

Eric J. Branfman  
Direct Phone: +1.202.373.6553  
Direct Fax: +1.202.373.6415  
Eric.branfman@bingham.com

January 17, 2014

## 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 January 15, 2014, 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, Bobbi-Sue Doyle Hazard, Associate Corporate Counsel of Granite, and Mitch Rose, of Mitch Rose Strategic Consulting, met with Nicholas Degani, Legal Advisor to Commissioner Pai, 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 18 of the 20 largest retailers in the nation, and that while these are large companies, their needs at each retail location are typically only 3-7 lines. Granite explained that because it is a non-facilities-based competitor, 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.

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, in which the ILEC often has the only last-mile connection to the

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

T +1.202.373.6000  
F +1.202.373.6001  
bingham.com

Marlene H. Dortch, Secretary  
January 17, 2014  
Page 2

customer and competitive connections that provide the service desired by customers are not economically feasible. Granite noted that for such customers, 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 alarm service, a product that Granite furnishes in many buildings.

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 also expressed its concerns about AT&T's proposed trials. 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 is 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 suggested that if the Commission requests trial proposals, it should make clear that an ILEC proposing a trial spell out in detail how the trial would be implemented with respect to end users that are served by wholesale customers of the ILEC, such as Granite. Granite also suggested that the trial proposals set forth metrics to be measured and for the trial to be declared a success.

Granite also provided Mr. Degani with a copy of the attached presentation.

Respectfully submitted,

*/s/ Eric J. Branfman*

Eric J. Branfman

Counsel for Granite Telecommunications, LLC

cc: Nicholas Degani (by email)

Attachment