

June 29, 2018

**VIA ECFS**

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

Re: Notice of *Ex Parte* Presentation, *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 18-141

Dear Ms. Dortch,

On June 27, 2018, Daniel P. Friesen, Co-Founder, IdeaTek Telecom and the undersigned from INCOMPAS met with Chairman Pai and Jay Schwarz, concerning the above-referenced proceeding.

In the meeting, Mr. Friesen explained that IdeaTek focuses on building out fiber to home and small businesses and providing innovative technology services for underserved areas in rural Kansas, with plans to invest even more significantly in the underserved rural telecommunications market in the coming years. IdeaTek and its predecessor together have deployed 2,200 miles of fiber optic routes. Mr. Friesen discussed how his company provides schools and community colleges, as well as small businesses, with broadband services, including in areas where there are no other broadband providers. He also discussed how his company brings high paying, skilled jobs to the rural communities where his company is present.

Mr. Friesen emphasized that continued access to unbundled network elements is crucial to his ability to continue to provide, and expand, these vital services in unserved and underserved areas. In particular, he focused on his use of the unbundled dark fiber interoffice transport explaining that he uses this unbundled network access to connect communities together. This is crucial to connecting many rural unserved areas and competitive service expansion. He also discussed the fact that his company is privately funded and unsubsidized.

INCOMPAS and IdeaTek emphasized that there are numerous other fiber builders like IdeaTek across the county. These companies are providing broadband services in rural areas, sometimes where they are the only broadband provider. They also have a presence in urban areas where they provide more cost effective, customized, and innovative services than offered by the incumbent and cable companies (where present). These companies leverage unbundled network elements in key places while they are entering a market and building out their fiber

networks. We also noted that they still face significant barriers to entry in a number of locations. The executives of these small businesses are part of the communities they serve and are passionate about bridging the digital divide and bringing more innovative services in all areas.

Consistent with the Commission's goal of expanding broadband deployment, the Commission should dismiss USTelecom's petition outright and focus, first, on removing existing barriers to deployment and reject the USTelecom's attempt to cut off competitive fiber builders and their customers.

Respectfully submitted,

*/s/ Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Chairman Pai  
Jay Schwarz

July 2, 2018

*VIA ECFS*

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

Re: Notice of *Ex Parte* Presentation, *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 18-141

Dear Ms. Dortch,

On June 28, 2018, Daniel P. Friesen, Co-Founder of IdeaTek Telecom; Dane Jasper, CEO of Sonic Telecommunications; Carson Coffman, President/COO of Socket Telecom; Brian Worthen, CEO of Mammoth Networks; and, Chip Pickering, CEO, and the undersigned from INCOMPAS met with Commissioner Carr and Jamie Susskind.

In the meeting, these companies discussed their competitive service offerings and deployment of fiber networks. Together, these companies are providing innovative broadband service to anchor institutions, public charities, first responders, government entities, small businesses, and residential consumers. They have deployed an extensive amount of fiber, including in rural and underserved urban areas. A number of them are serving rural areas where they are the only broadband provider, or there is just one other broadband provider. They are bringing high-paying, skilled jobs to these rural communities. They also have a presence in urban areas (including the many underserved urban areas) where they provide faster, more cost effective, customized, and innovative service offerings than the incumbent and cable companies (where present). They pointed out that once they enter a market, the incumbent often responds with the deployment of fiber or a more innovative service offering, demonstrating the impact competition has on catalyzing prompt broadband deployment. Indeed, when the incumbent retires the copper and deploys fiber, the incumbent no longer has an obligation to provide access to the unbundled bare copper loop (*i.e.*, DS0)—meaning they already have a productive means to escape this obligation without the grant of forbearance and the ensuing disruption of critical markets.

These companies emphasized that continued access to unbundled network elements is crucial to their ability to continue to provide, and expand, these vital services and their network deployment in the communities they operate. For example, they stressed that the loss of access of interoffice dark fiber transport as part of the USTelecom Forbearance petition could hinder competitive broadband development by a decade. They discussed how, with growing demand

for high capacity services, now is the time the Commission should be promoting competitive build, not removing critical tools to deployment. These network builders explained how they leverage unbundled network elements—such as transport and loops—in key places, while they are entering a market and building out their fiber networks. They also noted that they still face significant barriers to entry in a number of locations. The executives of these small businesses are part of the communities they serve and are passionate about bridging the digital divide and bringing more innovative services in all areas.

Consistent with the Commission’s goal of expanding broadband deployment and ensuring a competitive market, the Commission should dismiss USTelecom’s petition outright and focus, first, on removing existing barriers to deployment and reject USTelecom’s attempt to cut off competitive fiber builders and their customers.

Respectfully submitted,

*/s/ Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Commissioner Carr  
Jamie Susskind



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July 2, 2018

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Re: Notice of *Ex Parte* Presentation, *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c)*, WC Docket No. 18-141

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In the meeting, the companies discussed their competitive service offerings and deployment of fiber networks. Together, these companies are providing innovative broadband service to anchor institutions, public charities, first responders, government entities, small businesses, and residential consumers. A number of them are serving rural areas where there is no other broadband provider (or only one other provider) and bringing high-paying, skilled jobs to these rural communities. They also have a presence in urban areas (including the many underserved urban areas) where they provide more cost effective, customized, and innovative services than those offered by the incumbent and cable companies (where present). They pointed out that once they enter a market, the incumbent often responds with the deployment of fiber or a more innovative offering, demonstrating the impact competition has on catalyzing prompt broadband deployment. Indeed, when the incumbent retires the copper and deploys fiber the incumbent no longer has an obligation to provide access to the unbundled bare copper loop (*i.e.*, DSO)—meaning they already have a productive means to escape this obligation without forbearance and the ensuing disruption of critical markets.

These companies emphasized that continued access to unbundled network elements is crucial to their ability to continue to provide, and expand, these vital services in the communities they serve. The fiber builders explained how they leverage unbundled network elements in key places while they are entering a market and building out their fiber networks. They also noted

that they still face significant barriers to entry in a number of locations. Some also discussed that if they experience significant price increases, similar to those they faced as a result of the Commission's decision related to business data services, it could eliminate their ability to provide critical services such as competitive local PRI service.

The executives of these small businesses are part of the communities they serve and are passionate about bridging the digital divide and bringing more innovative services in all areas. Consistent with the Commission's goal of expanding broadband deployment and ensuring a competitive market, the Commission should dismiss USTelecom's petition outright and focus, first, on removing existing barriers to deployment and reject USTelecom's attempt to cut off much needed competitive fiber deployment and competition for consumers.

Respectfully submitted,

*/s/ Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Commissioner O'Rielly  
Amy Bender

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In the meeting, the companies discussed their competitive service offerings and deployment of fiber networks. Together, these companies are providing innovative broadband service to anchor institutions, public charities, first responders, government entities, small businesses and residential consumers. A number of them are serving rural areas where there is no other broadband provider and bringing high paying, skilled jobs to these rural communities. They also have a presence in urban areas (including the many under-served urban areas) where they provide more cost effective, customized, and innovative services than offered by the incumbent and cable companies (where present).

These companies emphasized that continued access to unbundled network elements is crucial to their ability to continue to provide, and expand, these vital services in the communities they serve. The fiber builders explained how they leverage unbundled network elements in key places, while they are entering a market and building out their fiber networks. They also noted that they still face significant barriers to entry in a number of locations. The executives of these small businesses are part of the communities they serve and are passionate about bridging the digital divide and bringing more innovative services in all areas.

Consistent with the Commission goal of expanding broadband deployment and ensuring a competitive market, the Commission should dismiss USTelecom's petition outright and focus,

first, on removing existing barriers to deployment and reject the USTelecom's attempt to cut off much needed competition.

Respectfully submitted,

*/s/ Karen Reidy*

Karen Reidy  
Vice President, Regulatory

cc: Travis Litman