

EX PARTE OR LATE FILED

PIPER & MARBURY

L.L.P.

1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036-2430

202-861-3900
FAX: 202-223-2085

BALTIMORE
NEW YORK
PHILADELPHIA
EASTON

WRITER'S DIRECT NUMBER
(202) 861-6471
FAX: (202) 861-4160

April 30, 1997

HAND DELIVERY

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

Re: Ex Parte Presentation
CC Dkt. No. 96-149

Dear Mr Caton:

This letter is to notify you that Mark Tauber and I, representing Omnipoint Communications Inc., met today with David Ellen and Lisa Choi of the Commission's Common Carrier Bureau. During the meeting, we discussed Omnipoint's position in the expedited Section 272(e)(4) proceeding, as articulated in Omnipoint's April 17 comments in the above-referenced docket. Omnipoint seeks for the Commission to interpret Section 272 in a manner that is consistent with the goals of Sections 251 and 332 for efficient transport among competing local providers. The Commission's First Report and Order, however, did not adequately consider how the restrictions against interLATA BOC-to-carrier transport services could impact competing local carriers. Omnipoint believes that BOC provision of private line backhaul transport across LATA boundaries does not violate the Section 271 and 272 restrictions against "interLATA services." Equally important, such transport would add much-needed competition to IXC providers and would facilitate facilities-based competition in rural areas.

RECEIVED

APR 30 1997

Federal Communications Commission
Office of Secretary

No. of Copies rec'd
List A B C D E

OH

William F. Caton
April 30, 1997
Page 2

An original and one copy of this letter is transmitted herewith for inclusion in the above-referenced docket. Should you have any questions concerning this matter, please feel free to contact the undersigned.

Sincerely,


Mark J. O'Connor

cc: David Ellen
Lisa Choi