



March 14, 2012

(Filed electronically)

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

Re: **Ex Parte Notice**
CC Docket No. 96-45
CC Docket No. 01-92
WC Docket No. 10-90
WC Docket No. 05-337
WC Docket No. 03-109
GN Docket No. 09-51
WC Docket No. 07-135

Dear Ms. Dortch:

The purpose of this filing is to state the Voice on the Net Coalition's support for the proposition that originating access charges for all VoIP-PSTN traffic is subject to interstate rates and not intrastate rates.¹ This position is consistent with the conclusions in the ICC/USF reform order, wherein the Commission specifically refused to apply the legacy access charge regime to IP traffic. Any other result would discourage the Commission's objectives and provide a disincentive for local carriers to migrate customers to broadband networks.

Some parties assert that the Commission did not reduce originating access rates for toll traffic originating on the PSTN and terminating in IP format.² Windstream argues that a contrary result reading would result in a flash-cut reduction in carrier's revenues. While this may or may not be true, Windstream ignores the fact that all carriers are impacted by ICC reform. VoIP providers in particular are specifically subject for the first time to interstate access charges for IP-PSTN traffic. Unlike rate of return carriers that may have regulatory alternatives to recover lost revenues, the VoIP market is subject to vigorous

¹ See, e.g., ex parte filings in the above referenced dockets by AT&T (February 2, 2012) and Verizon (March 6, 2012).

² See, e.g., Windstream Ex Parte, dated March 12, 2012, in the above referenced dockets.



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competition and VoIP providers will have to either raise rates, and risk losing customers, or find other ways to reduce costs to account for the increased carrier charges. While VON supports the six year glide path to bill and keep, allowing LECs to charge intrastate access rates for toll calls that originate on the PSTN and terminate in IP format, will further complicate intercarrier relationships, perpetuating the disputes and litigation that the Commission aptly attempted to end when it adopted ICC reform.

Please contact me directly if you have any questions.

Sincerely,

/s/

Glenn S. Richards
Executive Director