

September ___, 2007

VIA EMAIL

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Re: Non-payment of Access Charges to Rural Iowa Telephone Companies

Dear Chairman Martin and Commissioners:

I am writing this letter to express my concern about a dispute between a number of small rural Iowa telcos and some of the country's largest telephone companies that has been playing out for the better part of a year. This dispute is over "access charges" that the rural telcos charge to the large long-distance carriers for completing long distance calls.

Let me be clear up front – I understand that the issues involved may be very technical, and I am not in a position to judge who is ultimately right or wrong in this dispute. Rather, that is an issue for you to decide, and I understand you are doing so. My constituents inform me that your Commission already has pending rulemaking proceedings, formal complaints and tariff investigations that are all designed to resolve this dispute. This is excellent work, and I appreciate the quickness and thoroughness that has characterized the Commission's response to this matter.

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However, I understand that, long before they submitted any requests for Commission assistance on this matter, the largest long distance carriers in the country simply stopped paying the access charges that have been billed by the rural telcos. For most of the Iowa rural carriers, this practice of refusing to pay dates back to November of last year, and has now been ongoing for 10 months, and in some cases longer.

It is my understanding that the Commission has repeatedly ruled that this form of “self-help” – the refusal to pay lawfully tariffed access charges – violates the Communications Act. The harm that large carriers can impose on small carriers by simply refusing to pay access charges is obvious, particularly if it extends for long periods of time. Some of the rural telcos in my state are in very serious financial trouble – there have already been lay-offs by rural Iowa telcos, and some may even be forced into bankruptcy if this situation is allowed to continue.

I would like to ask your assistance in bringing some stability to the rural telecommunications industry in my state by requiring payment of the rural LECs’ access charges during the period when you are addressing the dispute between the rural telcos and the long distance carriers. I believe that, if you were to use your good offices to urge the parties to settle their differences and reach an accord on the payment of access charges, that they would respond positively. Absent some encouragement from the Commission, however, the large carriers simply have no incentive to negotiate with the small rural telcos. If informal discussions are not adequate to resolve this matter, the Commission could issue a Declaratory Ruling, restating its position that “self-help” is not acceptable, and violates the Communications Act.

Finally, I understand that several Iowa rural telcos will be contacting your offices in the near future to see if they can schedule meetings directly with you on this topic. I would be grateful if you could find the time to hear them out on this issue.

Thank you for your attention to this matter. I would be most appreciative if you could respond to this letter in writing within the next two weeks, to advise me if you can take the steps that I have requested.

Sincerely,
