



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

October 27, 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 Brett Kilbourne from the Utilities Telecom Council (UTC) met with Zac Katz, Legal Advisor for Wireline Communications, International and Internet Issues to FCC Chairman Julius Genachowski on October 27, 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 opposed access proposals, such as mandatory deadlines for make ready, which would threaten safety and reliability. UTC also opposed rate proposals that would further subsidize the communications industry at the expense of utilities and their customers. Instead, UTC 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: Zac Katz