



October 6, 2015

Ex Parte Notice

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RE: In the Matter of Technology Transitions, GN Docket No. 13-5, Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers, RM - 11358, Special Access for Price Cap Local Exchange Carriers, WC Docket No. 05-25, AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, RM – 10593

Dear Ms. Dortch:

On Friday, October 2, 2015, the undersigned and Jill Canfield from the NTCA – The Rural Broadband Association and Valerie Wimer from John Staurulakis, Inc. (the “Rural Representatives”) met with the following Federal Communications Commission (“Commission”) staff: Carol Matthey, Randy Clarke, Bill Dever, Daniel Kahn, Heather Hendrickson, Doug Klein, and Richard Mallen. During the meeting the group discussed the above-referenced proceedings in which the Commission adopted notice requirements applicable to incumbent local exchange carriers (“LECs”) relating to planned copper retirements.¹

The parties discussed the fact that the Commission relied specifically on 47 U.S.C. § 251(c)(5) as its authority for the new copper retirement network notification rules (47 CFR §§ 51.325, 51.332, and 51.333), and that the new rules are codified in sections that do not apply to rural incumbent LECs who remain exempt from certain requirements pursuant to 47 U.S.C § 251(f)(1). The Rural

¹ In the Matter of *Technology Transitions*, GN Docket No. 1305, *Policies and Rules Governing Retirement of Copper Loops by Incumbent Local Exchange Carriers*, RM -11358, *Special Access for Price Cap Local Exchange Carriers*, WC Docket No. 05-25, *AT&T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*, RM -10593, Report and Order, Order on Reconsideration and Further Notice of Proposed Rulemaking (Rel. Aug. 7, 2015).

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Representatives expressed their understanding that the copper retirement requirements adopted by the Commission in the Order therefore do not apply to those rural incumbent LECs that have not had their rural exemption terminated by action of a state commission pursuant to 47 U.S.C. § 251(f)(1).

Thank you for your attention to this correspondence. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS.

Sincerely,

/s/ Michael R. Romano

Michael R. Romano

Senior Vice President – Policy

cc: Carol Matthey
Randy Clarke
Doug Klein
Bill Dever
Heather Hendrickson
Daniel Kahn
Richard Mallen