



FEDERAL COMMUNICATIONS COMMISSION

June 6, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Dan Benishek
U.S. House of Representatives
514 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Benishek:

Thank you for your letter regarding a petition filed by Osirus Communications, Inc. The petition requests that the Commission designate it as an incumbent local exchange carrier (ILEC) in the state of Michigan to enable it to become a member of the National Exchange Carrier Association (NECA), to participate in NECA tariffs and pools, and to begin collecting high-cost universal service support. As you may know, there are two other carriers in Michigan seeking ILEC status for the same unserved areas. It is highly unusual for the Commission to choose among competing carriers seeking ILEC status, an issue more appropriately and typically decided at the state level.

The Osirus petition raises important but complex issues, including how to ensure that consumers in high-cost areas of the country have access to modern communications networks, how to achieve that goal in a fiscally responsible manner, what to do when multiple providers seek to serve the same high-cost area, and the roles of the states and federal government in addressing these challenges.

Earlier this year, the Commission initiated a proceeding to modernize the Universal Service Fund and intercarrier compensation systems to meet the nation's broadband availability challenge. That proceeding, which is on an aggressive schedule, seeks comment on each of the issues raised by the Osirus petition. Once that proceeding is concluded, we will be in a position to address the petition. A copy of your letter is being entered into the record of the proceeding and we will keep you apprised of our work to resolve these important issues.

Thank you for your interest in this important matter and please do not hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Julius Genachowski". The signature is stylized and fluid, with a long horizontal stroke extending to the right.

Julius Genachowski