



May 22, 2018

***Ex Parte Notice***

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

**RE: *Updating the Intercarrier Compensation Regime to Eliminate Access Arbitrage, WC Docket No. 18-155; Curbing Toll Free Arbitrage and Fraud, WC Docket No. 18-156; Petition of NTCA—The Rural Broadband Association and the United States Telecom Association for Forbearance Pursuant to 47 U.S.C. § 160(c) from Application of Contribution Obligations on Broadband Internet Access Transmission Services, 17-206; Connect America Fund, WC Docket No. 10-90***

Dear Ms. Dortch:

On Monday, May 21, 2018, the undersigned, on behalf of NTCA—The Rural Broadband Association (“NTCA”) met separately with Amy Bender, wireline legal advisor to Commissioner Michael O’Rielly, and Jamie Susskind, chief of staff to Commissioner Brendan Carr, to discuss matters in the above-referenced proceedings.

First, NTCA discussed the two draft notices of proposed rulemaking now being circulated related to intercarrier compensation arbitration. NTCA reiterated its commitment to addressing inefficient and wasteful arbitration that can undermine the integrity of those intercarrier compensation mechanisms that otherwise remain important elements of cost recovery for small rural providers in particular. In fact, NTCA highlighted its participation within an industry group that examined such issues and produced a recommendation as noted in one of the notices. At the same time, however, NTCA encouraged the Federal Communications Commission (the “Commission”) to be surgical in its focus upon inefficient arbitration, defining precisely what it considers to constitute such a practice and crafting remedies specifically to solve for any such concern. By contrast, NTCA noted that some of the potential “remedies” discussed in the notices appear to go far beyond carefully crafted consideration and resolution of potential “arbitrage” and wander instead into much broader policy questions that could have far-reaching implications on cost recovery, universal service, and network interconnection. Thus, in the context of proceedings ostensibly aimed at tackling discrete arbitration issues, NTCA encouraged the Commission to retain a disciplined focus on those issues, and to decline to venture in this forum into broader sweeping debates regarding network edges and “end states” for compensation – such matters should instead be addressed through separate further notices more properly designed and developed to initiate substantive debate and to analyze the implications of any such wide-ranging proposals.

Marlene H. Dortch

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In the meetings, NTCA also encouraged the Commission to take action with respect to its transmission contributions forbearance petition, explaining the need for the requested relief consistent with its petition and other prior filings. *See* Petition for Forbearance of NTCA – The Rural Broadband Association and the United States Telecom Association, WC Docket No. 06-122 (filed June 14, 2017); *Ex Parte* Letter from Michael R. Romano, Sr. Vice President, NTCA, to Marlene H. Dortch, Secretary, Commission, WC Docket No. 10-90 (filed Nov. 21, 2016).

Finally, consistent with prior advocacy, NTCA urged the Commission to act in coming months upon its pending notice of proposed rulemaking with respect to the continued imposition of a local “rate floor.” *See Connect America Fund*, WC Docket No. 10-90, Notice of Proposed Rulemaking and Order (rel. May 19, 2017); Comments of NTCA, WC Docket No. 10-90 (filed July 10, 2017).

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 –

Industry Affairs & Business Development

cc: Amy Bender  
Jamie Susskind