

Expert Report of Larry Thompson

Prepared for

*Civil No. 04-3014, U.S. District Court,
District of South Dakota, Central Division*

EXHIBIT 14



PUBLIC NOTICE

Federal Communications Commission
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COMMENT SOUGHT ON MISSOULA PLAN PHANTOM TRAFFIC INTERIM PROCESS AND CALL DETAIL RECORDS PROPOSAL

CC Docket No. 01-92

COMMENTS DUE: December 7, 2006

REPLY COMMENTS DUE: December 22, 2006

By this Public Notice, we seek comment on a proposed interim process to address phantom traffic issues and a related proposal for the creation and exchange of call detail records. These proposals were contained in a written *ex parte* filed November 6, 2006 by the Supporters of the Missoula Plan.¹ Supporters of the original plan include AT&T, BellSouth Corp., Cingular Wireless, Global Crossing, Level 3 Communications, and 336 members of the Rural Alliance, among others.² According to its supporters, the original Missoula Plan sets forth a Comprehensive Solution for Phantom Traffic.³ As part of that solution, the Plan called "for the filing of an industry proposal for a uniform process for the creation and exchange of call detail records."⁴ It also called "for the filing of a process to be used in the interim until the uniform process can be implemented fully."⁵ The supporters of the Missoula Plan state that this most recent *ex parte* filing meets these requirements.⁶

¹ See Letter from Supporters of the Missoula Plan to Marlene H. Dortch, Secretary, Federal Communications Commission, CC Docket No. 01-92 (filed November 6, 2006) (Missoula Plan Nov. 6 *Ex Parte*). The Missoula Plan for intercarrier compensation reform was filed July 24, 2006 by the National Association of Regulatory Utility Commissioners' Task Force on Intercarrier Compensation (NARUC Task Force). See Letter from Tony Clark, Commissioner and Chair, NARUC Committee on Telecommunications, Ray Baum, Commissioner and Chair, NARUC Task Force, and Larry Landis, Commissioner and Vice-Chair, NARUC Task Force, CC Docket No. 01-92, at 2 (filed July 24, 2006) (attaching the Missoula Plan) (Missoula Plan July 24 *Ex Parte*). On July 25, 2006, the Wireline Competition Bureau (WCB) released a Public Notice establishing a pleading cycle for comments on the Missoula Plan. See *Comment Sought on Missoula Intercarrier Compensation Reform Plan*, Public Notice, CC Docket No. 01-92, DA 06-1510 (WCB July 25, 2006). In response to a NARUC request for additional time, the pleading cycle on the Missoula Plan was extended so that comments were due October 25, 2006 and reply comments are due December 11, 2006. See *Developing a Unified Intercarrier Compensation Regime*, Order, CC Docket No. 01-92, DA 06-1730 (WCB Aug. 29, 2006).

² See Missoula Plan July 24 *Ex Parte*. See also *id.*, Attach. (providing a complete list of supporters).

³ Missoula Plan Nov. 6 *Ex Parte* at 1.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

Interested parties may file comments on or before **December 7, 2006**, and reply comments on or before **December 22, 2006**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁷

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, D.C. 20554. Parties should also send a copy of their filings to Randy Clarke, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-A360, 445 12th Street,

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

SW., Washington, D.C. 20554, or by e-mail to Randy.Clarke@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in CC Docket No. 01-92 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW., Room CY-A257, Washington, DC 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com. These documents may also be viewed on the Commission's website at <http://www.fcc.gov/cgb/ecfs>.

For further information, contact Randy Clarke of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-1587 or Victoria Goldberg of the Pricing Policy Division, Wireline Competition Bureau at (202) 418-7353.

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