

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

Minnesota Independent Equal Access Corp.

Tariff F.C.C. No. 1

Transmittal No. 24

REPLY TO PETITION TO REJECT

Minnesota Independent Equal Access Corporation (“MIEAC”), by its undersigned counsel and pursuant to 47 CFR § 1.773(b), hereby replies to the Petition to Reject filed by Sprint Communications Company L.P. (“Sprint”) with respect to the above-captioned tariff transmittal.¹

MIEAC’s Transmittal No. 24 introduces new terms and conditions pertaining to *inter-state* VoIP-PSTN traffic, in compliance with the USF-ICC *Transformation Order*.² Sprint’s Petition to Reject raises issues similar to those in its petitions to reject other recently-filed interstate tariffs governing VoIP-PSTN traffic, all of which were denied by the Wireline Competition Bureau.³

Sprint’s petition is much ado about nothing. Its claims that MIEAC’s Transmittal No. 24 “skirt[s] the FCC’s new regulatory regime establishing rates for VoIP-PSTN traffic” and is “otherwise patently unreasonable” are wrong. In fact, Transmittal No. 24 properly implements

¹ MIEAC filed Transmittal No. 24 with the Commission on December 29, 2011, to become effective on January 13, 2012 (on 15 days’ notice). Sprint filed its Petition to Reject on January 5, 2012.

² See *Connect America Fund, A National Broadband Plan for Our Future, Establishing Just and Reasonable Rates for Local Exchange Carriers, High-Cost Universal Service Support, Developing an Unified Intercarrier Compensation Regime, Federal-State Joint Board on Universal Service, Lifeline and Link-Up, Universal Service Reform – Mobility Fund*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 10-90, et al., FCC 11-161, (rel. November 18, 2011) (hereinafter, “*Transformation Order*”).

³ See Public Notice, *Protested Tariff Transmittal Action Taken*, WCB/Pricing File No. 12-01, DA 12-21 (released Jan. 6, 2012).

the directive of the *Transformation Order* permitting LECs to “tariff reciprocal compensation charges for toll VoIP-PSTN traffic equal to the level of interstate access rates.”⁴ Pursuant to the Commission’s instructions, MIEAC’s Tariff FCC No. 1 contains language relevant *only* to interstate toll VoIP-PSTN traffic; the terms applicable to intrastate traffic are contained in MIEAC’s intrastate (Minnesota) tariff.⁵

Sprint’s allegation that this tariff will permit MIEAC “to collect [its] higher intrastate access charges on VoIP-PSTN traffic” is simply incorrect. MIEAC’s Minnesota intrastate switched access rates are *lower* than its corresponding interstate rates. Specifically, MIEAC’s rates for intrastate terminating switched access are \$0.0028 per minute of use while its interstate rates are \$0.0030 per minute of use (\$0.0022 for terminating tandem switching and \$0.0008 for terminating transport).⁶ Since this tariff filing pertains only to *interstate* traffic, it could not affect the rates that MIEAC charges for intrastate traffic in any event. MIEAC’s rates, terms, and conditions for intrastate VoIP-PSTN traffic are filed in its Minnesota intrastate tariff, and are not affected by this transmittal.⁷

Finally, Sprint’s expressed concern that MIEAC might be seeking to apply access charges to “intraMTA traffic exchanged between MIEAC and a CMRS provider” (Petition at 3) is incoherent. MIEAC is a centralized equal access provider that operates an access tandem switch; it does not operate local tandems or end offices. If a CMRS provider wants to deliver calls to a LEC end office as local traffic, then the CMRS provider should route this traffic to the

⁴ *Transformation Order*, para. 961.

⁵ *Id.*

⁶ MIEAC’s intrastate rates from MIEAC Minnesota Tariff, Section 6.8.1 on Section 6, Page 49. Interstate rates from MIEAC F.C.C. No. 1, Section 6.8.1 on Page 6-55.

⁷ Sprint also questions the tariff provisions governing the VoIP-PSTN traffic allocation factor, and particularly MIEAC’s use of a zero default factor (which is similar to the provisions in the CenturyLink and Frontier tariffs that the Commission permitted to take effect). Because MIEAC’s rates for VoIP-PSTN traffic and TDM access traffic are identical in all situations, the allocation factor has no actual effect on rates and is instituted for recordkeeping purposes only.

terminating LEC's local tandem or to an alternative transit provider. This is not a service currently provided by MIEAC.

For the foregoing reasons, the Petition to Reject filed by Sprint should be denied.

Respectfully submitted,

/s/ electronically signed

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CERTIFICATE OF SERVICE

I, M. Renee Britt, do hereby certify that on this 10th day of January, 2012, I have caused a copy of the foregoing Minnesota Independent Equal Access Corporation's Reply to Petition to Reject to be served, as specified, upon the parties listed below:

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