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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”), Michael B. Galvin, General Counsel of Granite, and Kevin Joseph of The Joseph Group, met with Daniel Alvarez, Legal Advisor to Chairman Wheeler, 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 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

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support features needed by businesses, such as faxing, call hunting, message waiting, failover and Centrex features. Wireless also cannot currently provide alarm elevator 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. In Granite's experience, customers requiring service at hundreds of sites are unwilling to pay the construction costs that would be necessary to extend cable facilities to such sites.

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 pointed out that its business customers require some degree of certainty in planning out their telecommunications expenditures over the next several years, and that given the uncertainty resulting from the lack of clarity in ILEC proposals, Granite and other wholesale providers are unable to provide their customers with the required degree of certainty.

Granite stated that it understood why a transition to a superior technology would be beneficial, and urged that the Commission not forego the benefits of competition simply to achieve such a transition. 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. Alvarez with a copy of the attached presentation.

Respectfully submitted,

/s/ Eric J. Branfman

Eric J. Branfman

Counsel for Granite Telecommunications, LLC

cc: Daniel Alvarez (by email)

Attachment

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