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August 30, 2012

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

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

Dear Ms. Dortch:

On August 29, 2012, on behalf of the National Cable & Telecommunications Association, Steve Morris and I met with Jamie Susskind, Eric Ralph, Ken Lynch, Jack Erb, William Layton, Deena Shetler, and Nick Alexander of the Wireline Competition Bureau to discuss the mandatory data request referenced by the Commission in the recent *Special Access Report and Order*.¹ We asked that respondents be provided with as much flexibility as possible in terms of the format in which they respond to the data request. We explained that cable operators may not keep data in the same format as telephone companies and that using a very rigid format for the data request may impose burdens on cable operators. For example, many cable operators do not maintain their special access data in a manner that corresponds to incumbent phone companies' wire center locations or that tracks the Telcordia-specified Common Language Location Identifier (CLLI) of the incumbent phone company wire center. Similarly, many cable operators do not routinely track latitude and longitude information for their facilities. Requiring cable operators to create and compile this information in response to the forthcoming mandatory data request would be overly burdensome, and would require cable operators to divert a great deal of time and resources away from business operations to comply with this regulatory request.

We also discussed the extremely confidential and commercially sensitive nature of certain data that may be requested, including special access pricing and future plans for offering service. Although the Bureau has adopted two levels of protective orders in this proceeding, we noted that this information may be too sensitive to be provided even to outside consultants and

¹ *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, RM-10593, Report and Order, FCC 12-92 (Aug. 22, 2012) (*Special Access Report and Order*).

counsel of special access competitors and reiterated our support for an approach in which this information would be provided to Commission staff only.²

Finally, we encouraged the Commission to provide companies with sufficient time to respond to the data request after it is adopted and becomes effective.

Respectfully submitted,

/s/ Jennifer K. McKee

Jennifer K. McKee

cc: J. Susskind
E. Ralph
K. Lynch
J. Erb
W. Layton
D. Shetler
N. Alexander

² See Letter from Neal M. Goldberg and Steven F. Morris, NCTA, to Marlene H. Dortch, FCC, WC Docket No. 05-25, at 3-4 (June 30, 2009); Letter from Christopher J. Wright *et al.*, Counsel for Sprint, to Marlene H. Dortch, FCC, WC Docket No. 05-25 (June 22, 2009).