

revised Forms. Level 3 estimates that after these payments are made, there will be a

balance on its third quarter invoices of approximately [END

CONFIDENTIAL]. USAC's internal policies also require a contributor to pay invoices while a dispute is pending.¹ Therefore, Level 3 anticipates that absent FCC action, such as the waiver requested herein, Level 3 could incur a substantial interest penalty on its September USAC invoice, and each subsequent invoice until USAC processes the revised Forms, which, like payment of the erroneous contributions, would cause irreparable harm to Level 3.

13. The difference between the assessable revenue figures shown on Level 3's original and revised 499-A forms amounts to a substantial [BEGIN CONFIDENTIAL] [END CONFIDENTIAL]. Level 3 would incur substantial hardship if required to make USF contributions based on this incorrect information. Even after USAC adjusts Level 3's contribution amounts, presumably in the fourth quarter 2008, Level 3 will not receive a refund of the nearly [BEGIN CONFIDENTIAL] [END CONFIDENTIAL] in overpayments. Rather, Level 3 will receive a credit against future invoices. The current average monthly USF contributions for the 6 entities that filed amended Form 499-As is approximately [BEGIN CONFIDENTIAL] [END CONFIDENTIAL] and the contributions have remained relatively consistent for several quarters. At that rate, it would take Level 3 nearly 12 months, beginning with the fourth quarter 2008, to recoup the [BEGIN CONFIDENTIAL] [END CONFIDENTIAL] overpayment through credits on future invoices. As such, if Level 3

¹ See, <http://www.usac.org/fund-administration/contributors/understanding-your-invoice/billing-dispute-procedures.aspx> (viewed August 12, 2008). (describing "pay and dispute policy).

makes or is forced to make full payments based on the inaccurate invoices, it might not receive full repayment from USAC until September 2009.

14. Notably, Level 3 did not understate the amount of its total revenue, but originally reported approximately [BEGIN CONFIDENTIAL] [END CONFIDENTIAL] more in end user revenue, as opposed to carriers' carrier revenue, than its revised Forms reflect.

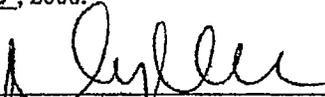
15. On August 15, 2008, Level 3 remitted to USAC via wire transfer [BEGIN CONFIDENTIAL] [END CONFIDENTIAL] for August 2008 USF contributions for ICG Telecom Group, Inc., Looking Glass Networks, LLC, and WilTel Communications, LLC based upon the amended Form 499-As. The payments for Level 3 Communications, LLC, Looking Glass Networks of Virginia, Inc. and Progress Telecom, LLC were calculated as a credit so no payment was submitted.²

16. Absent immediate action by the Commission to adjust Level 3's invoices, Level 3 will be severely harmed as it will have to remit payments of nearly 10 times the amount actually due and nearly 25% of the total correct revenues reported, and will not be redressed for that overpayment under the true-up process for nearly 12 months, beginning fourth quarter 2008, at the earliest.

² Together, other Level 3 affiliates that are not party to this appeal and request for stay made payments totaling [BEGIN CONFIDENTIAL] [END CONFIDENTIAL] on August 15, 2008.

VERIFICATION

I, Douglas Richards, declare under penalty of perjury that the foregoing
declaration is true and correct. Executed on August 15, 2008.



Douglas Richards *2008*

Exhibit 2:

Original Form 499-A Filings

(Confidential)

Exhibit 3:

Revised Form 499-A Filings

(Confidential)

Exhibit 4:

Chart of USF Contributions

(Confidential)

CERTIFICATE OF SERVICE

I, Nguyen T. Vu, hereby certify that on this 15th day of August, 2008, a copy of the foregoing Emergency Request for Review of Universal Service Administrator Decision by Level 3 Communications, LLC, ICG Telecom Group, Inc., Looking Glass Networks, Inc., Looking Glass Networks of Virginia, Inc., Progress Telecom, LLC, and Witel Communications, LLC in WC Docket 06-122 was served via hand delivery to the following parties.

Tracey Beaver
Office of the General Counsel
Universal Service Administration Company
2000 L Street, N.W.
Suite 200
Washington, DC 20036



Nguyen T. Vu