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October 28, 2013

Filed Via ECFS

Notice of Ex Parte

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

Re: WC Docket No. 10-90: Submission of Notice of Ex Parte Presentation

Dear Ms. Dortch:

Pursuant to 47 C.F.R. §1.1206, the Nebraska Rural Independent Companies (“NRIC”) hereby provide this written ex parte response to the Wireless Internet Service Providers Association (“WISPA”) written ex parte presentation in WC Docket No. 10-90, dated September 18, 2013 (the “*WISPA Ex Parte*”). The *WISPA Ex Parte* was in response to the public version of the NRIC ex parte dated September 6, 2013 that provided information regarding NRIC’s meeting with Commissioner Pai and Commission Staff (the “*NRIC September 6th Ex Parte*”).

WISPA claims that certain of the substance included in the *NRIC September 6th Ex Parte* is an untimely petition for reconsideration of the Commission’s *USF/ICC Transformation Order*¹ and the criteria adopted by the Commission’s Wireline Competition Bureau regarding challenges to areas eligible for federal Universal Service Fund (“USF”) disbursements.² WISPA fails to note, however, that the Commission has an outstanding proceeding in which it has invited comment on issues and changes to the current Connect America Fund Cost Model (“CAM”) process for price cap carriers that includes possible creation of options for rural rate of return incumbent local exchange carriers, such as each of the NRIC member companies, that may decide to opt-into interstate price cap regulation and/or the CAM process for determining their

¹ *In the Matter of Connect America Fund, et al.. Report and Order and Further Notice of Proposed Rulemaking*, WC Docket No. 10-90, et al., FCC 11-161, released November 18, 2011 , appeal pending.

² See *WISPA Ex Parte* at 2.

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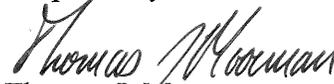
Notice of Ex Parte

respective federal USF disbursement amounts.³ The alterations to the current CAM process that were noted by NRIC in the *NRIC September 6th Ex Parte* are clearly relevant to the *May 16th Public Notice*, and NRIC's contribution of information to improve the current CAM process is clearly an appropriate matter for consideration by the Commission and its Staff. Further, NRIC understands that, among other issues, the burden of proof decisions with respect to identifying overlaps between the service areas of RLECs and unsubsidized competitors have yet to be decided for rate-of-return companies.

Finally, NRIC notes that, in a companion ex parte being submitted today by Larry Thompson, Chief Executive Officer of Vantage Point Solutions, on behalf of NRIC, several of the factual contentions raised in the *WISPA Ex Parte* are addressed. NRIC respectfully requests that Mr. Thompson's submission be read in conjunction with this submission.

Please contact the undersigned should you have any questions.

Respectfully submitted,


Thomas J. Moorman

³ See *Wireline Competition Bureau Seeks Comment on Options to Promote Rural Broadband in Rate-of-Return Areas*, Public Notice, WC Docket No. 10-90, DA 13-1112, released May 16, 2013 (the "*May 16th Public Notice*").