

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

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July 13, 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: XO Communications, LLC  
Notice of *Ex Parte* Presentation – GN Dkt. 10-127,  
Framework for Broadband Internet Services

Dear Ms. Dortch:

On Monday, July 12, 2010, Heather Burnett Gold, Senior Vice President, External Affairs, XO Communications; Lisa Youngers, President, Federal Affairs, XO Communications; Randy Nicklas, Chief Technology Officer, XO Communications, Donna Lampert, of Lampert, O'Connor & Johnston, P.C., and the undersigned, also of Lampert, O'Connor & Johnston, P.C., met with Austin Schlick, General Counsel; Christopher Killion, Deputy Associate General Counsel, Office of General Counsel; Royce Sherlock, Attorney Advisor, Office of General Counsel; David Tannenbaum, Special Attorney, Office of General Counsel; Kris Monteith, Deputy Bureau Chief, Media Bureau; and Marcus Maher, Associate Bureau Chief, Wireline Competition Bureau, regarding the above-referenced proceeding.

In the meeting, XO expressed support for the FCC's proposed Third Way framework and urged the FCC to move ahead promptly to assert its existing statutory authority over broadband. XO explained that Title II classification of the transmission component of broadband Internet service would not be an impediment to investment, nor would it cause customer confusion, because customers today can and do purchase the transmission service component separately from other services and features. XO explained that while integration of transmission and information services may have been common ten years ago, they are in fact severable, as reflected in the current marketplace.

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**XO Communications, LLC Ex Parte**

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Pursuant to the Commission's rules, one copy of this notice 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,



E. Ashton Johnston

*Counsel for XO Communications, LLC*

cc: *(via electronic mail)*  
Austin Schlick  
Marcus Maher  
Christopher Killian  
Royce Sherlock  
David Tannenbaum  
Kris Monteith