



August 9, 2012

EX PARTE

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WC Docket 05-25

Dear Ms. Dortch:

This is to notify you that on August 8, 2012, Frank Simone of AT&T, Donna Epps and Ed Shakin of Verizon, and the undersigned, met with Nick Degani, Legal Advisor to Commissioner Pai, in connection with the proceeding above.

During this meeting, we pointed out that the Commission staff has repeatedly stated that it lacks sufficient data necessary to evaluate the competitiveness of the marketplace for special access and competing high-capacity services. We noted that incumbent LECs have for more than two years been urging the Commission to undertake a mandatory data request in order to address the repeated past failures of competitors to provide data on a voluntary basis, and expressed opposition to the proposal apparently under consideration that would make substantive policy changes without even adopting such a data request – let alone having the results of such data. In light of this acknowledged data vacuum, we urged the Commission to include a balanced discussion of its proposed suspension of the current pricing flexibility triggers that does not pre-judge factual findings that should be based upon the results of a mandatory data request. Similarly, in light of the Commission's acknowledged lack of data, we indicated that the Commission should not adopt any proposed interim process that would create an opportunity for challenging previously granted relief because the Commission should not permit any substantive changes to the status quo until it first examines the data to assess the level of competition.

Pursuant to Commission rules, please include this notice in the record of the proceeding referenced above.

Sincerely,

A handwritten signature in cursive script that reads "Glenn T. Reynolds".

Glenn T. Reynolds

c: Nick Degani