

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

June 27, 2014

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: 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 June 25, 2014, the undersigned met on behalf of Garland Connect LLC (“Garland Connect”) with the following FCC Staff members: William Layton, Tim Stelzig, Randy Clarke, Deena Shetler, Kalpak Gude, Linda Oliver and Kenneth Lynch. The following participated by telephone on behalf of Garland Connect: Ronald Moses, Managing Partner, Garland Connect, and Pamela Westhoff, Nancy Grauman and Brian Weimer, all of Sheppard, Mullen, Richter & Hampton, LLP, counsel for Garland Connect.

The Garland Connect representatives elaborated on the points made in Garland Connect’s June 11, 2014 *ex parte*. In particular, Garland Connect pointed out that in dealing with building owners and managers, AT&T relies on its tariffs in support of its claim that it is entitled to require buildings to provide it services such as space, power, penetrations, and use of conduits free of charge, but that any obligation in the tariffs falls on AT&T’s Customer, not the building owner or manager. Moreover, the tariffs speak only to space and power, while AT&T also insists on the right to free use of penetrations and conduits.

Garland Connect reiterated that at the same time that AT&T is telling the FCC that it competes on a level playing field, outside the Beltway it tells building owners and managers that it is entitled to discriminatorily favorable treatment as compared with CLECs and

Beijing
Boston
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Orange County
San Francisco
Santa Monica
Silicon Valley
Tokyo
Washington

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

T +1.202.373.6000
F +1.202.373.6001
bingham.com

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regularly receives such treatment. Garland Connect suggested that the FCC find out whether it is AT&T's official position that as an ILEC, it is entitled to receive building access services free of charge, while CLECs, including AT&T's own CLEC subsidiary, TCG, must pay for identical building access service.

Garland Connect also suggests that in an NPRM or other request for public input regarding managerial framework for the IP Transition, the FCC solicit comments from ILECs, CLECs and building representatives as to whether ILECs are demanding and receiving preferential treatment in building access and whether this provides ILECs with a competitive advantage over CLECs. The circuits that AT&T provides in the Building and other similar facilities are used to provide interstate service and thus the Commission has jurisdiction. Garland Connect suggests that the Commission articulate clearly and forcefully that LECs engaging in the practice of demanding and knowingly receiving discriminatory discounts in building access (the most extreme example of which is refusing to pay for building access altogether) are subject to liability, pursuant to Section 206 of the Act and that damages may be awarded to injured persons, pursuant to Section 207 of the Act.

Respectfully submitted,

/s/ Eric J. Branfman

Eric J. Branfman

Counsel for Garland Connect, LLC

cc: (via email)

William Layton
Tim Stelzig
Randy Clarke
Deena Shetler
Kalpak Gude
Linda Oliver
Kenneth Lynch

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