

May 20, 2013

VIA ECFS

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

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

Dear Ms. Dortch:

On May 16, 2013, Chris Frentrup of Sprint Nextel Corporation (“Sprint”), Paul Margie of Wiltshire & Grannis LLP, representing Sprint, Colleen Boothby of Levine, Blaszak, Block and Boothby, LLP and Susan M. Gately of SMGately Consulting, LLC, both representing the Ad hoc Telecommunications Users Committee, and Nirali Patel and the undersigned, both of Willkie Farr & Gallagher LLP, representing Cbeyond, Inc., EarthLink, Inc., Integra Telecom, Inc., and tw telecom inc., held a teleconference with Eric Ralph, William Layton, Jon Reel, Ken Lynch and Luis Reyes of the Wireline Competition Bureau and Jack Erb of the Office of Strategic Planning.

During the discussion, I explained that, when providing DS1 and DS3 services, competitive LECs generally do not follow the incumbent LECs’ practice of charging separate prices for channel terminations. I also stated that it is the competitive LECs’ experience that incumbent LECs and non-incumbent LECs increasingly follow the same billing practices for Ethernet services. Mr. Frentrup explained that there are reasonable means of allocating volume discounts and credits to individual incumbent LEC special access circuits. In the case of percentage discounts, for example, it would be reasonable to apply the relevant percentage equally to all of the circuits subject to that discount. Finally, Mr. Margie and I explained that the Commission should ensure that the data request yields sufficient information to conduct a market power analysis for the relevant special access markets.

Please do not hesitate to contact me if you have any questions or concerns regarding this submission.

Respectfully submitted,

/s/ Thomas Jones

cc: Meeting participants