



**Brett Kilbourne**  
**Deputy General Counsel**  
Direct Line: 202.833.6807  
E-mail: brett.kilbourne@utc.org

October 20, 2010

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 - 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Ex Parte

Re: Notice of Ex Parte Presentation -- Implementation of Section 224 of the Act, WC Docket No. 07-245; A National Broadband Plan for Our Future, GN Docket No. 09-51.

Dear Ms. Dortch:

This is to notify you pursuant to Section 1.1206 of the Commission's Rules that Aryeh Fishman from the Edison Electric Institute and Brett Kilbourne from the Utilities Telecom Council (UTC) met with Christine Kurth, Policy Director and Wireline Counsel to FCC Commissioner Robert M. McDowell on October 20, 2010 in connection with the above-referenced proceedings.

The discussions during the meeting were consistent with the comments on the record filed by the Edison Electric Institute and the Utilities Telecom Council. Specifically, UTC and EEI opposed access proposals, such as mandatory deadlines for make ready, which would threaten safety and reliability. UTC and EEI also opposed rate proposals that would further subsidize the communications industry at the expense of utilities and their customers. Instead, UTC and EEI urged the FCC to discourage attachers from making unauthorized and unsafe attachments and from using "sign-and-sue" as a means to abrogate the terms and conditions of mutually negotiated pole attachment agreements.

Please direct any questions regarding this matter to the undersigned.

Respectfully,

Brett Kilbourne

cc: Christine Kurth