New America Foundation's
OPEN TECHNOLOGY INITIATIVE

September 19, 2011

Via Electronic Filing
Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Notice of Oral *Ex Parte* Communications, WC Docket Nos. 10-90, 07-135, 05-337, 03-109; GN Docket Nos. 09-51; CC Docket Nos. 01-92, 96-45

Dear Ms. Dortch:

On September 15, 2011, Benjamin Lennett, Policy Director at New America Foundation's Open Technology Initiative, and Sarah Morris, Policy Analyst at New America Foundation's Open Technology Initiative ("NAF"), met with Angela Kronenberg, Wireline Legal Advisor to Federal Communications Commissioner Clyburn. This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

NAF expressed concern with the industry's proposed ABC Plan, echoing concerns raised in the filings of Free Press and the National Association of State Utility Consumer Advocates ("NASUCA"). NAF addressed specifically the provisions in the plan that would raise the Subscriber Line Charge ("SLC"), grant a Right of First Refusal ("ROFR") to incumbent providers, as well as the absence of Carrier of Last Resort Obligations as well as other public interest obligations imposed on Eligible Telecommunications Carriers ("ETCs").

In addition, NAF expressed support of the Public Knowledge and Benton Foundation proposal for interconnection requirements on Connect America Fund ("CAF") recipients in areas adjacent to unserved areas, but also asked for the inclusion of broader interconnection obligations on providers receiving High-Cost fund support, in line with those obligations imposed as a condition of BTOP and BIP grant recipients. Recognizing that the fund may only support one provider in certain high-cost areas, NAF noted that interconnection obligations would help prevent those supported providers from becoming a de facto government-supported monopoly for their service area, and would leave open the possibility of future competition should the needs or economic characteristics of those communities change.

Finally, NAF also expressed support of the creation of a TOP-style pilot program, as outlined by Public Knowledge and the Benton Foundation, to promote broadband deployment to the highest-cost areas that would remain unserved even with Universal

Service Fund subsidies and asked that such a program be supported with adequate funding. While NAF did not request a specific amount of funds for the program, it pointed to funding levels of other pilot programs, such as the Rural Health Care Pilot Program, as an appropriate model for a High-Cost Fund pilot.

In a brief discussion regarding the Lifeline/Link Up docket, NAF reiterated their request, raised in recent filings, that Community Networks be able to receive fund support. NAF noted that the classification of Interconnected VoIP as a Title II service would be one step toward facilitating the inclusion of Community Networks in both the High-Cost and Lifeline funds. NAF also highlighted their proposal for the Lifeline broadband pilot program, which includes detailed potential metrics that would measure the effects of various factors on broadband adoption in low-income communities.

Pursuant to the Commission's rules, this notice is being filed in the above-referenced dockets for inclusion in the public record.

Respectfully submitted,

/s/ Sarah J. Morris

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