COMPTEL
The Communications Association of Choice

September 7, 2007

By Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte Notice;* WC Docket Nos. 06-125, 04-440 and 06-147

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, COMPTEL hereby gives notice that, on September 6, 2007, the following parties met with Commissioner Adelstein and Scott Bergmann, Legal Advisor to Commissioner Adelstein, with regard to the above-referenced proceedings: Thomas Jones of Willkie Farr and Gallagher on behalf of Time Warner Telecom; Amy Wolverton of T-Mobile; Anna Gomez of Sprint Nextel; John Heitmann of Kelley Drye Collier Shannon on behalf of XO Communications and NuVox Communications; Lisa Youngers of XO Communications; Angela Simpson of Covad Communications; Josh Bobeck of Bingham McCutchen on behalf of Cavalier Telephone, McLeodUSA Inc., Deltacom, Integra Telecom, and Alpheus Communications; and Jerry James, Jonathan Lee and the undersigned of COMPTEL.

In the meeting, the parties stressed their collective view that the petitions at issue in the above-captioned dockets should be denied for vagueness, lack of sufficient evidentiary support, and other infirmities. The parties emphasized that the Commission should not grant any relief with respect to special access services, including the subset of special access services sometimes referred to as enterprise broadband services. The parties also asserted that the petitioners' pleas for regulatory parity with Verizon can only be addressed by having the full Commission apply the appropriate market- and service-specific analytical framework to the services for which Verizon now claims forbearance and by issuing an order defining the scope of forbearance, if any, applicable to Verizon.

The parties also emphasized that the evidentiary record established by the petitioners is limited to data regarding interstate interexchange markets, not interstate access markets. Therefore, the petitions do not justify relief beyond that which the Commission provided in its *Report and Order*, released August 31, 2007, concerning the

provision of in-region long distance services by Bell Operating Companies.[1] The Commission should therefore dismiss the petitions as moot with regard to the interstate interexchange services covered by that *Report and Order*, and deny the petition as to any other relief sought by the petitioners. The non-BOC petitioners should receive no other relief. Notably, such relief would not include any special access products used by competitors as wholesale transport or wholesale loop inputs to their own competitive broadband service offerings.

Sincerely,
/s/ Karen Reidy

cc: Commissioner Adelstein
Scott Bergmann

[1] *In the Matters of Section 272(f)(1) Sunset of the BOC Separate Affiliate and Related Requirements, 2000 Biennial Regulatory Review Separate Affiliate Requirements of Section 64.1903 of the Commission Rules, Petition of AT&T Inc. for Forbearance Under 47 U.S.C. § 160(c) with Regard to Certain Dominant Carrier Regulations for In-Region, Interexchange Services*, Report and Order and Memorandum and Opinion, WC Docket Nos. 02-112 and 06-120, CC Docket No. 00-175, FCC 07-159 (2007).