

EXHIBIT 96-115

WILLKIE FARR & GALLAGHER

Washington, DC
New York
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EX PARTE OR LATE FILED

January 27, 1998

RECEIVED

JAN 27 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Ex Parte Meeting
CC Docket No. 96-115

Dear Ms. Salas:

On January 23, 1998, representatives of the Association of Directory Publishers ("ADP") met with Richard Welch, Blaise Scinto, and David Konuch of the Common Carrier Bureau to discuss (1) the need for the Commission to resolve swiftly the issues raised in the above-referenced proceeding;¹ (2) unreasonable pricing tactics by BellSouth and other local exchange carriers in violation of Section 222(e); and (3) various problems associated with obtaining competitive local exchange carriers' ("CLECs) subscriber list information.²

¹ More specifically, ADP discussed the need for the Commission to set forth rules governing what constitutes a reasonable price under Section 222(e). ADP noted that a federal district court recently made a primary jurisdiction referral to the Commission on this very point.

² ADP distributed copies of E-mails between ADP member The Sunshine Pages and MCI in which MCI stated that it would not sell its subscriber list information to The Sunshine Pages. ADP also supplied copies of LEC directories showing that LECs have CLEC information which they are refusing to turn over to independent directory publishers. That is, the directories contain CLEC listings which are omitted from the data supplied to independent directory publishers.

No. of Copies rec'd 052
List ABCDE

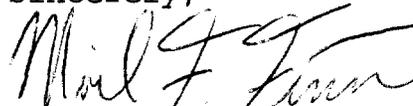
Three Lafayette Centre Telex: RCA 229800
1155 21st Street, NW WU 89-2762
Washington, DC 20036-3384 Fax: 202 887 8979
202 328 8000

Ms. Magalie Roman Salas
January 27, 1998
Page 2

Representatives of ADP included Phil Verveer, Theodore Whitehouse, Bill Hammack, Larry Angove, and the undersigned.

The enclosed materials were distributed during the meeting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael F. Finn".

Michael F. Finn

Enclosure

cc: Dorothy Attwood
Richard Welch
Blaise Scinto
David Konuch

ADP Talking Points
January 23, 1998

LECS are flouting Section 222(e)'s mandate for (1) access to subscriber list information and (2) nondiscriminatory and reasonable terms and rates:

- A Federal District Court recently made a primary jurisdiction referral to the Commission to determine what constitutes a reasonable rate under Section 222(e)
- Bellsouth's cost studies show that Bellsouth earns a one thousand and three-hundred (1,300) percent profit when selling basic listings at four cents
- Other LECS charge far more and reap even more egregious profits
- Bellsouth charges the following:
 - 4¢ to use a listing in one printed directory
 - 12¢ to use a listing in multiple printed directories
 - 18¢ to use a listing in a cd-rom directory
- Bellsouth has admitted that those prices are "market-based" or "whatever the market will bear"

LECS and CLECS are flouting the basic premise of Section 222(e) by refusing to sell listings to competing publishers:

- Many LECS refuse to provide CLEC listings to directory publishers
 - Bellsouth receives CLEC listings pursuant to interconnection agreements
 - Bellsouth will not provide CLEC listings
- Many CLECS are unable or unwilling to provide their listings
 - MCI has declined to sell its listings but is willing to have Bellsouth do so
 - Bellsouth will not provide MCI's listings

ADP implores the commission to issue rules governing the provision of telephone subscriber list information as soon as possible:

- The NPRM was released in may 1996
- All comments and replies were filed in June 1996

The SunShine Pages

January 19, 1997

Ms. Helen Tiene
MCI
1801 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

Via Airborne Express

Re: Memphis Area MCI listings

Dear Ms. Tiene:

The SunShine Pages is an independent telephone directory operating throughout the southeast United States, including Memphis, Tennessee. As an independent publisher not affiliated with a local exchange carrier (LEC), we obtain subscriber listings information from the LECs and competitive local exchange carriers (CLECs).

We are committed to producing up-to-date, complete and accurate directory products. In Memphis, we have agreements with Time Warner, Nextlink and others to print their listing information in our product.

As the directory of choice in Memphis, these CLECs realize that it is imperative for them to have their customers' listings information published correctly in our directories. Unfortunately, we have not been able to reach a similar agreement with MCI.

MCI has refused to make its Memphis listings available to The SunShine Pages. Our Director of New Media, Ken Bickford, began requesting the listings from Kim Williams last summer. Despite repeated requests for this information by Mr. Bickford, no response was forthcoming. An e-mail was sent to Kim Williams on December 2, 1997, specifically requesting the issue be resolved. On December 17th, Mr. Bickford confirmed that the information was needed as soon as possible because the Memphis deadline was January 9, 1998. Mr. Bickford again sent an urgent plea via e-mail on January 5th.

On January 6th, Mr. Bickford was informed by you that MCI would not supply The SunShine Pages with the Memphis listings. Mr. Bickford offered that The SunShine Pages would do whatever necessary to assist MCI in compiling the Memphis MCI information. This included the offer to contact the subscribers to verify data if necessary. This offer was refused on January 8th by Kim Williams.

Louisiana

Corporate Office
3445 N. Causeway Blvd.
4th Floor
Metairie, LA 70002
(504) 832-9835

NorthShore Sales

800 Ramon St.
Mandeville, LA 70448
(504) 626-0274

Florida

West Coast Sales
540 Interstate Court
Sarasota, FL 34240
(941) 378-2550

East Coast Sales

759 S.E. Federal Hwy.
Suite 301
Stuart, FL 34994
(561) 221-9060

Tennessee

Memphis Sales
6063 Mt. Moriah Extd.
Suite 14
Memphis, TN 38115
(901) 547-0622

Because of MCI's refusal to supply this critical listings information, you are forcing us to obstruct the flow of information to the community, adversely affect your own customers and impact the usefulness of your product to the community. We will not compromise our product.

Let me point out that your refusal to provide listings is a violation of the law. Specifically, section 222(e) of The Telecommunications Act of 1996 provides a telecommunications carrier that provides telephone exchange service *must* provide subscriber list information "on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms and conditions, to any person upon request for the purpose of publishing directories in any format." MCI is ignoring this statute.

In the interest of resolving this issue amicably, we again state that we are prepared to work with MCI in every way practical. However, we demand that MCI provide subscriber list information for the Memphis area immediately. If we do not have a complete and accurate set of your listings by Thursday, January 23rd at 5:00 p.m. EST, we will file a complaint with the Federal Communications Commission and will seek other appropriate legal remedies.

Sincerely,



Magdalen Blessey Bickford
Corporate Counsel

cc: Ted Whitthouse, Esp.
Michael Finn, Esp.
Wilkie, Farr and Gallagher

Kim Williams, MCI

**HP OfficeJet
Personal Printer/Fax/Copier**

Fax Log Report

Jan-20-98 04:35 PM

Last Fax

<u>Identification</u>	<u>Result</u>	<u>Pages</u>	<u>Type</u>	<u>Date</u>	<u>Time</u>	<u>Duration</u>	<u>Diagnostic</u>
17038218809-146	OK	03	Sent	Jan-20	04:33P	00:01:34	002486030022

Ken Bickford

From: Ken Bickford <kbickford@sunshinepages.com>
To: Kim Williams <2149768@mclmall.com>
Subject: Listings
Date: Tuesday, December 02, 1997 10:44 AM

Kim,

Is it convenient to talk with you today about getting the listings for the upcoming Memphis book?

If you can, try calling me at 800.259.9835. I'll be at lunch from noon to 1 o'clock central. Otherwise, I should be here until 4pm central.

If you call and I'm not at my desk or on another line, have the receptionist find or interrupt me.

Thanks.

K.W.B.

Ken Bickford

From: Kimberly O Williams <Kimberly.O.Williams@mci.com>
To: Ken Bickford <kbickford@sunshinepages.com>
Subject: Re: Listings
Date: Thursday, December 04, 1997 8:00 AM

Ken,

I have already started to work on this. I will need to send you a letter about using our listing that your legal group will I'm sure need to look at. As soon as I get it drafted I will let you know. What is the close date? We will want to have BellSouth provide you with our listing, will this be a problem?

Kim

Kim,

Is it convenient to talk with you today about getting the listings for the upcoming Memphis book?

If you can, try calling me at 800.259.9835. I'll be at lunch from noon to 1 o'clock central. Otherwise, I should be here until 4pm central.

If you call and I'm not at my desk or on another line, have the receptionist find or interrupt me.

Thanks.

K.W.B.

*very
Antony*

Ken Bickford

From: Kimberly O Williams <Kimberly.O.Williams@mci.com>
To: Ken Bickford <kbickford@sunshinepages.com>
Subject: Memphis Directory
Date: Wednesday, December 17, 1997 9:00 AM

Ken,

I wanted to let you know that we are still working on getting you the Memphis listing to you.

I still need to know when the Memphis directory will be closing. Also Helen Tiene will be handling this. She can be reached at 703 918-0792.

Kim

Ken Bickford

From: Ken Bickford <kbickford@sunshinepages.com>
To: Kim Williams <2149768@mcimail.com>
Subject: Subscriber listings
Date: Monday, January 05, 1998 6:11 PM

Kim,

We're running up against some deadlines here...I need to get your Memphis listings with all due haste! Would you give me a call tomorrow morning concerning this?

My number is 504.832.9835, extension 3080. Hope all is well and that your new year has started off right for you.

Ys. truly,

Ken Bickford

Ken Bickford

From: Helen Tiene <HTIENE/0005103115@MCIMAIL.COM>
To: kbickford <kbickford@sunshinepages.com>
Cc: Kimberly O Williams <Kimberly.O.Williams@mci.com>
Subject: memphis listings
Date: Tuesday, January 06, 1998 9:49 AM

ken-

Unfortunately, MCI is not able to forward our listings in the Memphis area to you at this time.

Regards,

Helen
703-918-0792

Ken Bickford

From: Kimberly O Williams <Kimberly.O.Williams@mci.com>
To: Ken Bickford <kbickford@sunshinepages.com>
Cc: Helen Tiene <"Helen Tiene"@mcimail.com>
Subject: Memphis Listings
Date: Thursday, January 08, 1998 4:00 PM

Ken,

Thanks for all your suggestions to help up get our listing into your Memphis directory. Unfortunately we are still unable to provide them to you at this time.

Please send me your schedule for future markets and directories so that we can make arrangements to be included in them.

Thanks again,

Kim

1/22/98 13:27

TIME 1

WHITE PAGES

T

Time Warner Communications

- Customer Service
- Service
- Message Center/Shortcuts/Referral/Standard Call
- and/Or/Other Call Methods
- Service
- Message Center/Shortcuts/Referral/Standard Call
- and/Or/Other Call Methods..... 250-8226
- Advertisement Sales..... 865-1778
- Advertising Sales..... 866-4534
- Business Bank Service..... 866-5050
- Job Vacancies..... 866-4516
- Real Power Of The Mid-South High Speed Cable
- Service..... 250-1111
- Two Water Home Theater Automated Ordering
- Number
- Charged To Customers
- Toll Free-Dial '1' & Then 800-835-3020
- Charged To Customers
- Toll Free-Dial '1' & Then 800-885-2121
- Underground Cable Leases
- Tennessee One Call
- Toll Free-Dial '1' & Then 800-351-1111
- Mississippi One Call
- Toll Free-Dial '1' & Then 800-445-1988
- Alabama One Call in Mo
- Toll Free-Dial '1' & Then 800-227-6477

1/22/98 14:58

Checked By _____ Entered By _____

Residential Listings

West Jefferson Parish • Algiers

AREA CODE 504

FOR INFORMATION CONCERNING THIS DIRECTORY CALL: (504) 832-9835

Louisiana Clinic The

Orthopedic Division

Doctors Office

70115

Orthopedic Division

Doctors Office

Adelle Hannah A MD

Robert Rousey 343-7500

Fred Shapiro J MD

4224 Houma St Metairie 70004 456-5176

W Mc Answer Of 457-2701

Martha Bernard L MD

Officer John B MD

Phillip Stuart J MD

Rauchwerk Joseph MD

Wehrman John J MD

CT & MRI Division

70115

Internal Medicine Division

Doctors Office

70115

Fathal Mh MD

Parish Physical MD

Invasive Testing

70115

Pain Management Division

70115

Physical Medicine Division

70115

Worm Gerald MD

Physical Therapy Division

70115

Psychiatry Division

70115

Ryaney Jonathan MD

Radiology Division

70115

Urology Division

70115

McSherry Susan A MD 70115

*This is what we need -
see attached
on what is
in Bell book.*

2161 Paris Rd Chalmette 70003
 62 George's Glass Works 8300 E St Bernard Hwy Paydree 70085 682-6698
 63 George's Income Tax Service 731 Westwood Dr Marrero 70072 7-56
 69 George's Income Tax Service 1136 Franklin St Gretna 70053 382-1199
 79 George's Lounge 1611 Franklin St 368-1646
 George's Plumbing & Appliance Store 5226 Elyan Fields Av 70122 282-5591
 12 Georgetown Of Metairie Apartments APTS 4037 Georgetown Dr Metairie 70001 889-6823
 08 Georgetown Of New Orleans 7209 Suffolk Dr 70126 241-2385
 08 Georgetown Univ 484-7444
 Georgia-Pacific 7500 Almonaster Av 70126 241-2380
 15 Georgia-Pacific Corporation 7500 Almonaster Av 70126 241-1991
 11 Georgia-Pacific Corporation 7500 Almonaster Av 70126 241-2381
 11 Georgian Furnishing Co 5400 Jefferson Hwy Jefferson 733-4141
 162 Georgian The 2233 St Charles Av 70130 529-2512
 154 Georgia's Beauty Salon 1213 E Judge Perez Dr Chalmette 70043 271-6403
 187 Georgia's Wallcovering Installation 393-1377
 136 Georgie's Hair Studio 3535 Outback Blvd Kenner 70065 465-9590
 147 Georgiou 600 Decatur St 70130 524-6363
 200 Georgy's Hair Studio 3535 Outback Blvd Kenner 70065 465-9590
 744 Geotech Consultants International Inc 10054 I-10 Service Rd 70127 241-9444
 011 Geoventures 3229 Ponce De Leon St 70119 486-2168
 278 Geraci Frank J Jr CFP 111 Veterans Memorial Blvd Metairie 70005 834-6300
 882 Geraci Frank J Jr 837-0995
 718 Geraci Yvonne Enterprise 835-7730
 066 Gerage C Richard ATTY 3199 N Causeway Blvd 846-5700
 578 Res 5818 Lake Point Dr W 70128 241-0546
 000 Gerald East Fence Co 443-1666
 Gerald Johnson AC & Refrigeration 150 Bonno Rd Oran Pk 687-1257
 202 Gerald's Donuts 2101 E Judge Perez Dr Chalmette 70043 271-6558
 133 Gerber Abraham ATTY 3925 N I-10 Service Rd W Metairie 70002 455-226
 1905 Res 7403 Jude St 70124 283-7611
 1070 Gerber Dave Loan & Jewelry Co 306 S Rampart St 70022 525-1631
 7009 Gerber Michael A MD 1415 Tulane Av 70112 588-5224
 1447 Gerdes Louis A Jr A Professional Law Corp 1739 St Bernard Av 70116 822-4110
 0191 Gerolphy Thomas M Sr ATTY 208 S Jefferson Davis Hwy 70119 482-1151
 0874 Gertz Stephen J Md Ofc 4115 Houma Blvd 889-5376
 5195 Gertz Steven J Md 457-2774
 8000

Alterations 1514 Mahogany Av 70130 522-7182
 045 Metairie Dr Metairie 70002 831-4676
 Daniel 733-7218
 Hwy Marianne 866-2863
 129 Carondelet St 70130 581-6411
 488-1600
 Gertrude Gardner Inc Realtors
 Accounting Dept 70006
 Commercial & Industrial 70006
 Corporate Headquarters 70006
 Leasing & Property Management 70006
 National Relocation 70006
 Rentals & Apartment Finding
 Metairie Rentals 70006
 Uptown Rentals 7934 Maple St 70118 861-9531
 Westbank Rentals 1725 Mac Arthur Blvd 70114 366-1234
 BEJ Services 70006
 Sales Offices
 Algiers/Gretna Office 70114
 East New Orleans Office 70127
 Hammond Office 70403
 1140 Roura Av Hammond 70403 464-0121
 Harvey/Marrero Office 70058
 24 Hour Information
 Real Info Line
 Kenner Office 70065
 Lakeview/Gumball Office 70124
 LaPlace Office 301 W Airline Hwy LaPlace 70068 467-8217
 Luling/Boutte Office
 Mandeville/Covington Office 70471
 New Orleans Tel No 70071
 Metairie/Veterans Office 70006
 Ormond Office 70007
 Met Tel No 70007
 Slidell Office 70558
 New Orleans Tel No 70058
 St Bernard/Chalmette Office 70043
 Uptown/Historic Districts Office 7934 Maple St 70118 861-9531
 Co 2128 Jackson Av 70113
 Gertrude Geddes Willis Life Ins Co 2128 Jackson Av 70113 522-2525
 Gervais Les Financial Services 800070070
 7311 Canterbury St 70126 242-8641
 GES Exposition Services 3607 Canal St 70119 486-0901
 GES/Double Wall Pipe 2711 Piedmont Kenner 70062 466-7661

MISSING WFO

VIA 2:41

LEMOYNE 1

WHITE PAGES

- L
- Lemoine-Owen College-807 Walker Av
- Admission Department 600-0000
- Business & Management
- Child Development
- Division Of Education
- Fire Job & Placement
- General Science Math & Computer Science
- Health & Behavioral Science
- Humanities
- Library
- Student Affairs
- Academic Dean Academic Affairs
- Business
- Business Office
- Child Development Office
- College Planning & Placement
- College Store
- Community Outreach
- Computer Center
- Copy Shop
- Counseling Service
- Dean Of Student
- Development Office
- Family Life Center
- Financial Aid Office
- Food Service
- Graduate Studies
- Human Resources
- Instructor
- Library Media F Plan
- Library Learning
- Operation/Physical Plant Planning & Maintenance
- Planning Research & Assessment
- Registrar's Office
- Public Relations
- Publicity
- Registrar's Office
- Transfer
- Transfer
- Registrar's Office
- Faculty
- Health Foundation
- Vice President For Academic Affairs
- Vice President For Development Affairs
- Vice President For Finance & Administration
- Vice President For Student Affairs

MK 98
 Ken
 Ty
 This is what
 we have on
 we have on
 we have on
 MK
 1/2/98