



Your business
is our business.

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

January 17, 2014

By ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: Request for Review by Peerless Networks, Inc. of Decision of Universal Service Administrator and Request for Waiver of Deadline for Filing Revisions to FCC Form 499-Q
WC Docket No. 06-122
Request for Confidentiality – Notice of *Ex Parte***

Dear Ms. Dortch:

This request for confidentiality is made on behalf of Peerless Networks, Inc. (“Peerless”). Peerless seeks confidential treatment of financial data contained in the attachments to the above-referenced Notice of Ex Parte under the Section 0.459(b) request as submitted with the Peerless Request for Waiver filed August 8, 2013.¹ The confidential notice of *ex parte* presentation is provided and the redacted version has been filed on the Electronic Comment Filing System.

Please contact the undersigned with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Kuykendall', written in a cursive style.

John Kuykendall
Vice President

Attachments

¹ Request for Review by Peerless Networks, Inc. of Decision of Universal Service Administrator and Request for Waiver of Deadline for Filing Revisions to FCC Form 499-Q. WC Docket No. 06-122 (filed August 8, 2013) (“Request for Waiver”).



Your business
is our business.

7852 Walker Drive, Suite 200
Greenbelt, Maryland 20770
phone: 301-459-7590, fax: 301-577-5575
internet: www.jsitel.com, e-mail: jsi@jsitel.com

January 17, 2014

By ECFS

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: Request for Review by Peerless Networks, Inc. of Decision of Universal Service Administrator and Request for Waiver of Deadline for Filing Revisions to FCC Form 499-Q
WC Docket No. 06-122
Notice of *Ex Parte***

Dear Ms. Dortch:

On January 15, 2014, John Kuykendall, Christine Duncan, and Cassandra Heyne of John Staurulakis, Inc. (the “Consultants”) met via telephone conference on behalf of Peerless Networks, Inc. (“Peerless”) with Carol Pomponio of the Wireline Competition Bureau. The topic of the meeting was the pending Request for Waiver filed by Peerless on August 8, 2013.¹

First, the Consultants explained the inadvertent clerical errors that vastly overstated the Company’s assessable projected end user revenues when Peerless filed its February 2013 499-Q and May 2013 499-Q forms. In making this explanation, the Consultants provided copies of the forms originally filed in February and May (attached hereto as Attachment 1) and discussed the discrepancies between those forms and Peerless’ correct revised forms that were submitted with the Request for Waiver.

The Consultants then discussed Peerless’ intention to amend the Request for Waiver to seek relief only for interest and penalties associated with the May 499-Q and not the February 499-Q. During this discussion, the Consultants provided copies of the final invoice associated with the February 499-Q (attached hereto as Attachment 2) and explained that not only will the overpayment that Peerless made which is associated with the February 499-Q be remedied via the true-up process in 2014 but there also are no interest and/or penalties which need to be reversed. Accordingly, the Request for Waiver

¹ Request for Review by Peerless Networks, Inc. of Decision of Universal Service Administrator and Request for Waiver of Deadline for Filing Revisions to FCC Form 499-Q. WC Docket No. 06-122 (filed August 8, 2013) (“Request for Waiver”).

will be amended to seek relief only for interest and penalties associated with the May 499-Q filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John Kuykendall". The signature is written in a cursive, flowing style.

John Kuykendall
Vice President

cc: Carol Pomponio

Attachments

ATTACHMENT 1
REDACTED IN ENTIRETY

ATTACHMENT 2
REDACTED IN ENTIRETY