



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center

FROM: *DMA*
Daniel M. Armstrong
Associate General Counsel

SUBJECT: *XO Communications v. FCC & USA*, No. 08-1295. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: December 23, 2008

This is to advise you that on September 8, 2008, XO Communications ("Petitioner") filed a Petition for Review in the U.S. Court of Appeals for the District of Columbia Circuit pursuant to 47 U.S.C. § 402(a), of the following order: *In the Matter of Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Title II and Computer Inquiry Rules with Respect to Broadband Services*, WC Docket No. 06-125, Memorandum Opinion and Order, 23 FCC Rcd 8834 (2008).

The Commission in the order on review granted Qwest Corporation forbearance from dominant carrier regulation and certain Computer Inquiry requirements with respect to specific broadband services. This case has been consolidated with case number 08-1288.

The Court has docketed this case as No. 08-1295. The attorney assigned to handle the litigation of this case is Laurel R. Bergold.