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November 18, 2010

**Ex Parte Filing**

Marlene Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
12<sup>th</sup> Street Lobby, Room TW-A325  
Washington, D.C. 20554

Re: *Pay Telephone Reclassification and Compensation Provisions of  
the Telecommunications Act of 1996*, CC Docket 96-128

Dear Ms. Dortch:

On November 17, 2010, on behalf of AT&T and Verizon, Mark Montano and Ann Berkowitz of Verizon, Toni Acton of AT&T, and I met with Bradley Gillen of Commissioner Baker's office and with Margaret McCarthy of Commissioner Copps's office to discuss the petitions for declaratory ruling and preemption filed in the above-captioned docket. On November 18, 2010, the same individuals met with Angela Kronenberg of Commissioner Clyburn's office. The attached documents reflect the substance of our discussions.

In each meeting, we discussed the Commission's decisions denying refunds in an analogous circumstance, as affirmed by the D.C. Circuit in *Communications Vending Corp. of Arizona, Inc. v. FCC*, 365 F.3d 1064 (D.C. Cir. 2004).

One original and two copies of this letter are being submitted to you in compliance with 47 C.F.R. § 1.1206(a)(2) to be included in the record of these proceedings. If you have any questions concerning this matter, please contact me at (202) 326-7921.

Sincerely,

/s/ Aaron Panner  
Aaron M. Panner

Enclosures