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Federal Communications Commission
Washington, D.C. 20554

Confirmed

SEP 25 2002

September 17, 2002

Distribution Center

Brad Mutschelknaus
Joan M. Griffin
Kelley Drye & Warren, LLP
Tysons Comer
8000 Towers Crescent Drive
Suite 1200
Vienna, VA 22182

Re: Application for Consent to Transfer, IB Docket No. 02-50

Dear Mr. Mutschelknaus and Ms. Griffin:

On September 10, 2002, we requested further information with respect to the applications filed by XO Communications, Forstmann Little and Telmex in this proceeding.¹ Specifically, we requested additional information about the Forstmann Little foreign limited partners in each of the Forstmann Little partnerships.² On September 13, 2002, counsel for Forstmann Little provided responses to two of the three items we requested.

Because the remaining information we requested about the Forstman Little foreign limited partners is critical to our review of the applications, we will stop the 180-day clock for Commission review of the applications. We have stopped the clock effective the day that we requested the information – September 10, 2002, day **172**. We will restart the clock once the remaining foreign ownership information has been provided to us, and we have had an opportunity to review it to ensure that the information provided is sufficient to allow us to complete our review of the applications.

James L. Ball
James L. Ball, Chief
Policy Division

Cc: Scott Burnside, RCN Corporation
Cathleen A. Massey, XO Communications

¹ Letter to Brad Mutschelknaus and Joan M. Griffin, counsel for XO, and Wayne D. Johnsen, counsel for Forstmann Little & Co., from James L. Ball, FCC, dated September 10, 2002

² Letter from Wayne D. Johnsen, counsel for Forstmann Little & Co., to Marlene H. Dortch, FCC, dated September 13, 2002



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Re: Application for Consent to Transfer, IB Docket No. 02-50

Dear Mr. Mutschelknaus, Ms. Griffin, and Mr. Johnsen:

Thank you for meeting with us today to discuss the pending information request regarding the identity of the Forstmann Little limited partners.¹ Based on our discussion, we are revising our request as follows:

1. By September 13, 2002, please confirm that each limited partner in each partnership is prohibited by the relevant partnership agreement from participating in the day-to-day management of the partnership, and that only the usual and customary investor protections are contained in each limited partnership agreement.
2. By September 13, 2002, please provide the aggregate percentage of ownership of the foreign limited partners in each partnership.

¹ "2. With respect to each of the Forstmann Little partnerships that intend to hold an interest in XO, and with respect to each of the parent partnerships of such partnerships, please provide a list identifying each limited partner, its citizenship and the amount of its interest (both voting and equity) in the partnership. Please also confirm that each limited partner in each partnership is prohibited by the relevant partnership agreement from participating in the day-to-day management of the partnership, and that only the usual and customary investor protections are contained in each limited partnership agreement." Letter to Brad Mutschelknaus and Joan Griffin, counsel for XO, from James Ball, FCC, dated July 31, 2002 at 1

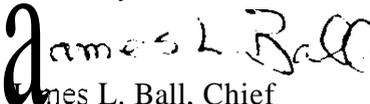
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3. As soon as possible, but no later than September 20, 2002, please provide, for each foreign limited partner in each partnership, the citizenship of any individual limited partners, and the principal place of business of any corporate or other institutional foreign limited partners.¹

After we have received this information we will advise you whether we may require further information regarding the Forstmann Little limited partners.

We note that, because this is a restricted proceeding, your written response to this letter must be made part of the record and served on all parties. In the interest of expediting our review of this information, please send an e-mail copy of the date-stamp-and-return copy of your response to the Commission personnel listed in the March 11, 2002 Public Notice, DA 02-579, for IB Docket No. 02-50.

Sincerely,


James L. Ball, Chief
Policy Division

cc: Scott Burnside, RCN Corporation
Cathleen A. Massey, XO Communications

² In determining a limited partner's principal place of business, the applicable criteria are specified in the Commission's *Foreign Carrier Entry Order*, 11 FCC Rcd 3873, 3951, para. 207 (1995).