

October 21, 2011

**VIA ECFS**

***EX PARTE***

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

**Re: *GN Docket No. 09-51; WC Docket Nos. 10-90, 07-135, 05-337, 03-109, 06-122, 04-36; CC Docket Nos. 01-92, 96-45, 99-200, 96-98, 99-68***

Dear Ms. Dortch:

Today, on behalf of Cbeyond, Inc., Integra Telecom, Inc., and tw telecom inc. (“Joint CLECs”), I discussed intercarrier compensation reform with Angie Kronenberg, legal advisor, and Katherine Mereand, intern, to Commissioner Mignon Clyburn as well as with Zac Katz, legal advisor to Chairman Julius Genachowski. During the discussions, I reiterated the points described in the October 12, 2011 Joint CLEC ex parte regarding the need for IP-to-IP interconnection for the exchange of facilities-based interconnected VoIP.<sup>1</sup> In addition, I explained that Section 251(c)(2) is the only suitable statutory basis for mandating that incumbent LECs directly interconnect their IP networks with competitors for the exchange of facilities-based interconnected VoIP. Section 251(a) is not a suitable basis for such a mandate as applicable to incumbent LECs.

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<sup>1</sup> See Letter from Thomas Jones, Counsel for Cbeyond, Inc., Integra Telecom, Inc., and tw telecom inc. to Ms. Marlene H. Dortch, Secretary, Federal Communication Commission, GN Docket No. 09-51; WC Docket Nos. 10-90, 07-135, 05-337, 03-109, 06-122, 04-36; CC Docket Nos. 01-92, 96-45, 99-200, 96-98, 99-68 (Oct. 12, 2011).

Ms. Marlene H. Dortch  
October 12, 2011  
Page 2

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

Respectfully submitted,

/s/ Thomas Jones

Thomas Jones

*Counsel for Cbeyond, Inc., Integra Telecom, Inc.,  
and tw telecom inc.*

cc (via email): Angie Kronenberg  
Katherine Mereand  
Zac Katz