Frank S. Simone
Assistant Vice President
Federal Regulatory

AT&T Services Inc.
1120 20th Street, NW
Suite 1000
Washington, DC 20036

T: 202.457.2321
F: 832.213.0282

May 14, 2010

EX PARTE

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

Re: Implementation of Section 224 of the Act; Amendment of the Commission's Rules and Policies Governing Pole Attachments, WC Docket No. 07-245; Petition for Rulemaking of Fibertech Networks (RM-11303); United States Telecom Association Petition for Rulemaking to Amend Pole Attachment Rate Regulation and Complaint Procedures (RM-11293)

Dear Ms. Dortch:

On May 13, 2010, Robert Quinn, AT&T Senior Vice President-Federal Regulatory, Jay Bennett, AT&T Assistant Vice President-Federal Regulatory, and the undersigned met with Angela Kronenberg, Acting Legal Advisor to Commissioner Mignon Clyburn, regarding the above-referenced proceedings.

AT&T indicated its support for the common goal of a uniform pole attachment rate as outlined in the section 224 proceeding's notice of proposed rulemaking and the recently released National Broadband Plan. The Commission has the authority to adopt a uniform broadband pole attachment rate under 47 U.S.C. § 224. As the Supreme Court decision in *Nat'l Cable & Telecomms. Ass'n v. Gulf Power Co.* confirmed, the Commission has the responsibility to ensure that the rates, terms, and conditions for pole attachments are just and reasonable and has expansive authority to prescribe pole attachment rates in order to promote broadband deployment. In so doing the Commission should extend to ILECs the protections in section 224(b)(1) of just and reasonable pole attachment rates, terms, and conditions. As a "provider of telecommunications," ILECs are entitled to such protections under the plain language of section 224 and Congressional intent.

AT&T also discussed its concerns from a safety and engineering perspective with various industry practices for expanding the number of attachments on a pole through the use of extension arms and boxing (attaching wires to both sides of the pole). AT&T encouraged the Commission to view these types of attachment practices as the exception rather than the rule and to limit their use appropriately.

Pursuant to section 1.1206 of the Commission's Rules, this letter is being filed electronically with the Commission.

If you have any questions, please do not hesitate to contact me at (202) 457-2321.

Sincerely,

cc: A. Kronenberg