

SWIDLER BERLIN^{LLP}

Harry N. Malone
Phone 202.424.7705
Fax 202.424.7643
hnmalone@swidlaw.com

The Washington Harbour
3000 K Street, N.W., Suite 300
Washington, D.C. 20007-5116
Phone 202.424.7500
Fax 202.424.7647
www.swidlaw.com

January 31, 2006

VIA ELECTRONIC FILING

Marlene R. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: WC Docket No. 05-276; Frontier Petition for Declaratory Ruling

Dear Ms. Dortch:

On behalf of PAETEC Communications, Inc. ("PAETEC"), I would like to respond to certain Reply Comments that exhibit a misunderstanding of one aspect of PAETEC's position in the above referenced proceeding. Some Reply Commenters have misconstrued PAETEC'S Comments¹ as advocating that access charges be imposed on USA Datanet Corp.² This is unfortunate, as PAETEC's comments were intended solely to address the role of the interconnected CLEC in the type of arrangement described in Frontier's Petition. PAETEC wishes to clarify that it takes no position on the issue of whether USA Datanet Corp., or any similarly situated service provider, is ultimately subject to access charges. Moreover, PAETEC takes no position on the validity of Frontier's assertion that language in Frontier's federal tariff permits Frontier to impose access charges upon any non-interconnected service provider, including USA Datanet Corp. PAETEC only seeks to establish that *if* it were determined, in an appropriate forum, that access charges are applicable to the type traffic at issue in this proceeding, and that language in Frontier's tariff permits Frontier lawfully to impose access charges upon any non-interconnected service provider, then PAETEC would be a co-provider of access services, and not a customer of Frontier's tariffed access services.

Respectfully submitted,

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Harry N. Malone
Counsel for PAETEC Communications, Inc.

cc: JT Ambrosi, PAETEC
John Messenger, PAETEC
Andrew D. Lipman, Swidler Berlin

¹ Frontier Petition for Declaratory Ruling, WC Docket No. 05-276, Comments of PAETEC Communications, Inc. (Jan. 9, 2006).

² See, e.g. USTA Reply Comments at 4. ("Even PAETEC ... refers to USA Datanet as the access customer."); Associations Reply Comments at 3 ("Even the CLEC from whom Datanet orders service recognizes that Datanet owes Frontier access.")