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LOS ANGELES, CALIFORNIA 90071

March 25, 2013

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25

On March 22, 2013, the National Cable & Telecommunications Association (“NCTA”) submitted an *ex parte* in this docket regarding the excessive burden the Commission’s proposed Special Access Data Request would impose on cable companies and suggestions as to how to mitigate such results. U.S. TelePacific Corp. and Mpower Communications Corp., both d/b/a TelePacific Communications (“TelePacific”), support NCTA’s approach.

While the Commission is to be commended for its attempt to obtain comparative data for its analysis of special access competition, requiring such extensive and detailed breakdowns, in a manner unlikely to be tracked by either cable companies or traditional competitive local exchange carriers (“CLECs”) will make for an excessive burden on carriers and could cause substantial delay in the Commission’s analysis and decision-making, while not measurably improving the quality of the data available for decision making.

TelePacific recently worked with 13 other CLECs in two states to identify wire centers where CLECs provide a competitive choice by deploying Ethernet over Copper, using a neutral third party to collect the confidential information. Such information would be directly useful to the Commission’s analysis and relatively easy to obtain and provide. Alternatively, TelePacific has a listing of all its lit buildings; competitors likely have similar lists of buildings where they have high speed facilities and provide a competitive choice. TelePacific also completed a detailed study of alternative providers to identify options other than the ILEC to serve every customer location where we provide service in California. We found we only have a choice for 9% of nearly 113,000 customer locations.

TelePacific recommends the Commission request limited, useful data in as efficient a manner as possible. It therefore concurs with the NCTA concerns

Respectfully submitted,

Nancy E. Lubamersky,
Vice President, Public Policy