

December 4, 2012

VIA ECFS

NOTICE OF 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; AT&T Corp. Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Services, WC Docket No. 05-25, RM-10593*

Dear Ms. Dortch:

On December 3, 2012 and December 4, 2012, Christopher Murray, Senior Vice President of Public Policy for EarthLink, Inc. (“EarthLink”), spoke by telephone with Eric Ralph of the Wireline Competition Bureau regarding the forthcoming special access data request in the above-referenced proceeding. Mr. Ralph asked about the extent to which EarthLink relies on unbundled network elements (“UNEs”) to serve residential customers as opposed to business customers. Mr. Murray responded that EarthLink does not market UNE-based services to residential customers, nor did the companies that EarthLink acquired which comprise its network. UNE-based residential service constitutes a *de minimis* amount (*i.e.*, less than 1 percent) of EarthLink’s total access lines.

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

Respectfully submitted,

/s/ Thomas Jones

Thomas Jones

Nirali Patel

Counsel for EarthLink, Inc.

cc (via email): Eric Ralph, WCB