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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

EX PARTE

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

Re: Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended; and Regulatory Treatment of LEC Provision of Interexchange Services Originating in the LEC's Local Exchange Area, CC Docket No. 96-149

Dear Mr. Caton:

Today, Donald J. Elardo, Kim Kirby, Anthony C. Epstein and I, representing MCI Telecommunications Corporation (MCI), met with Linda Finney, Radhika V. Karmarkar, Cheryl A. Leanza, Michelle M. Carey and Sarah E. Whitesell of the Policy and Program Planning Division to discuss MCI's position in the above-captioned proceeding. The discussion focused on the need for specific reporting requirements, the physical separation between Bell Operating Company (BOC) local exchange facilities and operations, on the one hand, and BOC in-region interLATA facilities and operations, on the other, mandated by Section 272(b)(1) of the Communications Act, the continued applicability of the MFJ equal access and nondiscrimination requirements, and the relationship of the nondiscrimination requirements in Section 251 to those in Section 272.

The discussion reiterated MCI's previously documented positions in this docket. The MCI representatives stressed that a BOC's interLATA affiliate should be prohibited under Section 272(b)(1) from constructing its own local exchange facilities, from purchasing unbundled network elements from the BOC under Section 251(c)(3) and combining them to offer exchange services, or from offering exchange service other than through service resale under Section 251(c)(4). Moreover, the BOCs must not be permitted to evade the obligations and restrictions imposed by the Communications Act on their local exchange operations by establishing alternative "competitive local exchange carriers" (CLECs) that are free of those obligations and restrictions. Thus, for example, a "BOC CLEC" must operate independently from the BOC's interLATA affiliate and must not be allowed to provide

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in-region interLATA services except on a resale basis.

Two copies of this Notice are being submitted in accordance with Section 1.1206(a)(2) of the Commission's Rules.

Yours truly,

Frank W. Krogh

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cc: Linda Finney
Radhika V. Karmarkar
Cheryl A. Leanza
Michelle M. Carey
Sarah E. Whitesell