

FLEISCHMAN AND HARDING ATTORNEYS ASSUME MAJOR ROLES IN ACCESS CHARGE DISPUTES; QUOTED IN NATIONAL NEWS

Fleischman and Harding LLP's ("F&H") attorneys are in the midst of one of the telecommunications industry's current major issues: access charges. A. Enrico C. Soriano, a senior attorney with F&H, represents several rural local exchange carriers ("RLECs") and competitive local exchange carriers ("CLECs") in disputes against some of the largest interexchange carriers ("IXCs") involving the payment of "access charges" for switched exchange access services provided by the RLECs and CLECs.

Each long distance telephone call that a telephone subscriber makes includes per-minute fees that the subscriber's long distance carrier pays to the originating and terminating local telephone company over whose facilities that call also travels. Those fees, which are designed to recover the costs to local telephone companies for use of their facilities, are referred to as "access charges." These access charges are tariffed at the federal and state levels.

More than a year ago, the major IXCs decided that they did not want to pay for the tariffed access services that they received, and continue to receive, from the RLECs and rural CLECs. They argue that the RLECs and rural CLECs are engaging in "traffic stimulation." Many of the IXCs continue to withhold access charge payments, totaling millions of dollars.

Several of the RLECs and rural CLECs have engaged Erick Soriano and F&H to prosecute claims against these IXCs. In this regard, F&H attorneys have met with senior-ranking FCC officials, have engaged some of the IXCs in settlement discussions, and are lead counsel in several related federal district court cases. A USA Today article entitled "Big Telecoms Decry High Costs of "Traffic Pumping," published on June 6, 2008, quotes Erick Soriano on the lawfulness of the RLECs' and rural CLECs' switched access services.