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November 2, 2004

EX PARTE – Via Electronic Filing

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Meeting in WC Docket No. 03-211 (Vonage)  
WC Docket No. 03-266 (Level 3)  
WC Docket No. 04-36 (IP-Enabled Services NPRM)

Dear Ms. Dortch:

On November 1, 2004, Jim Kohlenberger, VON Coalition Executive Director; David Konczal of Shaw Pittman on behalf of the VON Coalition; Margie Dickman on behalf of Intel; Amy Alvarez on behalf of AT&T; Kecia Lewis on behalf of MCI; Brita Strandberg of Goldberg, Godles, Weiner and Wright on behalf of Skype; and John Nakahata and Tim Simeone of Harris, Wiltshire & Grannis on behalf of Level 3, met with Commissioner Martin to discuss the arguments presented in the white paper filed on behalf of the VON Coalition on October 29, 2004, concerning the Commission's authority to preempt state regulation of VOIP.

Sincerely,

/s/

John T. Nakahata