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13 August 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, IB Docket No. 04-112

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 August 12, 2008, the following individuals met with Wayne Leighton, Special Adviser to Commissioner Deborah Taylor Tate, 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 (US) Inc.
- James Stenger, Thelen Reid Brown Raysman & Steiner LLP, on behalf of Apollo Submarine Cable System, Ltd.
- 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 Winnik, Hogan & Hartson LLP, on behalf of Marine Cable Corp.

Specifically, we discussed the genesis and rationale of the Revised Joint Proposal, which is now supported by 12 current and prospective undersea cable operators representing a majority of the

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capacity serving the United States on trans-Atlantic, trans-Pacific, and inter-Americas routes. We clarified that notwithstanding past disagreements, and contrary to suggestions in the text of Report and Order issued on August 8, 2008, the supporters of the Revised Joint Proposal were unified in their support for the Revised Joint Proposal, rather than other alternatives (including the original proposal in VSNL's 2006 petition) offered on the record at earlier stages in these proceedings. We also explained why reform of the existing IBC fee category was not a zero-sum game, and would neither drive up the fees paid by particular subcategories of payors or jeopardize the Commission's ability to recover its budget in full through regulatory fees. With respect to AT&T's opposition to the Revised Joint Proposal, we noted that AT&T's preferred remedy of new reporting requirements solely to support fee collection was both unduly burdensome and inconsistent with AT&T's own long-standing positions in the pending international reporting requirements proceeding. Otherwise, we discussed points previously made on the record by the parties supporting the Revised 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

cc: Wayne Leighton