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September 20, 2005

**VIA ECFS**

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

Re: Notice of Ex Parte – DA 05-656, WC Docket No. 05-65/  
DA 05-762, WC Docket No. 05-75

Dear Ms. Dortch:

On September 20, 2005, the following persons met with Russell Hanser, Legal Advisor to Commissioner Kathleen Abernathy, Jessica Rosenworcel, Legal Advisor to Commissioner Michael Copps, Commissioner Jonathan Adelstein and Scott Bergmann, Legal Advisor to Commissioner Adelstein: Julia Strow of Cbeyond Communications, Russell Merbeth of Eschelon Telecom, Heather Gold of XO Communications, and Brad Mutschelknaus and Thomas Cohen of Kelley Drye & Warren LLP.

At the meeting, the three companies reviewed previous ex parte filings describing the harms to business customers from the proposed mergers and then discussed possible remedies to alleviate these harms. The companies plan to file a detailed remedies proposal shortly.

Marlene H. Dortch, Secretary  
September 20, 2005  
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Please do not hesitate to contact the undersigned if there are any questions regarding the foregoing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas Cohen", with a stylized, cursive script.

Thomas Cohen

TC:tem

Enclosure

cc: (via electronic mail)  
Commissioner Jonathan Adelstein  
Russell Hanser  
Jessica Rosenworcel  
Scott Bergmann