



FEDERAL COMMUNICATIONS COMMISSION

October 7, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Cliff Stearns
U.S. House of Representatives
2306 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Stearns:

Thank you for your letter regarding independent payphone service providers and the payphone proceeding pending before the Commission.

As you note in your letter, the Commission is considering petitions for declaratory ruling from payphone providers seeking refunds from Bell Operating Companies in several states. Individual state public utility commissions have jurisdiction over the access line rates that payphone providers purchase to provide their service. In the petitions before the Commission, independent payphone associations from the states of Illinois, Mississippi, New York, Florida, Ohio, and Michigan request that the Commission preempt the decisions by each of the individual state commissions.

The issues that are before the Commission in these multiple petitions raise complex and unique procedural facts. The Commission has compiled an extensive record of evidence submitted by payphone service providers and interested parties from several states. On the basis of that record, I circulated a final order on this item to my colleagues and have entered my vote.

Please be assured that the Commission recognizes the importance of payphones and will give full consideration to all the facts and issues raised by the parties. I appreciate the opportunity to provide feedback on this important matter. If I can provide any further assistance, please do not hesitate to contact me.

Sincerely,

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

Julius Genachowski