

Tamar E. Finn
Direct Phone: 202.373.6117
Direct Fax: 202.373.6001
tamar.finn@bingham.com

October 11, 2011

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

Re: ***Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92; High Cost Universal Service Support, WC Docket No. 05-337; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; Connect America Fund, WC Docket No. 10-90; A National Broadband Plan for Our Future, GN Docket No. 09-51***

Notice of Ex Parte Communication

Dear Ms. Dortch:

On October 6, 2011, Sara Cole, Manager, Federal Affairs of TDS Metrocom, LLC (“TDS Metrocom”), along with the undersigned met separately with Angela Kronenberg, Wireline Legal Advisor to Commissioner Mignon Clyburn, Margaret McCarthy, Wireline Policy Advisor to Commissioner Michael Copps, and Christine Kurth, Policy Director and Wireline Counsel to Commissioner Robert McDowell.

The participants discussed the specific information TDS Metrocom provided in its September 6, 2011 Reply Comments to demonstrate the disproportionate impact of the ABC Plan’s terminating access rate transition on competitive local exchange carriers (“CLECs”) such as TDS Metrocom. As Mr. Pitterle’s Declaration shows, the ABC Plan glide path would cause TDS Metrocom to lose a significantly higher percentage of terminating intrastate access revenue (63% on average across the four states where TDS Metrocom operates) as compared to the percentage reduction expected for price cap LECs against whom TDS Metrocom competes (17% on average) in the first two steps of the Plan. CLECs like TDS Metrocom that serve primarily business customers under long-term contracts averaging 60 months lack flexibility to incorporate such a steep, short-term revenue reduction in their business plan.

TDS Metrocom emphasized that two of the states in its operating territory have adopted a “type of carrier” distinction when setting transition periods, requiring large incumbents to reduce rates on a shorter timeframe than competitors.¹ TDS Metrocom supports the

¹ See TDS Metrocom Sept. 6 Reply Comments, at 8-9.

Boston
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Walnut Creek
Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T 202.373.6000
F 202.373.6001
bingham.com

Ms. Marlene H. Dortch, Secretary
October 11, 2011
Page 2

Competitive Amendment's straight-line, eight-year transition plan for CLECs as consistent with these state transitions and a better means to achieve the Commission's goals of avoiding disruptive change and providing a measured transition that gives CLECs time to adjust their business plans.

The attached handout was distributed at each meeting. The participants also reviewed Exhibit A attached to Mr. Pitterle's Declaration, which was filed with TDS Metrocom's Sept. 6, 2011 Reply Comments. TDS Metrocom also provided Ms. Kurth a copy of TDS Metrocom's Sept. 6, 2011 Reply Comments and Mr. Pitterle's Declaration.

Sincerely yours,

/s/ electronically signed

Tamar E. Finn

Enclosures

cc (by e-mail):

Angela Kronenberg
Margaret McCarthy
Christine Kurth