

Ulises R. Pin
Phone: 202.373.6664
Fax: 202.373.6450
u.pin@bingham.com

December 14, 2012

VIA ECFS ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554

Re: IB Docket 12-324
Notice of *Ex Parte* Communications

Dear Ms. Dortch:

On Thursday December 13, 2012, Brendan Kasper, Senior Regulatory Counsel at Vonage Holdings Corp. ("Vonage"), William B. Wilhelm, Jr. of Bingham McCutchen and the undersigned met with Troy Tanner, James Ball, Francis Gutierrez, Mark Uretsky and Kimberly Cook (by telephone) of the International Bureau (together "FCC Staff"). At the meeting we discussed with FCC Staff the status of Vonage's petition for relief in the US-Pakistan route in the above captioned docket (the "Petition").

Specifically, Vonage reiterated that the recently implemented International Clearing House exchange for international incoming calls to Pakistan ("ICH Plan") and substantial increase in settlement rates to Pakistan continues in place and requires immediate Commission action. The ICH Plan is contrary to FCC rules, hurts US consumers and has had a negative impact on Vonage's US customer base.

The record in this proceeding is clear. There are no oppositions to Vonage's Petition and there is unanimous support to the Petition from all filers (KDDI Global, AT&T and Verizon (through its *ex parte* filing)). As such, the Commission should act promptly on the Petition and grant an order prohibiting all US carriers from paying the Pakistani international long distance carriers ("LDI Carriers") identified in Vonage's Petition any termination rates until the rate increase is reversed by the Pakistani LDI Carriers. Alternatively, Vonage supports AT&T's position that the relief to be granted should be an order prohibiting payment of any amounts over the settlement rates that prevailed before implementation of ICH Plan (approximately US\$0.02 per minute).

During the meeting we also discussed the status of litigation in Pakistan regarding the ICH Plan. Specifically, a local ISP/VoIP operator, Brain Telecom Ltd., has filed a law suit with the Lahore High Court ("LHC") seeking the cancellation of the ICH Plan and the reduction in the termination rate on the grounds that they are contrary to Pakistani law. Since mid-October, the LHC granted a temporary "suspension" of the

Beijing
Boston
Frankfurt
Hartford
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T +1.202.373.6000
F +1.202.373.6001
bingham.com

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ICH Plan, but in practice, the ICH Plan and inflated settlement rates are very much in place. Since then, Pakistanis living abroad have joined the case and there have been multiple hearings before the LHC. Vonage understands that there have been some procedural maneuvers by the Pakistan Telecom Authority (“PTA”) to mislead the LHC in an effort to have the case dismissed. However, the situation in Pakistan is clear; the ICH Plan and high settlement rates are still valid. Vonage understands that the case continues to be pending at the LHC and it is likely that it would extend for several more months. Moreover, regardless of the outcome, it is likely that the case would be appealed to Pakistan’s Supreme Court and the high rates are likely to prevail for the foreseeable future.

Thus, prompt Commission action under Section 64.1002(d) of the Commission’s rules (47 C.F.R. § 64.1002(d)) is necessary to remedy the situation in Pakistan and return the settlement rate to cost-based levels.

Should you have any questions concerning this *ex parte* notice, please to not hesitate to contact me.

Respectfully submitted,

/s/ Ulises R. Pin

Ulises R. Pin
Counsel for Vonage Holdings Corp.

cc: FCC Staff
Brendan Kasper