

REDACTED—FOR PUBLIC INSPECTION

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VIA ECFS

EX PARTE

October 9, 2014

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

Re: *GN Docket No. 13-5, Technology Transitions; GN Docket No. 12-353, AT&T Petition to Launch a Proceeding Concerning the TDM-to-IP Transition; WC Docket No. 05-25, In the Matter of Special Access Rates for Price Cap Local Exchange Carriers; RM-10593, AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services*

Dear Ms. Dortch:

In an October 6, 2014 discussion with Matthew DelNero, Deputy Chief of the Wireline Competition Bureau, at the COMPTTEL PLUS Fall 2014 Convention in Dallas, Windstream emphasized the need for the Commission to reiterate that an incumbent local exchange carrier is not relieved of its obligation to provide DS1 or DS3 unbundled (“UNE”) loops pursuant to 47 C.F.R. §§ 51.319(a)(4) and (5) when it transitions from TDM-based to IP-based technologies or avails itself of the copper retirement procedures set forth in 47 C.F.R. § 51.333.¹ This ex parte submission elaborates on the continued importance of UNEs for competitive communications services used by entities with lower bandwidth needs, which include small businesses as well as smaller sites of multilocation business, government, and nonprofit entities.

UNEs are still in high demand and often are necessary for the provision of competitive offerings, in IP as well as TDM formats, to entities with lower bandwidth needs, which include small businesses as well as smaller sites of multilocation business, government, and nonprofit entities. Indeed, UNEs allow Windstream better to control the quality of Ethernet services that it

¹ See Letter from Malena F. Barzilai, Windstream, to Marlene H. Dortch, Secretary, FCC, GN Docket Nos. 13-5, 12-353, WC Docket No. 05-25, RM-10593, at 2 (October 8, 2014).

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Pursuant to the two Second Protective Orders, this redacted version is being filed in the above-referenced dockets via ECFS. Windstream is filing a copy of the highly confidential version with the secretary, and sending two copies each to the Wireline Competition Bureau's Jonathan Reel (Competition Policy Division) and Marvin Sacks (Pricing Policy Division).

Please contact me if you have any questions.

Sincerely yours,

/s/ Malena F. Barzilai

Malena F. Barzilai

cc: Matthew DelNero
Jonathan Reel
Marvin Sacks

to Donna Epps at 2 (declaring eligible for highly confidential treatment “expenditures, including dollar volumes of purchases of intrastate and interstate DS1 and DS3 services, and expenditures under certain rate structures and discount plans”).