



July 3, 2006

The Honorable Ted Stevens  
Chairman  
Committee on Commerce, Science and  
Transportation  
United States Senate  
Washington, DC 20510

The Honorable Daniel K. Inouye  
Co-Chairman  
Committee on Commerce, Science and  
Transportation  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman and Co-Chairman,

Now that the markup of H.R.5252 has been completed, we want to express our disappointment with several provisions included in the bill as reported out of committee.

As discussed with your staff prior to the markup, the inclusion of the new cell phone tax moratorium and the extension of the Internet Tax Freedom Act make the bill unacceptable. We also made clear that the lack of a reasonable build-out requirement is of grave concern. Further, the modification of the "video service provider" definition to exclude satellite service integrated with landline service appears to be inconsistent with our prior understanding and your public statements as to the applicability of this legislation to AT&T.

You made several important changes to the draft bill that improved the legislation during the markup. It would be unfortunate if the bill's positive attributes were unable to garner floor time for the lack of having sixty senators supporting consideration. However, unless we receive assurances that the tax amendments and the modification to the video service provider definition will be removed during floor debate, we will have to urge our members to oppose the bill. Build-out will be the subject of other floor amendments.

We stand ready to work with you to find a way to address our concerns. Thank you for your consideration.

Sincerely,

Tom Cochran  
Executive Director  
U.S. Conference of Mayors

Donald Borut  
Executive Director  
National League of Cities

Larry E. Naake  
Executive Director  
National Association of Counties

Jeffrey Esser  
Executive Director/CEO  
Government Finance Officers Association

Elizabeth Beaty  
Executive Director  
National Association of  
Telecommunications Officers and Advisors

cc: Senate Committee on Commerce, Science and Transportation