



March 16, 2005

Chief Executive Officer
Cynthia H. de Lorenzi

President
Bruce T. Long

EX PARTE - VIA ELECTRONIC FILING

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

**Re: Level 3 Petition for Forbearance, CC Docket 03-266, WC Docket No. 04-36
Ex Parte Letter**

Dear Ms. Dortch:

I am writing in strong support of the Level 3 Petition for Forbearance filed in CC Docket No. 03-266 and WC Docket No. 04-36. I am Chief Executive Officer of PatriotNet, Inc., an Internet service provider based in the City of Fairfax, Virginia; and co-founder of the Washington Bureau for ISP Advocacy (WBIA). WBIA serves as a grassroots educational organization and an advocate on behalf of ISPs, CLECs, technology innovators, suppliers, aggregators, and consumers who recognize the need for choice and call for retaining the first tier of independent ISP connectivity to the Internet. Both PatriotNet and WBIA support the Level 3 Petition.

Independent ISPs have led the way in bringing new services and the benefits of Internet connectivity to the American public. They have been able to do this, in large part, because of regulatory policies that (a) prevented the incumbent telephone companies from leveraging their control of physical transport facilities into control of the Internet access market, and (b) kept independent ISPs free of regulatory burdens. The Level 3 Petition will extend these policies to IP-enabled voice applications, by keeping those applications free of the crushing burdens of legacy access charges designed to subsidize the incumbent telephone operators' networks.

IP-enabled voice applications are one of the key drivers of growth in broadband access. If these applications are burdened with above-cost access charges, only the telephone companies will be able to offer them. The telephone companies will not mind paying access charges, because the money will simply be shifted from one pocket to another, but independent application providers and ISPs will be squeezed out of the market. Then, customers desiring a full range of Internet applications would only be able to obtain them from the telephone company.

The FCC has been firm for years in preventing this kind of squeeze play on the independent ISP community. Granting the Level 3 Petition will continue this sound FCC policy. I urge you to act immediately to protect this vibrantly competitive segment of the market.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Cynthia H. de Lorenzi", written over a circular stamp or seal.

Cynthia H. de Lorenzi

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