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Federal Communications Commission
Office of Secretary

March 5, 1998

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

ORAL EX PARTE
PRESENTATION

Re: CC Docket No. 96-128

Dear Ms. Salas:

On March 4, 1998, the undersigned and co-counsel of the firm; Thomas Keane, Chairman of the American Public Communications Council ("APCC"); Tammy Martin, Barry Selvidge and Bruce Renard, members of the APCC Board of Directors; and Vince Sandusky, APCC Executive Director, met with Rose Crellin and Jennifer Myers of the Common Carrier Bureau's Enforcement Division to discuss developments in the above-referenced docket.

Specifically, APCC discussed possible options for the Commission to take to ensure that independent payphone providers ("IPPs") receive the compensation payments to which they are entitled, pursuant to the Communications Act and the Commission's rules, for originating dial-around calls from their payphones. APCC noted that, under the terms of a Common Carrier Bureau waiver, per-call tracking capabilities will not be in place at least until March 9, 1998.

APCC expressed concern that carriers unable to track payphone call prior to March 9, 1998, would not know how much to pay IPPs unless the Commission acted immediately to reallocate among these carrier-payors the monthly flat-rate per payphone that IPPs would receive during the waiver period in lieu of per-call compensation. APCC emphasized that without a reallocation of the flat-rate compensation amount, carrier-payors

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unable to determine their specific compensation obligations may not pay the IPPs at all.
This lack of payment threatens the continued growth and viability of the IPP industry.

Very truly yours,


Albert H. Kramer

AHK/rw

cc: Rose Crellin
Jennifer Myers