

EX PARTE OR LATE FILED

September 9, 2014

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VIA ECFS AND HAND DELIVERY

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

ACCEPTED/FILED

SEP - 9 2014

Federal Communications Commission
Office of the Secretary

DOCKET FILE COPY ORIGINAL

Re: *In the Matter of Rural Call Completion, WC Docket No. 13-39*

Dear Ms. Dortch:

On October 5, 2014, my colleague Joseph Bowser and I met with John Hunter, Claude Aiken, and John Visclosky of the Wireline Competition Bureau and the Rural Call Completion Task Force. We were joined at the meeting by our client Josh Nelson, Founder and CEO of Great Lakes Communication Corporation ("GLCC"), a Local Exchange Carrier that serves residences and business in Lake Park and Milford, Iowa, and that provides a state-of-the-art network to high-volume conferencing and similar services. We were also joined by David Erickson, CEO of Free Conferencing Corporation, one of the nation's largest conferencing providers. The purpose of our meeting was to discuss the significant call quality and call failure issues that have occurred during the past few weeks on calls to Great Lakes that were originated on T-Mobile USA and AT&T's networks.

Our discussion was guided by the presentation that is attached hereto. Of particular importance, we explained that since on or about August 12, 2014, there has been a significant and prolonged issue with calls reaching GLCC's network from T-Mobile and AT&T. The problem appears to have occurred due to shifts in traffic routing undertaken by T-Mobile, which included, at various times, routing large volumes of traffic on AT&T's network despite the fact that AT&T's network was not prepared for and did not have the capacity to accept the traffic. We provided evidence that suggests that T-Mobile has also routed a portion of its traffic through a few other carriers for periods of time since August 12, 2014, but has changed its routing patterns frequently.

During the discussion we pointed out several facts and provided data that raise serious questions about T-Mobile's practice. Specifically, we discussed that: (a) T-Mobile has been on notice that its routing practices are causing call failures or degraded quality on calls to GLCC in rural Iowa since August 12, 2014, but has not corrected the problem; (b) there are a variety of measures T-Mobile could, but has refused to, take that would have eliminated the call problems; (c) T-Mobile's failure to address the problem harms GLCC's residential and business customers, as

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well as the conferencing customers it serves; (d) Free Conferencing Corporation has received hundreds of complaints from T-Mobile and AT&T customers trying to reach its conferencing services that are located in Iowa since these problems began; and (e) test calls reveal that when calls failed callers received a combination of "fast busy," "slow busy," and intercept messages, leading to customer confusion about the source of the problem. Finally, we discussed that AT&T had recently informed GLCC that it was seeking to add additional capacity to its network to address the problem, but that it would take some additional time for that capacity to be added and that it was not clear whether it would fully resolve the problems.

We noted that based on these facts, it appears that T-Mobile is engaged in an unjust and unreasonable practice in violation of § 201(b) of the Act, 47 U.S.C. § 201(b), and acting in an unreasonably discriminatory manner in violation of § 202 of the Act, § 202. *See* Declaratory Ruling, DA 12-154 (Feb. 6, 2012). We asked the Rural Call Completion Task Force to take prompt action to address this issue and prevent it from reoccurring.

Pursuant to Rule 1.1206, a copy of this letter is being filed electronically with the Commission. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



G. David Carter
Counsel to Great Lakes Communication Corporation

cc: Chairman Tom Wheeler
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O'Reilly
John Hunter
Claude Aiken
John Visclosky

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Federal Communications Commission
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Federal Communications Commission
Office of the Secretary

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**Re: REDACTED – FOR PUBLIC INSPECTION
Request for Confidential Treatment – Great Lakes
Communication Corp. in WC Docket No. 13-39**

Dear Ms. Dortch:

On behalf of Great Lakes Communication Corp. (“Great Lakes”), and pursuant to 47 C.F.R. §§ 0.457, 0.459, and 1.1204(a), Great Lakes respectfully requests confidential treatment of certain portions of the written presentation it provided at the September 5, 2014 ex parte meeting between certain representatives of Great Lakes, Free Conferencing Corporation (as identified in the concurrently filed notice of ex parte) and Messrs. John Hunter, Claude Aiken, and John Visclosky of the Wireline Competition Bureau and the Rural Call Completion Task Force. Specifically, Great Lakes requests Confidential Treatment of certain information in pages 11-18 of the presentation. Accordingly, Great Lakes hereby seeks Confidential Treatment and requests that the Confidential Information be withheld from public inspection, all of which has been redacted from the publicly available form of the presentation. The redacted data constitutes sensitive commercial information that falls within the scope of Exemption 4 of the Freedom of Information Act (“FOIA”). 5 U.S.C. § 552(b)(4). In addition, the information is protected by 22 U.S.C. § 222 because it contains confidential carrier information.

In support of this request and pursuant to Section 0.459(b) of the Commission’s Rules, Great Lakes states as follows:

(1) Identification of the specific information for which confidential treatment is sought.

All of the information designated as “Confidential Information” being submitted here is confidential commercial information under Exemption 4 of FOIA. As explained in greater detail below, the Confidential Information contains proprietary commercial information. Accordingly, pursuant to Section 0.459(a), Great Lakes requests that such information not be made available for public inspection.

REDACTED - FOR PUBLIC INSPECTION

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(2) Identification of the proceeding in which the information was submitted or a description of the circumstances giving rise to the submission.

The information is being provided to the Commission in connection with the Commission's ongoing oversight of rural call completion issues and the enforcement of its Declaratory Ruling, DA 12-154 (Feb. 6, 2012) relating thereto. *In the Matters of Developing an Unified Intercarrier Compensation Regime and Establishing Just and Reasonable Rates for Local Exchange Carriers*, CC Docket No. 01-92 and WC Docket No. 07-135, Declaratory Ruling, 27 FCC Rcd. 1351 (2012).

(3) Explanation of the degree to which the information is commercial or financial or contains a trade secret or is privileged.

The data contained in the Confidential Information is not disclosed to the public or within the industry. The Confidential Information shows sensitive commercial information related to Great Lakes, its network and various carriers with which it exchanges telecommunications. The disclosure of such information would cause harm to Great Lakes. This sensitive commercial information is not made available to the public by Great Lakes.

(4) Explanation of the degree to which the information concerns a service that is subject to competition.

The data contained in the Confidential Information describes the business and operational details of Great Lakes' network and the carriers with which Great Lakes exchanges telecommunications traffic including the relative volumes relating thereto. All of the Confidential Information concerns competitive voice services provided by Great Lakes and relates to traffic for which Great Lakes' customers have various competitive alternatives.

(5) Explanation of how the disclosure of the information could result in substantial competitive harm.

The presence of competition in Great Lakes' local exchanges as well as the availability of competitive alternatives to many of Great Lakes' business customers both within and outside of Great Lakes' local exchanges should compel the Commission to withhold the Confidential Information from public disclosure. The Commission has assured that it is "sensitive to ensuring that the fulfillment of its regulatory responsibilities does not result in the unnecessary disclosure of information that might put its regulatees at competitive disadvantage." *Examination of Current Policy Concerning the Treatment of Confidential Information Submitted to the Commission*, Report & Order, 13 FCC Rcd. 24816 ¶ 8 (1998).

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(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure.

In order to prevent unauthorized disclosure of the subject information, Great Lakes is filing a confidential version of this filing with the Office of the Secretary. Great Lakes takes routine measures to ensure the confidentiality of this information during normal business operations, including restricting access thereto to those personnel who have a need to access such information in the ordinary course of Great Lakes' business.

(7) Identification of whether information is available to the public and the extent of any previous disclosure of the information to third parties.

With the exception of its customer, Free Conferencing Corporation, with which Great Lakes has one or more contractual agreements designed to ensure, inter alia, the confidentiality of their respective confidential and proprietary business information, the data in the Confidential Information is not available to the public or any third parties.

(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure.

As noted above, all of the Confidential Information being submitted herewith is confidential commercial information under Exemption 4 of FOIA. As such, Great Lakes would never make this information publicly available due to its sensitive and proprietary nature. For this reason, Great Lakes requests that the Commission protect this information from public inspection in perpetuity.

(9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.

The Confidential Information contains proprietary commercial information, which Great Lakes will forever keep confidential. Because of the competitive sensitivity of the Confidential Information, Great Lakes seeks confidential treatment indefinitely.

In addition, in light of the inherent potential that the call-completion problems discussed in the presentation could lead to an emergency in which the safety of life is endangered or substantial loss of property is threatened, Great Lakes submits that confidential treatment is also warranted under 47 C.F.R. § 1.1204(a)(3). Great Lakes is filing a redacted version of the materials and a summary of the discussion as contemplated by Rule 1.1204(a)(3).

REDACTED - FOR PUBLIC INSPECTION

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Secretary
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Please contact the undersigned if you have any questions or concerns relating to this request.

Sincerely,



Joseph P. Bowser

Counsel to Great Lakes Communication Corp.

cc (via email): Chairman Tom Wheeler
 Commissioner Mignon Clyburn
 Commissioner Jessica Rosenworcel
 Commissioner Ajit Pai
 Commissioner Michael O'Reilly
 John Hunter
 Claude Aiken
 John Visclosky



IGLTeleConnect

YOUR LOCAL PHONE & INTERNET PROVIDER



Who We Are

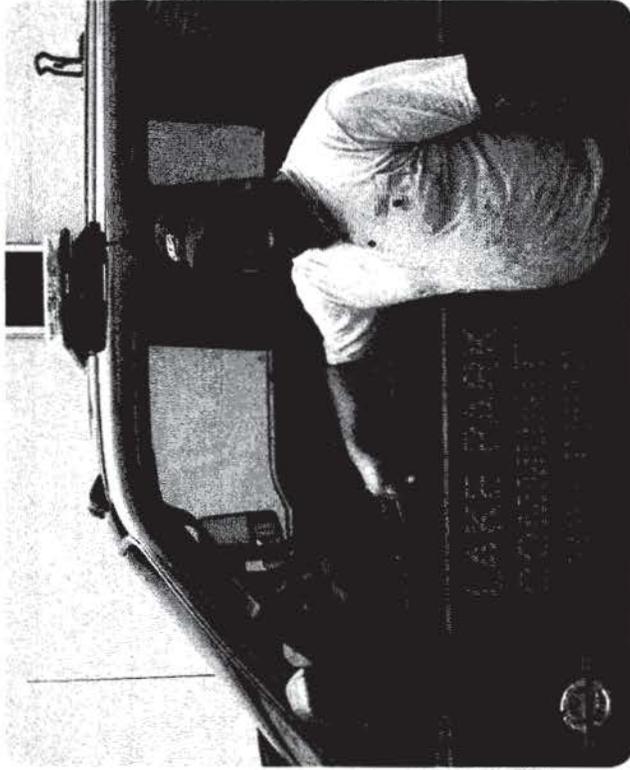


Back row: Jerry Nelson,
Chad Lundquist, Candie
Nelson, Josh Nelson.

Front row: Adam Nelson,
Brayden Eldridge, Jolene
Froiland, Kellie Beneke,
Karli Martin, John Hass.

IGL TeleConnect

Who We Serve



Brandon Ehret, Lake Park Fire Dept.



IGLTeleConnect

Who We Serve



Pam Kruger, Lake Park library

IGL TeleConnect

Who We Serve



Vince Elser, Lake Park resident,
Phone & internet customer



Nick Elser, Lake Park resident,
Phone & internet customer

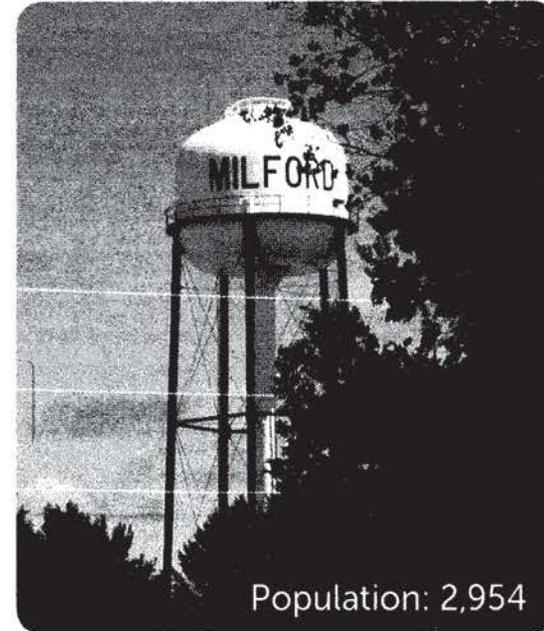
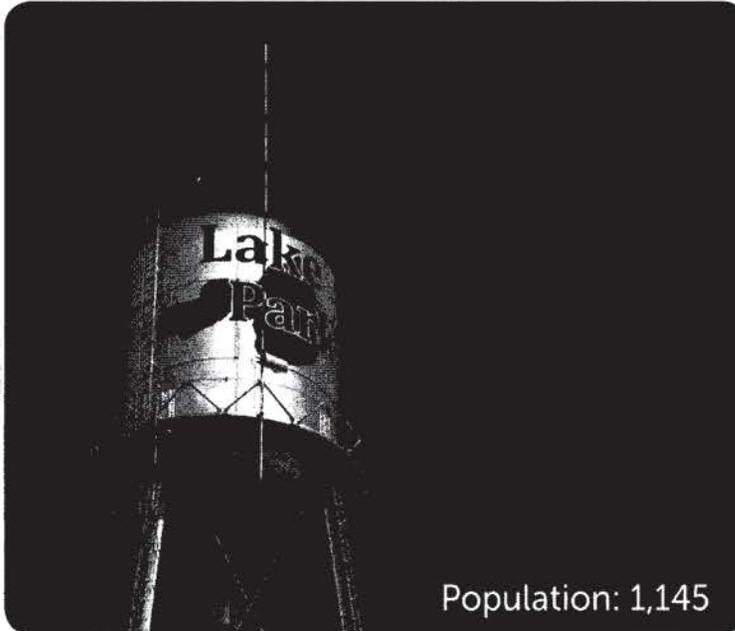


Chad with Joy Christians,
H&L Construction of Milford

IGL TeleConnect

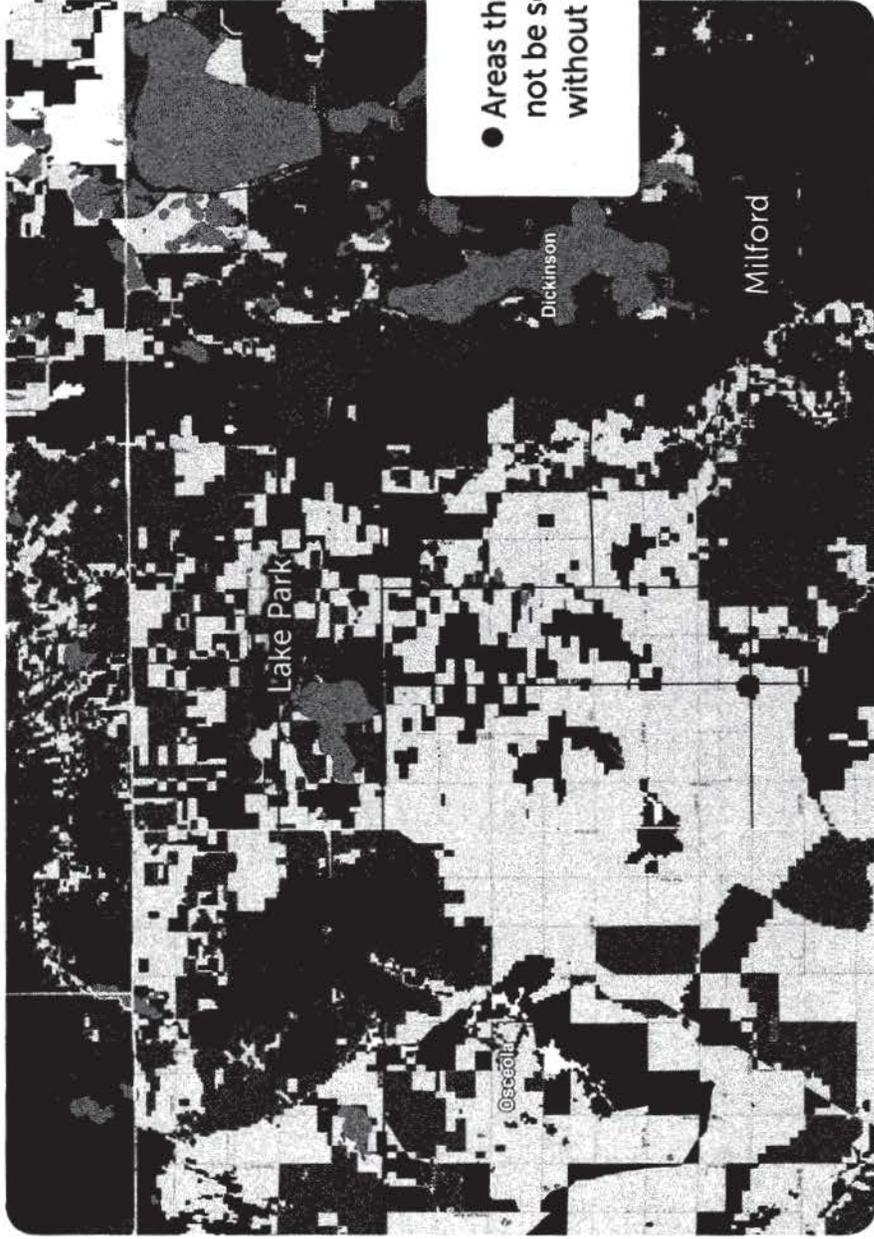
Providing Customers A Choice

Today there are 541 IGL TeleConnect customers in
Lake Park, Milford & surrounding communities



IGL TeleConnect

Providing Customers A Choice



IGLTeleConnect

Who We Serve



Other Conferencing and High-Volume Services

Note: GLCC has adjusted its tariffed access service rates to comply with the rules for CLECs engaged in "access stimulation."

The logo for IGL TeleConnect features a stylized white graphic on the left, resembling a telephone handset or a stylized 'I' and 'G' combined. To the right of this graphic, the text "IGL TeleConnect" is written in a bold, sans-serif font.

IGL TeleConnect



Rural Call Completion Issues



IGL TeleConnect

AT&T and T-Mobile Traffic to Great Lakes

- A serious and prolonged problem that originated on T-Mobile's network, but has had substantial impact on AT&T's traffic and on countless consumers trying to reach Free Conferencing and other conference-call services
- T-Mobile has failed to address the issue in a timely manner
 - Denied that there was a call quality problem for several days
 - Reported that it had addressed the problem
 - Repeatedly shifted traffic between 2 or 3 preferred least-cost routers, but has not resolved the problems
 - Failing to use all available options to eliminate the problem for consumers
 - Lack of coordination in shifting traffic to AT&T resulted in disruption on AT&T's network
- AT&T's Global NGOC has received several complaints, but has not yet resolved the issues despite significant time

T-Mobile and AT&T Call Completions

8-20-2014



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T-Mobile and AT&T Call Completions

8-25-2014



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T-Mobile and AT&T Call Completions

8-28-2014



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% Traffic By Carrier Trunk to GLCC

July – August 2014



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% Traffic By Carrier Trunk to GLCC

August 10 – September 1, 2014



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Average Call Duration to GLCC

(poor quality on AT&T and T-Mobile impacts other consumers)



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Network Congestion

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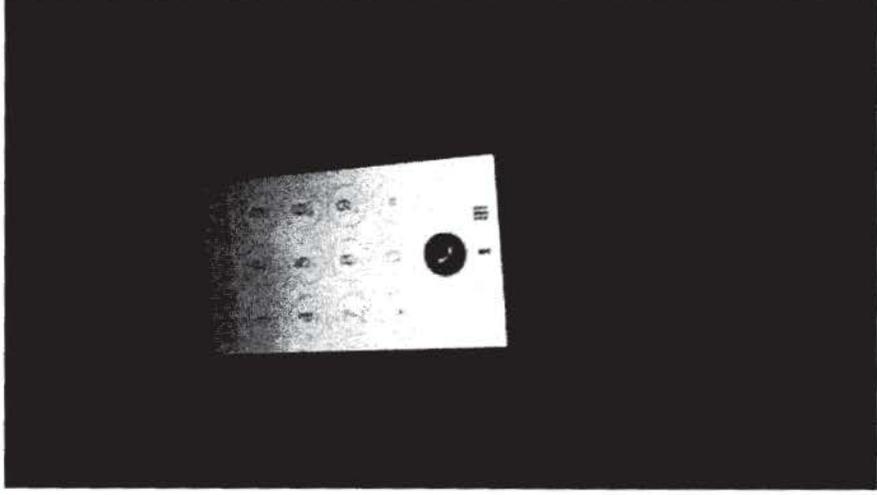
Numerous Customer Complaints

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Numerous Customer Complaints



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Violation of the Rural Call Completion Order

Declaratory Ruling, DA 12-154 (Feb. 6, 2012)

12. We clarify that it is an unjust and unreasonable practice in violation of section 201 of the Act for a carrier that knows or should know that it is providing degraded service to certain areas to fail to correct the problem or to fail to ensure that intermediate providers, least-cost routers, or other entities acting for or employed by the carrier are performing adequately. This is particularly the case when the problems are brought to the carrier's attention by customers, rate-of-return carriers serving rural areas, or others, and the carrier nevertheless fails to take corrective action that is within its power.

14. We further clarify that adopting or perpetuating routing practices that result in lower quality service to rural or high-cost localities than like service to urban or lower cost localities (including other lower cost rural areas) may, in the absence of a persuasive explanation, constitute unjust or unreasonable discrimination in practices, facilities, or services and violate section 202 of the Act.

 IGL TeleConnect



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