



December 22, 2011

*Ex Parte*

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92;  
*High-Cost Universal Service Support*, WC Docket No. 05-337; *Establishing Just and Reasonable Rates for Local Exchange Carriers*, WC Docket No. 07-135; *Connect America Fund*, WC Docket No. 10-90; *A National Broadband Plan for Our Future*, GN Docket No. 09-51; *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45; *Lifeline and Link-Up*, WC Docket No. 03-109

Dear Ms. Dortch,

On December 21, 2011, I, on behalf of Level 3 Communications, Inc. ("Level 3"), spoke with Randy Clarke of the Wireline Competition Bureau. We discussed the phantom traffic rules, and the fact that there is some non-interconnected VoIP originated traffic that does not carry a calling party number for which Level 3 must insert a Charge Number in order for the call to complete and not fail. We discussed whether a waiver may be needed to address this situation in light of Paragraph 714 of the *CAF Order*<sup>1</sup>.

Please contact me if you have any questions.

Sincerely,

John T. Nakahata  
*Counsel to Level 3 Communications, Inc.*

cc: Randy Clarke  
Albert Lewis

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<sup>1</sup> *Report and Order and Further Notice of Proposed Rulemaking*, WC Docket Nos. 10-90, 07-135, 05-337, 03-109; CC Docket Nos. 01-92, 96-45; GN Docket No. 09-51 (rel. Nov. 18, 2011).