



WILTSHIRE
& GRANNIS LLP

January 17, 2014

Ex Parte

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

Re: *Connect America Fund*, WC Docket No. 10-90; *A National Broadband Plan for Our Future*, GN Docket No. 09-51; *High-Cost Universal Service Support*, WC Docket No. 05-337; *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45

Dear Ms. Dortch:

On Tuesday, January 15, 2014, Tamar Finn of Bingham McCutcheon on behalf of Bandwidth.com, Andrea Pierantozzi (by phone), Mack Greene (by phone), and Joe Cavender of Level 3 Communications, LLC (“Level 3”), and I, on behalf of Level 3, spoke with Daniel Alvarez, Legal Advisor to Chairman Wheeler. We provided Mr. Alvarez with a copy of our ex parte letter of August 8, 2013, which also summarizes the points discussed, and which we incorporate by reference herein. A copy of that letter is available at <http://apps.fcc.gov/ecfs/document/view?id=7520936835>.

In addition, we noted that the issue of whether local switching access charges could be levied by a CLEC serving an over-the-top VoIP provider, as well as the issue of the proper interpretation of the Commission’s rules, are now the subject of litigation before some state PUCs and federal district courts. We urged that the Commission rule on the interpretation and meaning of its own rules, rather than leaving that to entities that are not expert in the Commission’s policies.

Please contact me if you have any questions.

Sincerely,

John T. Nakahata
Counsel to Level 3 Communications, LLC

cc: Daniel Alvarez
Tamar Finn