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ATTORNEYS AT LAW

14 July 2008

BY ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of Ex Parte Presentation, MD Docket No. 08-65, RM-11312

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, I hereby notify the Commission of an *ex parte* presentation made in the above-referenced proceeding. On July 14, 2008, the following individuals met with Mark Stephens (Chief Financial Officer of the Commission), Regina Dorsey, Roland Helvajian, and Mika Savir, all of the Office of Managing Director, to discuss matters relating to the above referenced dockets:

- Kent Bressie, Harris Wiltshire & Grannis, on behalf of Level 3 Communications, LLC
- Michael Donahue, Senior Corporate Counsel, Level 3 Communications, LLC
- Rogena Harris, Senior Counsel, Tata Communications
- Martin L. Stern, K&L Gates, on behalf of Pacific Crossing Limited and PC Landing Corp.
- Troy Tanner, Bingham McCutchen, on behalf of Brasil Telecom of America, Inc.; Columbus Networks USA, Inc., ARCOS-1 USA, Inc., and A SUR Net; Inc.; and Hibernia Atlantic US LLC
- Joel S. Winnik, Hogan & Hartson LLP, on behalf of Marine Cable Corp.

Specifically, we discussed the attached Revised Joint Proposal, which addresses concerns expressed on the record regarding the impact of the proposed SCS Fee on smaller-capacity submarine cable systems using older technologies.¹ We also clarified a point made in the original proposal, namely that for consortium-owned submarine cable systems for which the

¹ The version of the Revised Joint Proposal shared at this meeting differs slightly from the final version filed on the record later that day. *See* attached filing.

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Commission may have issued multiple cable landing licenses, the proposed methodology would impose only a single flat fee for the system. We also pointed out that a flat-fee approach for submarine cable systems would reduce the chances that the Commission would under-recover regulatory fees for that category of payor in any given year by eliminating uncertainty regarding which operators would pay fees and in what amount. Finally, we also reiterated points already made on the record by the entities represented above.

The Revised Joint Proposal is now supported by the following companies:

- Brasil Telecom of America, Inc.
- Columbus Networks USA, Inc., ARCOS-1 USA, Inc., and A.SUR Net, Inc.
- Global Crossing Ltd. (new supporter since filing of original Joint Proposal)
- Level 3 Communications, LLC
- Hibernia-Atlantic US LLC
- Marine Cable Corp. (new supporter since filing of original Joint Proposal)
- Pacific Crossing Limited and its subsidiary PC Landing Corp.
- Reliance Globalcom Limited (fka FLAG Telecom Group Limited) and its indirect subsidiary, FLAG Network USA Limited
- Tata Communications (US) Inc. (fka VSNL) (new supporter since filing of original Joint Proposal)

Should you have any questions or require further information, please contact me by telephone at +1 202 730 1337 or by e-mail at kbressie@harriswiltshire.com.

Respectfully submitted,



Kent D. Bressie
Counsel for Level 3 Communications, LLC

Attachments

cc: Regina Dorsey
Roland Helvajian
Mika Savir
Mark Stephens