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VIA ELECTRONIC FILING

EX PARTE

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

Re: *WC Docket No. 10-90, Connect America Fund; GN Docket No. 09-51, National Broadband Plan for our Future; WC Docket No. 07-135, Establishing Just and Reasonable Rates for Local Exchange Carriers; WC Docket No. 05-337, High-Cost Universal Service Support; CC Docket No. 01-92, Developing a Unified Inter-carrier Compensation Regime; CC Docket No. 96-45, Federal State Joint Board on Universal Service; WC Docket No. 03-109, Lifeline and Link-Up , Universal Service Reform – Mobility Fund, WT Docket No. 10-208*

Dear Ms. Dortch:

On March 7, 2012, Eric Einhorn and I met separately with Christine Kurth, Policy Director and Wireline Counsel for Commissioner McDowell, and Angela Kronenberg, Legal Advisor for Commissioner Clyburn. I further discussed the issues described below with Ms. Kronenberg via phone on March 9, 2012.

In all of these discussions, Windstream reiterated its request that the FCC confirm that its comprehensive reform Order did not reduce originating access rates for toll traffic originating on the PSTN and terminating in IP format. We observed that a reading contrary to the one urged by Windstream would result in an unanticipated, flash-cut reduction in carriers' revenues. A different reading also would open up significant new routes for arbitrage schemes, since carriers originating calls do not have visibility into the type of technology used to terminate traffic.

Windstream argued that the best way for the Commission to address its request would be to clarify that the Order did not reduce any originating access rates prior to the conclusion of its pending Notice of Proposed Rulemaking. This clarification merely would reaffirm the Order's repeated, unqualified statements of its intent to not reduce originating access rates at this time.¹

¹ See *Connect America Fund, et al.*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109, GN Docket No. 09-51, CC Docket Nos. 01-92, 96-45, Report and Order and Further Notice of

Consistent with the Reply that Windstream jointly filed with Frontier,² we also explained why parties' attempts to support a contrary reading of the Order should be deemed unpersuasive. A copy of the Reply was distributed at the meetings and is attached hereto.

Please contact me if you have any questions regarding this submission.

Sincerely,

/s/ Jennie B. Chandra

Jennie B. Chandra

Attachment

cc: Christine Kurth
Angela Kronenberg

Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011) at ¶¶ 653, 739, 764, 777, 778, 800, 818, 922, 928, 1296, 1297, 1298, and 1301.

² Reply to Oppositions to Petition for Reconsideration and/or Clarification, WC Docket No. 10-90, et al. (February 21, 2012) ("Reply"). *See also* Petition for Reconsideration and/or Clarification filed by Frontier Communications Corp. and Windstream Communications, Inc., WC Docket 10-90, et al. (Dec. 29, 2011).