

# Arent Fox

March 9, 2010

**VIA ECF**

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

**Ross A. Buntrock**

Attorney  
202.775.5734 DIRECT  
202.857.6395 FAX  
buntrock.ross@arentfox.com

**Re: Ex Parte Presentation: 07-135, 09-47, 09-51, 09-137, 09-223**

Dear Ms. Dortch:

On March 8, 2010, David Erickson, Jeff Holoubek, and Mary Diamond of Free Conferencing Corporation, Dr. Alan Pearce of Information Age Economics, Gene DeJordy of Native American Telecom – Crow Creek, and I met with met with Marcus Maher, Jennifer Prime, Albert Lewis, Lynne Engledow, Douglas Slotten, and Rebekah Goodheart to discuss Dr. Pearce's recent study, *Fact Report: The Economic Impact of Free Conference Calling Services*, a copy of which is attached. Among other things, we discussed how free conference calling services are promoting the deployment of broadband on the Crow Creek Indian reservation in South Dakota. We discussed the operational challenges associated with this deployment, but stressed that deploying broadband through Native American owned and controlled telecommunications carriers represents the best means of achieving Congress's stated goals of promoting civic participation, community development, education, worker training, entrepreneurial activity, job creation and economic growth on tribal lands.

We also addressed allegations by IXC's that free conferencing services are causing them to lose substantial amounts of money, particularly on customers that subscribe to unlimited long distance plans. The report concludes that the IXC's' allegations are unfounded and that the data supports a conclusion that free calling services actually encourage more people to purchase unlimited long distance plans, which, on average, are quite profitable for the IXC's.

We also addressed the study's conclusion that rather than undermining the FCC's stated policy objectives, free conference calling services help to promote rural economic development and the ability of rural customers to access advanced telecommunications services, including broadband, which was the basis for the FCC's establishment the rural exemption for access charges.

Finally, we continued to note that the primary users of free conference calling services are nonprofit organizations, religious institutions, entrepreneurs, and government agencies.

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Accordingly, the public interest is served by resisting the IXCs' efforts to use their market power to eliminate competition in the conference calling marketplace.

Respectfully submitted,



Ross A. Buntrock,  
*Counsel to Free Conferencing Corp.*

cc: Marcus Maher, WCB  
Jennifer Primer, WCB  
Albert Lewis, WCB  
Lynne Engledow, WCB  
Douglas Slotten, WCB  
Rebekah Goodheart, WCB  
Priya Aiyar, Legal Advisor to Chairman Genachowski  
Jennifer Schneider, Legal Advisor to Commissioner Copps  
Christine D. Kurth, Legal Advisor to Commissioner McDowell  
Angela Kronenberg, Legal Advisor to Commissioner Clyburn  
Christi Shewman, Legal Advisor to Attwell Baker