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ATTORNEYS AT LAW

August 2, 2005

**Via Electronic Filing**

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

Re: *Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, CC Docket No. 02-33; Universal Service Obligations of Broadband Providers, CC Docket No. 95-20; Computer III Further Remand Proceedings: Bell Operating Company Provision of Enhanced Services; 1998 Biennial Regulatory Review – Review of Computer III and ONA Safeguards and Requirements, CC Docket No. 98-10.*

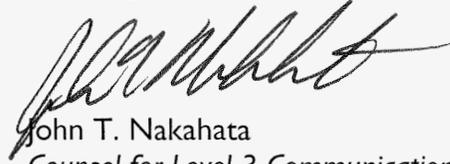
Dear Ms. Dortch:

On August 1-2, 2005, on behalf of Level 3 Communications, LLC ("Level 3") I spoke separately with Michelle Carey, Senior Legal Adviser to Chairman Martin, Russ Hanser, Legal Adviser to Commissioner Abernathy, Jessica Rosenworcel, Legal Adviser to Commissioner Copps, and Scott Bergmann, Legal Adviser to Commissioner Adelstein. During the course of these conversations, I made some or all of the following points. Any change in the regulatory classification of DSL-based information services or the obligations of dominant, facilities-based common carriers to offer basic telecommunications services separately from enhanced services should be narrow and limited. In particular, the Commission should take care that it does not inadvertently wholly deregulate special access and frame relay services, which have long been telecommunications services under Title II and upon which many carriers rely to offer both telecommunications and information services. The Commission should also emphasize that any withdrawal of common carrier services is subject to review under Section 214. Furthermore, the Commission should not reduce the availability of unbundled loops to CLECs. Finally, to the extent that other carriers (such as rural LECs) can continue to offer DSL transmission services as a common carrier service, there is no basis for preventing CLECs from doing so as well.

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In accordance with the Commission's rules, I am filing this letter electronically in the docket identified above.

Sincerely,

A handwritten signature in black ink, appearing to read "John T. Nakahata". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John T. Nakahata  
Counsel for Level 3 Communications, LLC