

March 16, 2011

VIA ECFS

EX PARTE

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

Re: *Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-25*

Dear Ms. Dortch:

Yesterday, I had a telephone conversation with Nick Alexander of the Wireline Competition Bureau. During the discussion, I argued that, in its planned second voluntary data request in the above-referenced proceeding, the Wireline Competition Bureau should collect price and cost information sufficient to enable the Bureau to assess the extent to which incumbent LECs are exercising market power in the provision of Ethernet special access services. For example, I argued that the Bureau should seek information regarding the incumbent LECs' retail and wholesale prices for Ethernet so that the Bureau can determine whether incumbent LECs are placing competitors, like tw telecom, that rely on incumbent LEC Ethernet as an input to downstream retail services, in a price squeeze.

Please do not hesitate to contact me at (202) 303-1111 if you have any questions or concerns about this submission.

Respectfully submitted,

/s/ Thomas Jones
Thomas Jones
Counsel for tw telecom inc.

cc (via email): Nick Alexander