



N A R U C
National Association of Regulatory Utility Commissioners

April 23, 2009

Kathy Smith, Chief Counsel
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Office of the Chief Counsel
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

**RE: Notification of Ex Parte Meeting re:
NTIA's Broadband Technologies Opportunity Program**

On March 11, 2009, several State Commissioners, accompanied by the National Association of Regulatory Utility Commissioners' (NARUC) General Counsel, met with NTIA staff to discuss generally the State role under the recently passed stimulus legislation. The focus of the meeting was NTIA's Office of Telecommunications and Information Applications implementation of the Broadband Technologies Opportunity Program.

Mr. Mark Seifert, Mr. Larry Atlas, Mr. Jim McConnaughey, and another member of NTIA staff met with NARUC Communications Committee Chair and Oregon Public Commission Commissioner Ray Baum, California Public Utility Commission Commissioner Rachelle Chong, Massachusetts Department of Telecommunications and Cable Chair Sharon Gillett, Massachusetts Broadband Institute Director Donna Barron, Vice Chair of NARUC's Communications Committee Vice-Chair and New York Public Service Commissioner Maureen Harris, District of Columbia Public Service Commission Chair Betty Ann Kane, and NARUC's General Counsel Brad Ramsay. During the meeting, the attached document was provide to NTIA staff. The document provide detailed information on ideas that each Commissioner present wanted to briefly discuss.¹ However, because of time pressures, the discussion focused on a proposal to allow interested States help NTIA rank all the applications for each State in exchange for an opportunity, not a guarantee, of ranking enough application that meet the statutory criteria to reach a standard state allocation. We also suggested that NTIA might want to provide money to help the States help NTIA monitor implementation.

NARUC respectfully requests any waivers needed to make this filing. If you have any questions about the attachments or this letter, please do not hesitate to contact the undersigned at 202.898.2207 or jramsay@naruc.org.

Respectfully Submitted,

James Bradford Ramsay
NARUC General Counsel

cc Mark Seifert
Larry Atlas
James McConnaughey
Michelle Carey

¹ NARUC earlier filed this document in the comments section of the NTIA website. The positions discussed during this meeting were presented in greater detail by Mr. Ramsay at the March 19th and March 23rd NTIA public roundtables.