



November 20, 2013

EX PARTE

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: Rural Call Completion, Docket No. WC 13-39

Dear Ms. Dortch:

On November 20, 2013, the undersigned and Mary Albert of COMPTEL had a short telephone conversation with Rebekah Goodheart of Commissioner Clyburn's office regarding the Report and Order and Further Notice of Proposed Rulemaking released November 8, 2013 in the Rural Call Completion proceeding ("Report and Order"). We expressed concern that the Commission had changed the small carrier exemption from the data retention and reporting requirements from carriers with 100,000 subscribers (proposed rule 64.2107(a)) to carriers with 100,000 subscriber lines (adopted rule 64.2101(c)) without notice to the industry or an opportunity to comment on this significant difference. Similarly, we expressed concern that the Report and Order does not explain the reason for the change. Indeed, it states that COMPTEL and others supported a 100,000 line exemption when what actually was supported in the record was an exemption based on 100,000 subscribers.

We asserted that if the Commission had sought comment on the 100,000 subscriber line exemption, COMPTEL would have explained that its members, most of which are small and medium-sized businesses themselves, generally serve small and medium-sized businesses that purchase multi-line services. Indeed, some of our members that serve less than 100,000 customers actually provide service for over 100,000 subscriber lines because those customers purchase multi-line services. We are aware of at least four COMPTEL members that would not have had to report under the proposed rule because they have less than 100,000 subscribers, but they will now need to do so pursuant to the Commission's Report and Order because they serve more than 100,000 lines. If the Commission had sought comment on the subscriber line exemption that actually was adopted, COMPTEL and its members would have had the opportunity to explain that the Commission should adjust upward the number of lines served by a provider to be considered for the small provider exemption. A 100,000 line exemption is far too small, especially given that the Commission also significantly narrowed the safe harbor in

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the Report and Order. The burden for small providers to comply with the Report and Order is significant. One member has explained that it will take at least one-half of one full-time employee's time to comply with the new rules. This is a significant burden for small carriers to bear, and the Commission should have taken this into account in defining its small provider exemption and increased the number of lines served for carriers to qualify.

COMPTEL also alerted Ms. Goodheart to the fact that we discussed with the staff last week that two of the three examples given on page 12 of the Report and Order to explain how the definition of "initial long-distance call path choice" would work in practice appear to conflict.

If you have any questions or need additional information, kindly contact the undersigned.

Respectfully submitted,

/s/

Angie Kronenberg

cc: Rebekah Goodheart