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November 23, 2009

By Electronic Filing

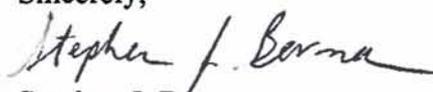
Simon Banyai, Attorney Advisor
Media Bureau, Policy Division
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *A National Broadband Plan for Our Future*, GN Docket No. 09-51
Comment Sought on Impact of Middle and Second Mile Access on Broadband Availability and Deployment: NBP Public Notice #11, GN Docket No. 09-47
Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996, as Amended by the Broadband Data Improvement Act, GN Docket No. 09-137

Dear Mr. Banyai:

XO Communications, LLC ("XO") has asked us to respond to your request for authorization for the Federal Communications Commission ("FCC") to make XO's November 4, 2009, Highly Confidential Comments available in GN Docket Nos. 09-47, 09-51, and 09-137 pursuant to the revised Protective Order of November 16, 2009 (DA 09-2415). Please note that XO's Highly Confidential Comments, made in response to NBP Public Notice #11 (DA 09-2186), were filed in each of the three above-referenced dockets on November 4, 2009, subject to the FCC's October 8, 2009, Protective Order in GN Docket No. 09-51 (DA 09-2187) and a request for Highly Confidential treatment pursuant to 47 C.F.R. §§ 0.457 & 0.459. Therefore, there is no need to incorporate its filing by reference into any of those dockets. By this letter, XO expressly authorizes the FCC's use of its Highly Confidential Comments in any of those three dockets, and agrees that its Highly Confidential Comments may be subject to the requirements of the revised Protective Order (DA 09-2415).

Sincerely,


Stephen J. Berman

cc: Marlene H. Dortch (via ECFS)