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October 19, 2012

**Ex Parte**

**VIA ECFS**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

**RE: Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25 and RM-10593**

Dear Ms. Dortch:

On October 17, 2012, I spoke with Michael Steffen of Chairman Genachowski's office via phone to discuss the FCC's upcoming mandatory special access data request. I explained that the Commission should take a forward-looking approach to the data it collects to determine where the market is heading rather than focusing on backwards-looking data that reflect only what is happening today or has happened in the past.

During the conversation, we discussed the information the Commission should request and the questions that Verizon has recommended the Commission include in the data request. I explained why each of these categories, which we set forth in our July 31 and October 2 ex parte letters,<sup>1</sup> is necessary to the data request:

1. Identify by geographic area where you currently provide or are technically capable of providing retail or wholesale high-capacity services (such as DS1, DS3, Ethernet, and other high-capacity services).
2. Provide data or maps that show the geographic area where you or your affiliate offers or plans to offer retail or wholesale high-capacity services, whether wireline or wireless, within the next two years. Providers should note on the maps where they can offer service over existing facilities, on other leased facilities, or on facilities they plan to build.
3. Explain where you have submitted competitive bids to provide backhaul services to wireless providers or high-capacity services to other customers. Providers should also submit any business rules they rely upon to determine whether to submit a competitive bid.

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<sup>1</sup> Ex Parte Letter from Maggie McCready, Verizon, to Marlene Dortch, FCC, WC Docket No. 05-25 & RM-10593 (October 2, 2012); Ex Parte Letter from Donna Epps, Verizon, to Marlene Dortch, FCC, WC Docket No. 05-25 & RM-10593 (July 31, 2012).

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I indicated that the second item above is particularly important because it seeks data on where providers currently offer, advertise, or market their service. This question is useful because it does more than simply identify areas where a provider actually provides service today. When a provider markets its service in an area, it holds itself out as willing and able to provide service in that area. I therefore encouraged the Commission to ask providers where they hold themselves out as willing and able to provide service via their marketing, advertising, or other representations to potential customers.

Sincerely,

A handwritten signature in black ink that reads "Donna Epps". The signature is written in a cursive, flowing style.

cc: Michael Steffen