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July 23, 2004

Ms. Marlene Dortch, Secretary
Federal Communications Commission
The Portals, TW-A325
445 12th Street, SW
Washington, DC 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 July 22, 2004, Dave Baker, EarthLink's Vice President of Law and Public Policy, and the undersigned had a telephone conversation with Mr. Matt Brill, Senior Legal Advisor to Commissioner Abernathy, regarding the above-referenced dockets. During this conversation, EarthLink argued that the Commission should include line sharing in any FCC "stand still" order of existing arrangements for unbundled network elements.

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.