



The voice of mid-size communications companies

June 4, 2015

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

Re: Ex Parte Communication: MD Docket Nos. 15-121, 14-92

Dear Ms. Dortch:

On June 2, 2015, Jeb Benedict of CenturyLink, AJ Burton of Frontier, and Genny Morelli and the undersigned of ITTA met with Nick Degani in Commissioner Pai's office to discuss the Commission's annual assessment and collection of regulatory fees.

ITTA expressed concern that the *Notice of Proposed Rulemaking* relating to fiscal year ("FY") 2015 regulatory fees neglected to address proposals to correct the disparity in regulatory fees paid by interstate telecommunications service providers ("ITSPs").¹ Providers and consumers of wireline voice service have borne a disproportionate regulatory fee burden relative to other industry sectors for more than a decade and ITTA has made repeated calls in the past several years for the FCC to address this disparity and to better align ITSP regulatory fees with the actual work of the Commission.² Indeed, in its *FY 2014 Report and Order and Further Notice of Proposed Rulemaking*, the Commission itself "recognize[d] that there may be merit to more fundamental reform in the regulatory fee process as outlined in [ITTA's] proposals."³ In

¹ *In the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 2015; Amendment of Part 1 of the Commission's Rules; Assessment and Collection of Regulatory Fees for Fiscal Year 2014*, Notice of Proposed Rulemaking, Report and Order, and Order, MD Docket Nos. 15-121, 14-92, FCC 15-59 (rel. May 21, 2015) ("*FY 2015 NPRM*").

² See, e.g., Comments of ITTA – The Voice of Mid-Size Communications Companies, MD Docket Nos. 14-92, 13-140, 12-201 (filed Nov. 26, 2014); Comments of ITTA – The Voice of Mid-Size Communications Companies, the Eastern Rural Telecom Association, and Windstream Corporation, MD Docket Nos. 14-92, 13-140, 12-201 (filed July 7, 2014); Comments of the Independent Telephone & Telecommunications Alliance, MD Docket Nos. 13-140, 12-201, 08-65 (filed June 19, 2013); Reply Comments of the Independent Telephone & Telecommunications Alliance, MD Docket No. 08-65 (filed June 6, 2008); Comments of the Independent Telephone & Telecommunications Alliance, MD Docket No. 08-65 (filed Sept. 25, 2008).

³ *In the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 2014; Assessment and Collection of Regulatory Fees for Fiscal Year 2013; Procedures for Assessment and Collection of Regulatory Fees*; MD Docket Nos. 14-92, 13-140, 12-201, Report and Order and Second Further Notice of Proposed Rulemaking, FCC 14-129, ¶ 34 (rel. Aug. 29, 2014).

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light of this conclusion and the Commission's affirmative commitment in 2013 to comprehensively overhaul its regulatory fee regime within three years, the FCC can no longer delay action to address this problem in a meaningful way.⁴

We urged the Commission to move forward with necessary reforms to its regulatory fee structure to remedy the inequitable disparity in regulatory fees paid by providers and consumers of wireline voice service. This disparity harms some of the consumers least able to afford additional fees by increasing the cost of their home phone service. We also urged the Commission to phase in the new regulatory fee applicable to DBS providers as quickly as possible to achieve full parity in regulatory fees for providers of video service.⁵ In addition, we explained that the Commission should reverse its determination to apply the new toll fee regulatory fee to RespOrgs that also pay regulatory fees as ITSPs.⁶

Please do not hesitate to contact the undersigned with any questions regarding this submission.

Respectfully submitted,



Micah M. Caldwell

Vice President, Regulatory Affairs

cc: Nick Degani

⁴ See *In the Matter of Assessment and Collection of Regulatory Fees for Fiscal Year 2013; Procedures for Assessment and Collection of Regulatory Fees; Assessment and Collection of Regulatory Fees for Fiscal Year 2008*, MD Docket Nos. 13-140, 12-201, 08-65, Report and Order, FCC 13-110, ¶ 5 (rel. Aug. 12, 2013) (noting that the Commission “intend[s] to conclusively readjust regulatory fees within three years”).

⁵ See *FY 2015 NPRM* at ¶ 9.

⁶ See *id.* at ¶ 23.