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November 18, 2013

VIA ECFS

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

Re: Notice of Ex Parte Presentation - AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition; Petition of the National Telecommunications Cooperative Association for a Rulemaking to Promote and Sustain the Ongoing TDM-to-IP Evolution, GN Docket No. 12-353; Technology Transitions Policy Task Force, GN Docket No. 13-5

Dear Ms. Dortch:

On November 14, 2013, the undersigned of Bingham McCutchen LLP, representing Granite Telecommunications LLC (“Granite”), Samuel J. Kline, Senior Vice President-Corporate Strategy of Granite, Michael B. Galvin, General Counsel of Granite, and Kevin Joseph of The Joseph Group, met with Jonathan Sallet, interim director of the Technology Transitions Policy Task Force, Lisa Gelb (WCB), Henning Schulzrinne, Chief Technical Officer, Stephanie Weiner (OGC), and Jonathan Chambers (OSP) regarding the above matters.

Granite discussed its position as a CLEC in serving national, multi-location businesses, providing more than 1,300,000 business lines. Granite noted that it serves many of the largest retailers in the nation, and that while these are large companies, their needs at each retail location are typically only 3-4 lines. Granite explained that it differentiates its service by offering highly responsive customer service, and by offering multi-location business the ability to obtain their communications needs throughout the country from a single supplier.

Granite explained that it primarily obtains the lines to serve its customers from ILECs through multi-state “commercial” agreements. Granite noted that the RBOCs’ commercial agreements typically deny CLECs access to circuits provisioned over technology other than copper, and thus the type of competition provided by Granite would not be possible if copper were removed without any requirement that CLECs be given access to the replacement medium.

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Granite urged that as it facilitates the transition to IP networks, the Commission should take steps to preserve competition, particularly in the portion of the business market served by Granite, where the ILEC often has the only last-mile connection to the customer. Wireless communication is not an adequate substitute for the ILEC's service because it does not support features needed by businesses, such as faxing, call hunting, message waiting, failover and Centrex features. Wireless also cannot currently provide elevator service, a product that Granite furnishes to its customers.

Granite also pointed out that cable often does not pass the retail businesses that Granite serves and that in many cases in which cable passes such businesses, the cost of extending cable facilities from the street to the business is prohibitive, given the relatively small telecommunications demand at any given location of such businesses. Granite pointed out that for similar reasons, it is improbable that any competitive carrier would find it economical to build out to such locations.

Granite also emphasized that, as ATT has recently noted, detailed trial plans subject to public comment are necessary, Granite suggested ground rule for possible trials and expressed its concerns about trials as originally proposed. In particular, Granite observed that AT&T's proposed trials may interfere with the services Granite currently provides its customers in those locations, as there was no apparent provision in AT&T's proposal to ensure that wholesale customers such as Granite can continue to purchase wholesale service from the ILEC during or after the trial. Granite also provided the attendees with a copy of the attached presentation.

Respectfully submitted,

/s/ Eric J. Branfman

Eric J. Branfman

Counsel for Granite Telecommunications, LLC

cc: Jonathan Sallet (via email)
Lisa Gelb (via email)
Henning Schulzrinne (via email)
Stephanie Weiner (via email)
Jonathan Chambers (via email)

Attachment

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