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October 26, 2012

**Ex Parte**

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

**RE: Universal Service Contribution Methodology; Universal Service  
Administrative Company Request for Guidance, WC Docket No. 06-122**

Dear Ms. Dortch:

On October 24, 2012, Chris Miller and the undersigned of Verizon met with Christine Kurth, Policy Director and Wireline Counsel to Commissioner McDowell, regarding the above-captioned proceeding.

In the meeting, we urged the Commission to reverse the *Bureau Order* that established an asymmetrical, one year limit on a contributor's ability to refile its Form 499 to revise its revenues downward and thereby reduce its required contributions.<sup>1</sup> The one-year deadline set in the *Bureau Order* was beyond the Wireline Competition Bureau's authority and should have been the subject of notice and comment. In addition, the one-year deadline to refile is too short for carriers to reasonably identify all situations where they may have overpaid their required contributions. This is especially true in situations that are outside of a contributor's control such as external audits and service classification decisions by the Commission itself.

We also discussed the asymmetrical nature of the one-year deadline, which contrasts with the lack of a Commission rule or order addressing a limitations period to re-file in a situation where a carrier's contributions would increase. We said that the asymmetrical nature of this approach is arbitrary and capricious and otherwise contrary to law. We urged the Commission to grant the pending applications for review of the *Bureau Order* and adopt in this proceeding a symmetrical three-year period for refiling Form 499s, whether they increase or decrease required USF contributions.

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<sup>1</sup> See *Federal-State Joint Board on Universal Service*, et al., 20 FCC Rcd 1012 (WCB 2004) ("*Bureau Order*")

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This letter is being filed electronically pursuant to Section 1.1206 of the Commission's rules. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan Beyers". The signature is written in a cursive, slightly slanted style.

cc: Christine Kurth (via e-mail)