

Russell M. Blau
Direct Phone: +1.202.373.6035
Direct Fax: +1.202.373.6001
russell.blau@bingham.com

January 13, 2014

Via ECFS

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

Re: Notice of Ex Parte Presentation, WC Docket No. 08-71

Dear Ms. Dortch:

This letter serves as notice, pursuant to 47 CFR § 1.1206(b)(1), that on January 10, 2014, Michael Shultz, Vice President–Regulatory of Consolidated Communications Holdings, Inc., and the undersigned, made an oral presentation to Julie Veach, Chief of the Wireline Competition Bureau (“Bureau”), Carol Matthey, Deputy Chief of the Bureau, and Alexander Minard, Assistant Division Chief of the Telecommunications Access Policy Division, concerning Consolidated’s Application for Review of an order of the Wireline Competition Bureau (Order DA 13-2093, released Oct. 29, 2013). That order denied a petition for waiver of section 54.314(d) of the Commission’s rules, under which Consolidated’s subsidiary, SureWest Communications, was disqualified from receiving over \$2.5 million in high-cost support over the first six months of 2013.

During the presentation, Consolidated’s representatives discussed the facts and arguments presented in its Application for Review, including (1) the fact that SureWest had provided the Commission a certification pursuant to former rule 54.904 covering the same six-month period (Jan. 1 to June 30, 2013) and the same high-cost support payments for which SureWest had neglected to file a certification pursuant to amended rule 54.314; (2) the disproportionate and irrational effect of strict application of rule 54.314 under these special circumstances, relative to the consequences imposed on other Commission-regulated entities for similar (or even more serious) lapses in compliance with filing requirements; and (3) the potential impact on SureWest’s customers if the waiver is not granted.

Consolidated’s representatives urged the Commission to act promptly to grant the Application for Review and to waive section 54.314(d) in this case.

In addition, after the meeting, Consolidated’s representatives confirmed that SureWest Communications’ waiver petition filed with the Commission on January 24, 2013, provided information about its earlier Interstate Common Line Support (“ICLS”)

Beijing
Boston
Frankfurt
Hartford
Hong Kong
Lexington (GSC)
London
Los Angeles
New York
Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Washington

Bingham McCutchen LLP
2020 K Street NW
Washington, DC
20006-1806

T +1.202.373.6000
F +1.202.373.6001
bingham.com

Ms. Marlene Dortch
January 13, 2014
Page 2

certification, which covered the same period as the withheld support. They also advised that a copy of the ICLS certification was not filed with the California Public Utilities Commission. Consolidated representatives' submit that there was no requirement to file the ICLS certification with the state commission, and even if providing a copy was required, this is only a part of the overall balancing of the seriousness of the omission and the consequences of such omission and it should not prevent granting a waiver under the special circumstances in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Russell M. Blau". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Russell M. Blau

cc: Julie Veach
Carol Matthey
Alexander Minard