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September 15, 2011

Ex Parte via Electronic Filing

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

Re: *Connect America Fund, WC Dkt. 10-90; A National Broadband Plan for Our Future, GN Dkt. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Dkt. 07-135; High-Cost Universal Service Support, WC Dkt. 05-337; Developing a Unified Intercarrier Compensation Regime, CC Dkt. 01-92; Federal-State Joint Board on Universal Service, CC Dkt. 96-45; Lifeline and Link-Up, WC Dkt. 03-109; Universal Service Contribution Methodology, WC Dkt. 06-122.*

Dear Ms. Dortch:

On Tuesday, September 13, 2011, Colleen Boothby and Andrew Brown, on behalf of Ad Hoc Telecommunications Users Committee, Charles McKee of Sprint Nextel Corporation, Cathy Sloan of the Computer & Communications Industry Association and the undersigned of Lampert, O'Connor & Johnston, P.C., met with Christine Kurth, Policy Director and Wireline Counsel to Commissioner McDowell. Together with Adrienne Biddings of Google Inc., Staci Pies of Skype Communications S.A.R.L., and Brendan Kasper of Vonage Holdings Corp., we also met with Zachary Katz, Legal Advisor for Wireline Communications, International and Internet Issues to Chairman Julius Genachowski, Sharon Gillett, Chief, Carol Matthey, Deputy Bureau Chief, Rebekah Goodheart, Associate Bureau Chief, and Patrick Halley, Legal Advisor, of the Wireline Competition Bureau, and separately, including Phillip Berenbroick of the Computer & Communications Industry Association, with Angela Kronenberg, Wireline Legal Advisor to Commissioner Clyburn. During the meetings, we discussed the above-referenced dockets.

Specifically, we explained that to meet the goal of transitioning to all-IP networks, the FCC should reject expansion of Part 69 carrier access charges designed for legacy TDM telephone services to VoIP traffic. We discussed why the FCC should instead adopt a bill-and-keep methodology for VoIP, whereby providers recover their costs primarily from their own users. We explained that this methodology for VoIP traffic exchange is best suited to future traffic flows and network architectures and is

most consistent with the FCC's goals. We also discussed the fact that VoIP encompasses many varied services and that it is vital the FCC refrain from imposing new charges that will chill innovation and growth of IP services. We noted that the record demonstrates that imposition of new intercarrier compensation charges will negatively impact consumer welfare.

The meeting participants further explained that the FCC must be careful not to lock in place TDM architectures in adopting traffic exchange charges, for example, through assumptions regarding traffic flows at carrier end offices. We also urged the FCC to affirm the duty of local network providers to allow IP interconnection under the Communications Act and institute a further proceeding simultaneous with its initial reform to consider appropriate mechanisms to resolve other IP interconnection issues. This step would correctly respond to record evidence that IP interconnection issues are critical to promoting all-IP networks.

To promote universal broadband connectivity for all Americans, we underscored that the record supports an expedited transition of USF high-cost support from legacy voice funding to a new broadband-focused fund to distribute subsidies using a competitively-neutral, technology-agnostic mechanism. We explained that to promote accountability and appropriately target support, the fund should have two separate components: (1) Broadband Build, to fund initial deployment, and (2) Broadband Operations, to fund ongoing maintenance on a renewable basis. The meeting participants additionally advised that to ensure USF subsidies are appropriately distributed, the FCC should require recipients to demonstrate need, meet delineated build-out obligations and comply with public interest obligations, such as open Internet obligations, wholesale commitments, and compliance reporting. We also underscored the need for comprehensive reform and explained why the FCC should commit to a date certain for release of an NPRM to reform current Part 54 rules governing the revenues-based USF funding contribution mechanism to mirror the shift in distribution to broadband connectivity, with implementation coordinated with USF distribution reform.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record. Please contact me directly should you have any questions.

Sincerely,



Donna N. Lampert
Counsel for Google Inc.