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April 28, 2008

VIA ECFS

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

Re: Notice of Ex Parte Presentation – WC Docket No. 07-135

Dear Ms. Dortch:

On Thursday, April 24, 2008, Lisa Youngers of XO Communications, Ed Cadieux of NuVox and the undersigned met with Scott Bergmann, Legal Advisor to Commissioner Adelstein, to discuss the above-captioned proceeding. During the meeting, NuVox and XO emphasized that there is no evidence on the record indicating that non-rural CLECs are engaged in traffic stimulation practices which may result in unreasonable rates. Accordingly, NuVox and XO emphasized the need for the Commission to narrowly tailor the scope of new regulations, to the extent that any are found to be necessary to supplement the available complaint process, so as to avoid the unintended consequence of thwarting competition for end users and to avoid imposing burdens needlessly on all CLECs. NuVox also highlighted the need for the Commission to avoid rules that would hamper CLECs' ability to expand into new exurban markets by limiting CLECs' ability to mirror non-BOC non-rural LEC rates. Finally, XO highlighted the need for the Commission to establish a mechanism to aid carriers in tracking which rural CLECs claim the rural exemption under rule 61.26(e).

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In accordance with the Commission's rules, this letter is being filed electronically for inclusion in the public record of the above-referenced proceeding.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John J. Heitmann". The signature is fluid and cursive, with a large initial "J" and "H".

John J. Heitmann

cc: Scott Bergmann