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April 22, 1997

EX PARTE

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

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APR 22 1997

Federal Communications Commission
Office of Secretary

Re: GN Docket No. 96-115

In the matter of Implementation of the
Telecommunications Act of 1996
Telecommunications Carriers' Use of
Customer Proprietary Network Information and
Other Customer Information

Dear Mr. Caton:

On behalf of the Yellow Pages Publishers Association (YPPA), Gil Geldon (Bell Atlantic Directory Services, Inc.), Dan Thompson (BellSouth Advertising and Publishing Corporation), Albert Halprin (Halprin, Temple, Goodman & Sugrue) and Joel Bernstein (Halprin, Temple, Goodman & Sugrue) met with Dorothy Atwood, Jeannie Su, and Raelynn Tibayan of the Common Carrier Bureau's Policy and Program Planning Division and David Konuch of the Common Carrier Bureau's Competitive Pricing Division on April 21, 1997. YPPA and the FCC staff discussed matters relating to subscriber list information in the above captioned proceeding raised in YPPA's previous filings in the proceeding.

YPPA specifically discussed materials contained in the Association of Directory Publishers' (ADP) ex parte filings of February 24, 1997, March 4, 1997, and March 28, 1997. During the meeting, YPPA reiterated its position that no FCC rules are needed to effectuate the statutory requirements of 47 U.S.C. § 222(e). YPPA argued that there is no statutory or regulatory reason to use incremental costs to regulate subscriber list information. YPPA noted that the statute and the legislative history do not support the use of cost-based

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pricing for subscriber list information. Further, YPPA showed that ADP's calculation of incremental pricing is radically different from the Commission's calculations under TSLRIC.

YPPA examined the proposed subscriber list information rules ADP submitted as part of its March 4, 1997 ex parte filing, showing that the ADP proposed rules were either already contained in the statute, contrary to the statute, or wholly outside the scope the statute. YPPA also discussed the Florida PSC hearing raised in ADP's February 24, 1997 ex parte filing, noting that the Florida PSC declined to impose incremental cost rates for subscriber list information. YPPA left a copy of the attached newspaper advertisement with the FCC staff.

Sincerely,



Joel Bernstein

Attachment

cc: Dorothy Atwood
Jeannie Su
Raelynn Tibayan
David Konuch