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January 14, 2009

VIA ECFS

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

Re: *Notice of Ex Parte Presentation*: WC Docket No. 07-256; WC Docket
No. 08-8

Dear Ms. Dortch:

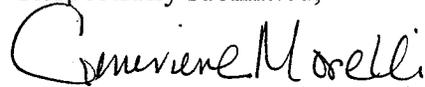
Yesterday, Charlie Hunter, of Broadview Networks, Inc., Lisa Youngers, of XO Communications, LLC, and Brad Mutschelknaus and the undersigned, of Kelley Drye & Warren LLP, met separately with Commissioner Adelstein's Senior Legal Advisor, Scott Bergmann and Commissioner McDowell's Legal Advisor Nick Alexander. Our discussion focused on the points raised in the December 19, 2008 letter in the above-captioned proceedings filed by the companies listed above. That letter explained that the forbearance petitions filed by Feature Group IP and Embarq each suffer from numerous procedural shortcomings and, thus, should be denied by the Commission.

In addition, we discussed the December 16, 2008 decision by the U.S. Court of Appeals for the Ninth Circuit in *Fones4All Corp. v. FCC*. In that decision, the Court upheld the Commission's denial of Fones4All's forbearance petition on the ground that forbearance from the rule from which forbearance was sought would not give the petitioner the relief it seeks.

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Please contact the me at (202) 342-8531 if you have any questions about this
letter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Genevieve Morelli". The signature is written in black ink and is positioned below the typed name.

Genevieve Morelli