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January 29, 2014

Ex Parte

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

Re: Rural call completion, WC Docket No. 13-39

Dear Ms. Dortch:

On January 27, 2014, Andrea Pierantozzi, Mack Greene (both by telephone), and I, of Level 3 Communications, LLC (“Level 3”), met with Margaret Dailey, Terry Kavanaugh, and Christopher Killion, of the Enforcement Bureau; and Richard Hovey of the Wireline Competition Bureau regarding the above-captioned matter.

During the conversation, the Level 3 representatives explained that the reporting template included at appendix C of the Commission’s *Rural Call Completion Order and FNPRM*,¹ appeared to define “Answered” and “Ring No Answer” calls in a manner inconsistent with how Level 3 calculates answer rates pursuant to the Level 3 consent decree.² For example, the Level 3 representatives explained, if a person dialed a telephone number, heard ringing, and hung up before the call was answered by the called party, that call would typically be coded with a release cause code 16. Level 3 would not consider such a call to be answered for the purposes of its consent decree, but appendix C of the *Rural Call Completion Order and FNPRM* indicates that such a call would be considered answered. For the purposes of the consent decree, Level 3 only considers calls answered where it has received an ISUP Answer message (ANM) or the SIP equivalent. This difference in definition, Level 3 explained, could be expected to materially affect Level 3’s reported completion results: for the same set of calls, Level 3 would expect to report a much higher “Answer” rate under the methodology set forth in appendix C than it would under the consent decree.

¹ *Rural Call Completion*, WC Docket No. 13-39, Report and Order and Further Notice of Proposed Rulemaking, FCC 13-135 (rel. Nov. 8, 2013) (*Rural Call Completion Order and FNPRM*).

² Level 3 Communications, LLC, Consent Decree, 28 FCC Rcd 2272 (2013).

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The Level 3 representatives also noted that release cause codes 18 and 19 are used so infrequently (typically less than 1% of calls), and in Level 3's experience, only on calls that the terminating LEC disconnects because of excessive ringing, that tracking these codes serves little practical purpose.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

/s/ Joseph C. Cavender

Joseph C. Cavender

cc: Margaret Dailey
Richard Hovey
Terry Kavanaugh
Christopher Killion