

November 10, 2015

VIA ECFS

NOTICE OF EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

**Re: *Investigation of Certain Price Cap Local Exchange Carrier Business Data
Services Tariff Pricing Plans, WC Docket No. 15-247***

Dear Ms. Dortch:

On November 6, 2015, Mia Guizzetti Hayes, Matthew Jones, and the undersigned of Willkie Farr & Gallagher LLP, on behalf of Level 3 Communications, LLC (“Level 3”), Nick Alexander of Level 3, and Jonathan Baker and Erica Benton of FTI Consulting (on behalf of Level 3 in the above-referenced proceeding), spoke by telephone with the following Commission staff: Jack Erb, William Kehoe, Billy Layton, Susan Lee, Ginny Metallo, Joseph Price, Eric Ralph, Shane Taylor, and David Zesiger. Marc Rysman, outside consultant to the Commission, also participated. During the call, we reiterated that incumbent LEC special access tariff provisions that require purchasers to commit a large percentage of their historic purchase volumes with incumbent LECs in return for circuit portability and/or price reductions harm competition and consumer welfare. In addition, we responded to questions from Commission staff regarding these tariffs. In so doing, we did not advocate any legal or economic theories, except as noted above.

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Please do not hesitate to contact me if you have any questions regarding this submission.

Respectfully submitted,

/s/ Thomas Jones
Counsel for Level 3 Communications, LLC

cc: Jack Erb
William Kehoe
Billy Layton
Susan Lee
Ginny Metallo
Joseph Price
Eric Ralph
Marc Rysman
Shane Taylor
David Zesiger