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C R (Cal) Carrington  
Director — Federal Regulatory Matters

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December 7, 1995

NYNEX

Ex Parte

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

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DEC - 7 1995

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

Re: Docket Nos. 88-57, 92-260 and RM 8380

Dear Mr. Caton:

Over the course of yesterday morning and late afternoon, B. Pfeiffer, J. Udwin and I, representing NYNEX Corporation, met in sequence with (1) Ms. L. Smith and Mr. T. Silbergeld of Commissioner Barrett's office, (2) Ms. M. O'Connell of Commissioner Quello's office, and (3) Ms. S. Toller and Mr. D. Furth of Commissioner Chong's office, to discuss issues in the above referenced proceedings.

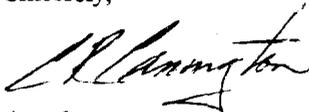
The discussions focused on the impracticality, under current Commission Rules, of a second provider furnishing video programming services to tenants of multi-unit dwellings. In this regard, the demarcation points for telephone inside wiring, cable home wiring, control and access to wiring within the common areas, e.g., riser ducts and hallways, of multi-unit dwellings, the role of third parties such as building owner/landlords and condominium associations were discussed. The competitive ramifications associated with each of these matters were also topics of discussion.

Finally, although we did not get a chance to discuss the following matter in any detail, we believe it would be very beneficial for the Commission to reinforce on reconsideration the requirements of paragraph 19 of its Report and Order (Order) in MM Docket No. 92-260, Released February 2, 1993, that the offer of sale made by a cable operator take place "when the subscriber calls to terminate service". Although so directed by the Order, it could be wrongly argued from the absence of a specific direction in Sec. 76.802 of the Rules that the cable operator is not required to make an offer and to complete the sale arrangements timely enough for an alternative provider to include use of the in-place wiring in its service provisioning plans. Such uncertainty, of course, would place an alternative provider at a decided competitive disadvantage.

The attached chart providing an analysis of multiple dwelling unit buildings in NYNEX states and SMSA central cities within the United States was provided to each of the meeting participants.

Questions regarding these matters may be directed to me at the number or address shown above.

Sincerely,



Attachment

cc: D. Furth  
M. O'Connell  
T. Silbergeld  
L. Smith  
S. Toller



