

April 5, 2012

VIA ECFS

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: *Special Access Rates for Price Cap Local Exchange Carriers; AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, WC Docket No. 05-25, RM-10593*

On April 3, 2012, the undersigned, on behalf of tw telecom inc., discussed the collection of data for the assessment of competition in the provision of special access with Eric Ralph of the Wireline Competition Bureau. During the discussion, I asserted that tw telecom's experience is that incumbent LECs own the only last mile facility serving the vast majority of commercial buildings in the U.S. and that, in the limited situations in which competitive LECs have deployed last mile facilities suitable for the provision of special access, the overwhelming majority of such competitive LEC facilities are fiber. I explained that the most appropriate means of collecting information regarding the extent to which competitive LECs have deployed last mile facilities is simply to request the addresses and, where relevant, the building floors served by those facilities. I also explained that, subject to certain limitations, tw telecom is generally able to determine the year in which it provisioned a last mile facility. Finally, I argued that the Commission should act as quickly as possible to adopt regulations to constrain incumbent LEC special access prices and to limit the harmful effects of the conditions incumbent LECs place on the availability of special access discount and circuit portability plans.

Please do not hesitate to contact me at (202) 303-1111 if you have any questions or concerns about this submission.

Respectfully submitted,

/s/ Thomas Jones
Thomas Jones
Counsel for tw telecom inc.

cc (via email): Eric Ralph