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BY ELECTRONIC FILING

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

Re: Notice of Ex Parte Presentation, MD Docket Nos. 09-65 and 08-65

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 proceedings. On July 20, 2009, the following individuals had a meetings with Dan Daly and Roland Hevajian of the Office of the Managing Director and Jim Ball, David Krech and Sean O'More, of the International Bureau to discuss matters relating to the above referenced dockets:

- Joel S. Winnik, Hogan & Hartson LLP, on behalf of BCE Nexxia Corp. and BCE Nexxia Voice Services Corp., members of the Coalition of Canadian-based Service Providers
- Rogena Harris. Senior Counsel, Tata Communications
- Eliot J. Greenwald, Bingham McCutchen LLP on behalf of Bestel USA. Inc., Level 3 Communications, LLC and Hibernia Atlantic US LLC

During the meeting, we reiterated the points raised in the Comments filed by the above-parties (except Tata Communications) in the above-referenced dockets. We expressed our great concerns that the Commission not take any actions to expand the existing international bearer circuit ("IBC") regulatory fees regime to non-common carrier cross-border terrestrial circuits. We emphasized that the Commission just months ago found the IBC regulatory fee regime to be broken in the context of submarine cable systems, and that the same drawbacks of that fee regime apply here to even a greater degree. In addition, we reiterated the reasons why Section 9 of the Communications Act precludes the Commission from applying this regulatory fee to providers of non-common carrier cross-border terrestrial circuits. We

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discussed further why the current fee structure is not inequitable because all companies can in principle provide enterprise services on a private carrier basis. Finally, we encouraged the Commission in the context of a larger proceeding to review all regulatory fees to look to replacing the IBC regulatory fee regime with a framework that is both practical and lawful.

Should you have any questions or require further information, please do not hesitate to contact the undersigned.

Respectfully submitted,

/s/ electronically signed

Joel S. Winnik
Counsel for BCE Nexxia Corp. and BCE Nexxia Voice Services Corp.

cc: Dan Daly
Roland Helvajian
Jim Ball
David Krech
Sean O'More