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**Ex Parte**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: In the Matter of CRC Communications of Maine and Time Warner Cable Petition for Preemption, WC Docket No. 10-143**

Dear Ms. Dortch:

Yesterday, I spoke by telephone with Brad Gillen, Wireline Legal Advisor for Commissioner Baker, regarding the above-captioned proceeding. I reiterated Verizon's support for a pro-competitive decision confirming that state commissions can arbitrate interconnection disputes with rural incumbent LECs stemming from section 251(b) and that sections 251(a) and (b) are unaffected by the rural exemption under Section 251(f). Verizon also restated its position<sup>1</sup> that an order in this proceeding should not alter the Commission's established precedent holding that the section 252 state arbitration process does not apply to section 251(a) disputes.<sup>2</sup>

Sincerely,

A handwritten signature in black ink, appearing to read "Tamara Preiss".

cc: Brad Gillen

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<sup>1</sup> See Verizon Comments at 8-9; Verizon Reply at 5.

<sup>2</sup> See *Core Communications, Inc. v. SBC Communications, Inc.*, Memorandum Opinion and Order, 19 FCC Rcd 8447, ¶ 18 (2004) ("Neither the general interconnection obligation of section 251(a) nor the interconnection obligation arising under section 332 is implemented through the negotiation and arbitration scheme of section 252."); *Qwest Corp.*, Notice of Apparent Liability for Forfeiture, 19 FCC Rcd 5169, ¶ 23 (2004) (defining the term "interconnection agreement" for purposes of section 252, as limited that term to those "agreement[s] relating to the duties outlined in sections 251(b) and (c)"); see also, e.g., *Qwest Corp. v. Public Utils. Comm'n of Colo.*, 479 F.3d 1184, 1197 (10th Cir. 2007) ("[T]he 'interconnection agreements' that result from arbitration necessarily include only the issues mandated by § 251(b) and (c).").