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18 August 2011

EX PARTE NOTICE

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: *Global Crossing Limited and Level 3 Communications Inc., Application for Consent to Transfer Control of Authority to Provide Global Facilities-Based and Global Resale International Telecommunications Services and of Domestic Common Carrier Transmission Lines, Pursuant to Section 214 of the Communications Act, as Amended, IB Docket No. 11-78*

Dear Ms. Dortch:

On August 16, 2011, John Ryan, Chief Legal Officer, Level 3 Communications, Inc. (“Level 3”), Dwight Steiner, Andrew Dugan, Brian Warren, Rebecca Greenawalt, Nicolas Pujet, and Erin Boone, also of Level 3, Kristine Devine and John Nakahata, both of Wiltshire & Grannis LLP (on behalf of Level 3), and Paul Kouroupas, Vice President of Regulatory Affairs, Global Crossing Limited (“Global Crossing”) met with Zachary Katz, Chief Counsel and Senior Legal Advisor to the Chairman, Sharon Gillett, Chief, Wireline Competition Bureau, Claude Aiken, Bill Dever, Lisa Gelb, Rebekah Goodheart, Richard Hovey, Marcus Maher, Pamela Megna, Jenny Prime, Eric Ralph, and Tim Stelzig, all of the Wireline Competition Bureau, Paul de Sa, Chief, Office of Strategic Planning and Policy Analysis, Marius Schwartz, Chief Economist, Doug Sicker, Chief Technology Officer, Jonathan Zittrain, Commission Distinguished Scholar, and David Strickland of the International Bureau, regarding the above-referenced applications.

Level 3 and Global Crossing (collectively, “Applicants”) discussed the attached diagram (Attachment 1) illustrating the various options in the marketplace for moving Internet traffic, including peering, purchase of transit, and use of content delivery networks. The points raised during this discussion were previously addressed in paragraphs 13 to 19 and 22 to 30 of the Declaration of Nicholas Pujet, attached to Applicants’ Opposition and Reply Comments, and incorporated by reference herein. Applicants also discussed Applicant’s proposal to use bit-mile

balancing to ensure equitable sharing of backbone costs between peering networks, as described and summarized in Attachment 2, a copy of which was distributed to the FCC attendees.

Applicants reiterated their belief that their developing peering policy addresses all concerns that commenters, including XO Communications, LLC, had with the transaction as it relates to the market for moving bits across the Internet. Applicants believe that there are no remaining impediments to the prompt grant of the Applicants applications.

Sincerely,



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Tim Stelzig
David Strickland
Jonathan Zittrain

Attachments