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July 28, 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 28, 2004, Donna N. Lampert and the undersigned met with Ms. Jessica Rosenworcel, Legal Advisor to Commissioner Copps, regarding EarthLink's position on line sharing in the above-referenced dockets. During this conversation, we urged the Commission to revisit the basis of the FCC's elimination of the line sharing UNE, as described in prior submissions in the above-referenced dockets. We further pointed out that EarthLink is a customer of a competitor that uses line sharing, and end users may be adversely affected by the Commission's lack of action on line sharing. Finally, EarthLink argued that the Commission should act prior to October 2004, the one-year point of the line sharing glide path.

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.