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September 13, 2010

Ex Parte

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

Re: *Nebraska Public Service Commission and Kansas Corporation Commission Petition for Declaratory Ruling or, in the Alternative, Adoption of Rule Declaring that State Universal Service Funds May Assess Nomadic VoIP Intrastate Revenues, WC Docket 06-122 (filed July 16, 2009)*

Dear Ms. Dortch:

Vonage hereby responds to the September 2, 2010, *ex parte* in which the National Association of Regulatory Utility Commissioners (“NARUC”) claims that there is no double assessment problem arising from the existing conflict between Kansas and Nebraska’s USF programs. While it denies the existence of this problem, NARUC nonetheless offers a commitment to study “the creation of a model State revenue-identification method for nomadic interconnected VoIP providers.”¹

Vonage applauds NARUC’s recognition that it is incumbent on regulators to address the existing and potential conflicts between state universal service assessment methods for nomadic VoIP providers. Moreover, as NARUC’s own proposal recognizes, an appropriate solution for this problem will require careful consideration and study. A federal rulemaking, of course, would permit just this type of deliberate decision-making while ensuring a single, uniform approach across all U.S. jurisdictions. An FCC rulemaking would also ensure that providers like Vonage are not put in the untenable position of making state USF contributions *before* conflicts among the states are resolved. For all of these reasons, Vonage urges the Commission to address the issues raised in the above-captioned petition through a rulemaking.

¹ Letter from James Bradford Ramsay, NARUC General Counsel, to Marlene Dortch, Secretary, FCC, WC Docket No. 06-122 (filed Sept. 2, 2010).

If you have any questions or require any additional information, please do not hesitate to contact me at (202) 730-1346.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'BDS' with a long horizontal stroke extending to the right.

Brita D. Strandberg
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