Advisor to Commissioner Mignon Clyburn on February 24, 2010. In connection with the National Broadband Plan, we explained that rural consumers will suffer in the absence of intercarrier compensation reform, particularly in the face of self-help that only exacerbates the problems. In particular, we explained that the Commission has even more reason than ever to articulate clearly the appropriate future intercarrier compensation treatment of long distance voice traffic originated using Internet protocol services in light of the recent decision of the United States District Court for the District of Columbia in *PAETEC v. CommPartners*, Slip Op. No. 08-0397 (JR). In particular, the court's decision, if extended to other jurisdictions might call into question well-settled principles of communications law regarding the filed-rate doctrine and the appropriate methods for challenging tariffed rates. Such a breakdown in the rule of law and widely-held business expectations could, we argued, harm broadband investment and threaten Commission policies.

Pursuant to Section 1.1206(b) of the Commission's rules, one copy of this electronic notice is being filed in each of the above-referenced dockets. Please contact me if you have any questions or need anything else.

Sincerely,

Jeffrey S Lanning

cc: Angela Kronenberg