

**Lampert, O'Connor & Johnston, P.C.**

1776 K Street NW, Suite 700  
Washington, DC 20006

Donna N. Lampert  
lampert@lojlaw.com

tel (202) 887-6230  
fax (202) 887-6231

June 29, 2010

***Via Electronic Delivery***

Ms. Marlene H. Dortch  
Federal Communications Commission  
The Portals, TW-A325  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation – GN Dkt. 10-127, *Framework for  
Broadband Internet Services*

Dear Ms. Dortch:

On Monday, June 28, 2010, Heather Burnett Gold, Senior Vice President, External Affairs, XO Communications; Lisa Youngers, President, Federal Affairs, XO Communications; and the undersigned, of Lampert, O'Connor & Johnston, P.C., met separately with Zachary Katz, Deputy Chief of the Office of Strategic Planning and Policy Analysis, and Angela Kronenberg, Acting Legal Advisor, Wireline, for Commissioner Mignon Clyburn, regarding the above-referenced proceeding.

In the meeting, we expressed support for the FCC's proposed Third Way framework and reiterated the need for the FCC to assert its existing statutory authority over broadband especially since universal service and other *National Broadband Plan* goals depend upon this approach. We also explained that today, competitive companies invest significantly, deploy innovative network improvements, and contribute to American jobs and overall economic growth. We underscored that FCC statutory oversight under Title II of the Communications Act does not undermine incentives to do so.

Pursuant to the Commission's rules, one copy of this memorandum is being filed electronically in the above-referenced docket for inclusion in the public record. Please do not hesitate to contact me directly if you have any questions.

Respectfully submitted,



Donna N. Lampert  
*Counsel for XO Communications*

cc: (via electronic mail)

Zachary Katz  
Angela Kronenberg