

23 September 2008

BY ELECTRONIC FILING

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20054

*Re: Assessment and Collection of Regulatory Fees for Fiscal Year 2008,
MD Docket No. 08-65—Notice of Ex Parte Presentation*

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 September 22, 2008, the following individuals met with Mark Stone and Mika Savir of the Commission's Office of Managing Director, to discuss the attached Industry Consensus Proposal ("Consensus Proposal") for reform of international bearer circuit ("IBC") fees:

- Amy Alvarez, AT&T, Inc.
- Kent Bressie, Harris Wiltshire & Grannis, on behalf of Level 3 Communications, LLC
- Michael Donahue, Level 3 Communications, LLC
- Rogena Harris, Tata Communications (US) Inc.
- Leslie V. Owsley, Verizon
- Martin L. Stern, K&L Gates LLP, on behalf of Pacific Crossing Limited and PC Landing Corp.
- James J.R. Talbot, AT&T, Inc.
- James Stenger, Thelen LLP, on behalf of Apollo Submarine Cable System Ltd.
- 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.

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The submarine cable operators represented in this meeting discussed the details of the Consensus Proposal, which they formally support. The submarine cable industry, which had previously supported different reform proposals,¹ has settled its differences to back a system-based fee methodology, with separate treatment of older, capacity-constrained systems. Consequently, there are no longer common-carrier cable vs. private cable or large-capacity cable vs. small-capacity cable divisions on the issue of IBC fee reform.

The Consensus Proposal addresses IBC reform comprehensively and fairly and reflects extensive negotiations among its supporters. Accordingly, those supporters respectfully ask that the Commission adopt the Consensus Proposal in its entirety.

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

Attachment

cc: Mika Savir
Mark Stone
Anthony Dale
Roland Helvajian
Charles Mathias
Rick Chessen
Renée Crittendon
Wayne Leighton
Angela Giancarlo

¹ See Letter from James J.R. Talbot, AT&T, and Leslie V. Owsley, Verizon, to FCC Secretary Marlene H. Dortch, MD Docket No. 08-65 (filed Sept. 2, 2008) (“AT&T-Verizon Proposal”); Letter from Kent D. Bressie, Harris Wiltshire & Grannis, to FCC Secretary Marlene H. Dortch, MD Docket No. 08-65 (filed July 14, 2008) (“Revised Joint Proposal”).