



FEDERAL COMMUNICATIONS COMMISSION

March 14, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Peter T. King
Chairman
Committee on Homeland Security
U.S. House of Representatives
H2-176 Ford House Office Building
Washington, D.C. 20515

Dear Chairman King:

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

As you are aware, 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. If I can provide any further assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be "Julius Genachowski", written over a horizontal line.

Julius Genachowski