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January 13, 2009

VIA ELECTRONIC FILING

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

Re: Notice of Ex Parte Communication, WC Docket No. 07-256

Dear Ms. Dortch:

William A. Haas, Vice President - Regulatory & Public Policy of McLeodUSA, a PAETEC company, and the undersigned spoke via teleconference with Nicholas Alexander, Legal Advisor to Commissioner Robert McDowell on January 12, 2009.

Consistent with its position in WC Docket 01-92, PAETEC urged the Commission not to take any action on the Feature Group IP ("FGIP") petition that could inadvertently impact the interconnection and unbundled network element ("UNE") rights of competitive local exchange carriers ("CLECs"). In WC Docket 01-92, a number of state public utility commenters have questioned whether classifying IP-PSTN traffic as an information service would result in the loss of CLEC access to UNEs and interconnection rights. To avoid any doubt, if the Commission grants FGIP's petition, the Commission must be explicit that it will not. PAETEC also agreed with numerous other commenters that urge the Commission to deny FGIP's petition on procedural grounds. Petitioners may not seek a declaratory ruling to classify a service through a petition for forbearance.

Sincerely yours,

/s/ electronically signed

Tamar E. Finn

Enclosure

cc (by e-mail): Nicholas Alexander

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