



**NOTICE OF WRITTEN EX PARTE  
PRESENTATION (47 C.F.R. § 1.1204(10))**

July 24, 2006

VIA ECFS

The Honorable Kevin Martin  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Room TW B204  
Washington, DC 20554

**Re: February 10, 2005 adopted Further Notice of Proposed Rulemaking,  
(FCC 05-33) in the proceeding captioned: *In the Matter of Developing a  
Unified Intercarrier Compensation Regime (CC Docket No. 01-92)***

***Result of NARUC Task Force mediation of Industry Work Group:***

***Filing of the Industry sponsored Missoula Plan – July 24, 2006 Version Appendix A***

***IMPORTANT NOTE: Neither NARUC nor Individual NTIFIC Commissioners have  
taken any position – pro or con – on this proposal to date.***

Dear Chairman Martin:

In April of 2003, recognizing the problems with the existing intercarrier compensation regime, the National Association of Regulatory Utility Commissioners Committee on Telecommunications created the NARUC Task Force on Intercarrier Compensation (NTFIC). The NTFIC, chaired by Iowa Commissioner Elliott Smith, was an outgrowth of a broader committee, designed to facilitate FCC-NARUC cooperation and interaction, appointed by then President David Svanda. Approximately one year later, after several internal NARUC meetings and presentations to the membership, on May 5, 2004, NARUC adopted, and filed in this proceeding, in response to an FCC rulemaking, NTFIC-generated intercarrier compensation policy principles.

Later, at the summer 2004 NARUC meeting in Salt Lake City, the task force sponsored a panel discussion of intercarrier compensation issues, and, on July 12, 2004 held the first of thirteen industry workshops, and innumerable conference calls, seeking a consensus solution to reform issues. At each meeting, NTFIC Commissioners met to discuss various proposed

solutions to the current regime with up to 50+ stakeholders from the full range of telecommunications industries. Throughout this process, NTFIC members have kept both FCC and Congressional leaders apprised of the progress of the workshop deliberations.

In December 2005, at industry's urging, NTFIC drafted a Task Force Proposal that created, for States that opt in, a unified State-wide scheme of intercarrier compensation. In March and May of 2005 various iterations of the Task Force Proposal were filed at the commission. The Task Force proposal did not receive significant industry support, but the regular face-to-face workshops with industry continued. In September of 2005, NTFIC Chair Elliott Smith retired from public service, and NARUC President Diane Munns appointed Oregon Commissioner Ray Baum to take over as Chair.

During the workshops that followed the filing of the NTFIC draft in May, NTFIC commissioners pressed the industry stakeholders to come up with their own draft proposal. Finally a smaller subset of industry stakeholders was appointed to negotiate a proposal to present to the larger group. That effort met with success and resulted in the attached "Missoula Plan." This proposal has attracted support from AT&T, BellSouth Corp., Cingular Wireless, Commonwealth Telephone Company, Consolidated Communications, Epic Touch, Global Crossing, Iowa Telecom, Level 3 Communications, Madison River Communications, and the 336 member companies of the Rural Alliance listed in the attached materials.

NTFIC agreed to file this industry proposal. *However, neither individual NTFIC members, nor NARUC, have taken positions – pro or con – on this proposal.* NARUC's last resolution (February 2005) on this topic suggests that any "intercarrier compensation reform proposal that NARUC might ultimately endorse should adhere to the policy principles adopted on May 5, 2004, to the extent possible, and should seek support among all industry, consumer, and governmental stakeholders."

If you have any questions or comments about either the Missoula Plan or the process used to generate the proposal, please do not hesitate to contact any of the undersigned or Brad Ramsay, NARUC's General Counsel at 202.898.2207.

Respectfully Submitted,

/s/ \_\_\_\_\_

Tony Clark, Commissioner  
North Dakota Public Service Commission  
Chair, Committee on Telecommunications

/s/ \_\_\_\_\_

Ray Baum, Commissioner  
Oregon Public Utility Commission  
Chair, Task Force on Intercarrier Compensation

/s/ \_\_\_\_\_

Larry Landis, Commissioner  
Indiana Utility Regulatory Commission  
Vice-Chair, Task Force on Intercarrier Compensation