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Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
The Portals, TW-A325  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: *Ex Parte* Presentation – Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers; CC Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch:

On March 19, 2004, Dave Baker, Vice President, Law and Policy for EarthLink, Inc., and the undersigned met with Commissioner Michael Copps and with Jessica Rosenworcel, Legal Advisor to Commissioner Copps. During the meeting, EarthLink discussed the issues raised in EarthLink's October 2<sup>nd</sup> Petition for Reconsideration of the line sharing portion of the FCC's Report and Order and Order on Remand released August 21, 2003 ("*R&O*") as outlined in EarthLink's *ex parte* letter of March 17, 2004. EarthLink explained that it uses DSL services from competitive LECs provisioned through line sharing to serve hundreds of thousands of end-user customers.

Pursuant to the Commission's rules, one copy of this memorandum is being filed electronically in each of the above-referenced dockets for inclusion in the public record. Please do not hesitate to call me if you have any questions.

Respectfully submitted,

/s/

Mark J. O'Connor  
Counsel for EarthLink, Inc.