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FILED/ACCEPTED

AUG 15 2008

Federal Communications Commission
Office of the Secretary

August 15, 2008

By Hand Delivery

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

Re: In the Matter of Motion For Waiver of Public Notice 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, WC Docket No. 06-122

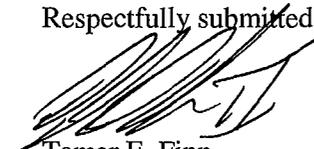
Dear Secretary Dortch:

On behalf of 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 (collectively, "Level 3"), please find attached, Level 3's Motion For Waiver of Public Notice in WC Docket No. 06-122 ("Waiver").

An original and four (4) copies of this Waiver are enclosed. Please date-stamp one copy of this filing and return it in the envelope provided.

Should you have any questions please do not hesitate to contact us.

Respectfully submitted,



Tamar E. Finn
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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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AUG 15 2008

Federal Communications Commission
Office of the Secretary

In the Matter of)
)
Motion for Waiver of Public Notice)
by) WC Docket No. 06-122
Level 3 Communications, LLC, ICG)
Telecom Group, Inc., Looking Glass)
Networks, Inc., Looking Glass Networks)
of Virginia, Inc., Progress Telecom, LLC,)
and Wiltel Communications, LLC)

MOTION FOR WAIVER OF PUBLIC NOTICE

Level 3 Communications, LLC, ICG Telecom Group, Inc., Looking Glass Networks, Inc., Looking Glass Networks of Virginia, Inc., Progress Telecom, LLC, and Wiltel Communications, LLC (collectively, "Level 3"), by the undersigned counsel and pursuant to section 1.412(c) of the Commission's rules,¹ respectfully request that the Commission waive public notice for Level 3's Request for Emergency Review of a Universal Service Administrative Company ("USAC") decision.² Level 3's Request for Review is being filed simultaneously with this Motion.

Section 1.412(b) of the Commission's rules states that rule changes may "be adopted without prior notice in any situation in which the Commission for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest."

Good cause exists for the Commission to waive public notice in this case. Level 3's Emergency Request for Review, which includes the affidavit of Douglas Richards,

¹ 47 C.F.R. § 1.412(c).

² This request for review is properly filed within 60 days of action by USAC.

Level 3's Senior Vice President - Tax, details the numerous reasons why the Commission should take expeditious action on Level 3's request. The same reasons support the instant request for waiver of public notice.

As demonstrated in Level 3's Emergency Request for Review, Level 3 asks the Commission to reverse USAC's computation of Level 3's annual A/Q true up, which is included in its third quarter 2008 invoices, and USAC's subsequent refusal to expedite processing of Level 3's revised 499-A forms for calendar year 2007. USAC has determined that it will not process these revised 499-A's until the fourth quarter of 2008.

Processing of the revised forms will result in a downward adjustment of Level 3's USF contributions by millions of dollars in the fourth quarter of 2008. Level 3 requests that the FCC review USAC's decision to invoice Level 3 based on the original forms, and further requests that the FCC direct USAC to expeditiously process Level 3's revised 499-A forms and issue a revised invoice.

Time is of the essence for this request, based on the pending deadline of August 15, 2008 for payment of the first invoice, and the subsequent invoices that Level 3 expects to receive during the third quarter, which will be based on the erroneous and inflated figures unless revised.

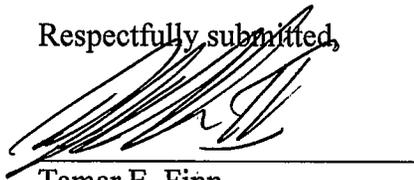
Expedited action is necessary so that the company may contribute the amount that it properly owes instead of either undergoing substantial hardship to pay the invoiced amounts (in what would amount to making a short term, multi-million dollar loan to USAC), or taking the risk of continuing to make monthly payments based on what the company believes that it owes. Level 3 will not receive such expedited action if public

notice is issued and the resolution of this matter is thereby protracted, and submits that it is appropriate for public notice to be waived under the circumstances of this case.

A waiver of public notice will not prejudice any party. USAC has acknowledged that Level 3 is not responsible for the inflated amounts. The Universal Service Fund and the public interest will not be adversely affected because Level 3 will pay the full amount that it actually owes. Because this matter only involves Level 3's USF reporting and does not implicate an issue of general applicability, there is no need for the Commission to seek comment by other carriers in order to resolve the issue before it.

Finally, waiving public notice is plainly consistent with the public interest, which is best served by having this matter resolved quickly and efficiently. Level 3 therefore respectfully requests that the Commission grant this Motion and waive public notice for Level 3's Request for Emergency Review.

Respectfully submitted,



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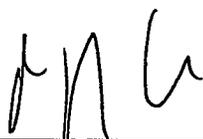
*Counsel for Level 3 Communications, LLC,
ICG Telecom Group, Inc., Looking Glass
Networks, Inc., Looking Glass Networks of
Virginia, Inc., Progress Telecom, LLC, and
Wiltel Communications, LLC*

Dated: August 15, 2008

CERTIFICATE OF SERVICE

I, Nguyen T. Vu, hereby certify that on this 15th day of August, 2008, a copy of the foregoing Motion for Waiver of Public Notice 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