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May 28, 2013

Ex Parte

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

Re: *Numbering Policies for Modern Communications*, WC Docket No. 13-97; *IP-Enabled Services*, WC Docket No. 04-36; *Telephone Number Requirements for IP-Enabled Services Providers*, WC Docket No. 07-243; *Telephone Number Portability*, CC Docket No. 95-116; *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92; *Connect America Fund*, WC Docket No. 10-90; *Numbering Resource Optimization*, CC Docket No. 99-200; *Petition of WilTel Communications, LLC for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Access to Numbering Resources*

Dear Ms. Dortch:

On May 23 and May 28, I spoke with Bill Dever, Lisa Gelb, Marilyn Jones, Melissa Kirkel,¹ Ann Stevens, and John Visclosky, all of the Wireline Competition Bureau, regarding the Level 3/WilTel proposed trial² pursuant to the Commission's *Direct Access Order*.³

In those conversations, I explained that Level 3 planned, in its test, to gain a better understanding of the both the technical and practical issues associated with gaining direct access to numbers. For example, as explained in the trial proposal, Level 3 intends to seek IP interconnection with a number of service providers. Level 3 expects that the experience it and those providers have in establishing and operating under such agreements during this trial will help identify best practices and standard terms for such agreements in the future, as they become more common. In addition, Level 3 expects the trial to provide an opportunity to identify and resolve any issues related to routing and terminating traffic in an efficient manner.

¹ Ms. Kirkel participated only in the May 28 discussion.

² See WilTel Trial Proposal, WC Docket No. 13-97, *et al.* (filed May 20, 2013).

³ *Numbering Policies for Modern Communications*, WC Docket No. 13-97, *et al.*, Notice of Proposed Rulemaking, Order, and Notice of Inquiry, FCC 13-51 (rel. Apr. 18, 2013) (*Direct Access Order*).

I also explained that Level 3 offers a variety of services that support interconnected VoIP services to both wholesale and enterprise customers. I stated that Level 3 intends to include both wholesale and enterprise lines in the trial, and observed that doing so was consistent with the Commission's express desire to test direct access to numbers in "a variety of factual scenarios."⁴ Moreover, nothing in the *Direct Access Order* suggests that any other provider could not, or should not, use any numbers obtained as part of the trial to offer either wholesale or enterprise services. Rather, the purpose of the trial is to test direct access to phone numbers for non-carrier interconnected VoIP providers without regard to the provider's business model. I also clarified that the Level 3/WilTel trial proposal, which stated that Level 3's technology supports over 4 million interconnected VoIP lines,⁵ included in that number both wholesale and enterprise customers lines where the customer obtains both outbound and inbound VoIP services from a Level 3 operating affiliate.

Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,

/s/ Joseph C. Cavender
Joseph C. Cavender

cc: Bill Dever
Lisa Gelb
Marilyn Jones
Melissa Kirkel
Ann Stevens
John Visclosky

⁴ See *Direct Access Order*, ¶ 89 n.227.

⁵ See WilTel Trial Proposal at 4 n.13.