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ATTORNEYS AT LAW

25 July 2011

Ex Parte

Carrie-Lee Early, Policy Division
International Bureau

Dennis Johnson, Competition Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: XO Communication, LLC's Request for Extension of Time to File Replies, Global Crossing and Level 3 Communications, Inc., Application for Consent to Transfer Control; Level 3 Communications, Inc., Petition for Declaratory Ruling Under Section 310(b)(4) of the Communications Act of 1934, as Amended, IB Docket No. 11-78

Dear Ms. Early and Mr. Johnson:

Level 3 Communications, Inc. ("Level 3") hereby objects to the request of XO Communications, LLC ("XO") for a one-week extension of time in which to file replies in the above-captioned proceeding. XO's request is excessive and unwarranted by the circumstances.

Level 3 and Global Crossing filed a redacted version of their Joint Opposition and Reply Comments on July 21, and those comments were available on the Commission's ECFS system by the afternoon of July 22. Virtually the entire filing was available to XO at that time, with the sole exception of two small pieces of information in Applicants' joint comments and supporting information setting forth the data underlying Applicants' market share calculation (the methodology for which, as well as the universe of North American IP traffic, were available as of July 22, as it was not marked as confidential). Applicants made even this small amount of confidential information available on the first business day (July 25) after receipt of XO's acknowledgements, which were not received until after close of business hours on Friday, July 22. Applicants have acted promptly to provide XO with access to all the confidential information, and it is difficult to see how XO has been prejudiced by the loss of one business day with respect to a small amount of information.

Level 3 believes that these circumstances do not warrant an extension of time, and certainly not a one-week extension of time to reply. If the Commission grants an extension, Level 3 believes that no more than a one-day extension would be appropriate, as that is the only

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time that elapsed between the filing of Level 3's comments and the issuance of the protective order.

John Nakahata of Wiltshire & Grannis, LLP, on behalf of Level 3, conveyed these objections to Howard Griboff in a conversation on July 25, 2011.

Should you have any questions about this filing, please contact me at (202) 730-1338 or by email at kdevine@wiltshiregrannis.com.

Yours sincerely,



Kristine Laudadio Devine
Outside Counsel for Level 3 Communications, Inc.

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