

Maggie McCready
Vice President
Federal Regulatory Affairs



March 6, 2012

1300 I Street, NW, Suite 400 West
Washington, DC 20005

Phone 202 515-2543
maggie.m.mccready@verizon.com

Ex Parte

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

Re: A National Broadband Plan for Our Future, GN Docket No. 09-51; Establishing Just and Reasonable Rates for Local Exchange Carriers, WC Docket No. 07-135; Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92; Connect America Fund, WC Docket No. 10-90; High Cost Universal Service Support, WC Docket No. 05-337; Federal-State Joint Board on Universal Service, CC Docket No. 96-45

Dear Ms. Dortch:

On March 5, Chris Miller and the undersigned met with Angela Kronenberg of Commissioner Clyburn's Office. The purpose of this meeting was to address VoIP intercarrier compensation issues, and, specifically, recent disputes regarding the proper originating access rate for PSTN-VoIP calls under the *USF-ICC Transformation Order*.¹

We discussed the pending petition for reconsideration or clarification filed by Windstream and Frontier regarding this matter. We acknowledged these carriers' legitimate concern over the potential loss of revenues that are not accounted for in the *USF-ICC Transformation Order's* access revenue recovery mechanisms. We said that we do not dispute these carriers' expectation leading up to the *USF-ICC Transformation Order* that potential reductions in originating access charges may be addressed but at a later date. Nonetheless, we said that the text of *USF-ICC Transformation Order* indicates that originating access charges for all PSTN-VoIP traffic is subject to interstate rates, not intrastate rates. We said that this result strikes the right balance and is consistent with the Commission's objectives to avoid applying the legacy access charge regime to IP traffic, and also to treat all IP traffic in a symmetrical manner. We said that if the Commission were to reverse course now it would upset the careful balance of

¹ *Connect America Fund, et al., WC Docket No. 10-90 et al., Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (paras. 513-520) (rel. Nov. 18, 2011)* ("*USF-ICC Transformation Order*").

Ms. Marlene H. Dortch

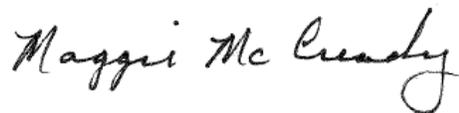
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competing interests in the *USF-ICC Transformation Order* and erode those objectives. In addition, we said that reconsidering this aspect of the order would, perversely, serve as a disincentive to migrate customers to IP platforms in order for carriers to continue charging higher intrastate originating access rates. This approach would also subject a subset of VoIP traffic to state rates and, potentially, put the Commission in the position of speaking to prior period intercarrier compensation disputes, which the Commission said in the *USF-ICC Transformation Order* that it would not do.

This letter is being filed electronically pursuant to Section 1.1206 of the Commission's Rules. Should you have any questions, please contact the undersigned.

Sincerely,

A handwritten signature in cursive script that reads "Maggi McCreedy".

cc: (via e-mail)
Angela Kronenberg