



H. Russell Frisby, Jr
202.572.9937 DIRECT
202.572.9945 DIRECT FAX
Rfrisby@stinson.com

March 3, 2011

VIA ELECTRONIC MAIL

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

Re: Notice of Ex Parte Communication: WC Docket No. 07-245, GN Docket No. 09-51, PS Docket No. 06-229, WT Docket No. 06-150 and WP Docket No. 07-100

Dear Ms. Dortch:

This is to notify you, pursuant to Section 1.1206 of the Commission's Rules, that on March 1, 2011 Becky Blalock (CIO, Southern Company), Pablo Vegas (CIO and VP, AEP), Kyle Leach (Director Regulatory Affairs, Southern Company), Scott Aaronson (Director Government Affairs, Edison Electric Institute) and the undersigned met with Commissioner Meredith Attwell Baker and Brad Gillen Legal Adviser to the Commissioner in connection with the above-referenced proceedings.

The parties began by describing their companies and the diverse areas which their utilities served. Then the parties explained the electric utilities' concern that some of the Commission's proposals regarding the pole attachment process will threaten the reliability and safety of electric service. The noted the problems caused by unauthorized attachments and safety violations.

The parties also questioned the feasibility of proposed timelines for utility completion of the pole attachment process. They noted that imposing one-size-fits-all deadlines for make-ready work will make it difficult for utilities to ensure the safety and reliability of attachments. In addition to being concerned about the inadequacy of the proposed timeframe, the parties noted that at a minimum there should be some accommodation made for various other factors such as the need to comply with public safety mandates, outages and delays by third parties.

The parties also described how the proposed rates would result in a subsidy which would have to be borne by electric utility customers. They noted that this would be particularly unfair in underserved areas because it would not serve to stimulate faster broadband deployment.

Next, the parties discussed the spectrum needs of this nation's electric utilities. They indicated that electric utilities are among this nation's largest users of communications and have a long history of operating their own networks. They reiterated that licensed spectrum should be made available to utilities on either a dedicated basis, or via appropriate sharing arrangements. They urged Commission to address the utilities' need access to spectrum in the Fourth NPRM in the Interoperability proceeding.

In the course of this discussion, the parties referred to the attached Comments of the Edison Electric Institute on the communications requirements of utilities filed with the Department of Energy. The parties also left two documents which are also attached hereto.

Please feel free to contact the undersigned if you have any questions.

Sincerely,

STINSON MORRISON HECKER LLP



H. Russell Frisby, Jr.

cc: Commissioner Meredith Attwell Baker
Brad Gillen

Attachments

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