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April 6, 1998

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

RECEIVED

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FEDERAL COMMUNICATIONS COMMISSION

Re: Ex Parte, CC Docket No. 97-100, Petition for Expedited Declaratory Ruling Preempting Arkansas Public Service Commission Pursuant to Section 252(e)(5) of the Communications Act of 1934, as amended.

Dear Ms. Roman Salas:

On April 3, 1998 the undersigned met with Alex Starr and Jonathan Askin of the Common Carrier Bureau's Policy and Program Planning Division. The purpose of the meeting was to discuss SBC's "petition for reconsideration" of the Arkansas PUC's Order No. 11 (Order No. 11 itself was the subject of a prior ex parte filing by AT&T¹). AT&T explained that its principal objection to SBC's petition for reconsideration was that SBC was not asking the Commission to reconsider the results and conclusions in Order No. 11, but merely for an explanation of the PUC's rationale. AT&T further explained that it does not object to, in fact would support, reconsideration of the results and conclusions of Order No. 11. Finally, AT&T explained that it continues to believe that Arkansas Act 77, as construed by the Arkansas PUC, denies to the PUC the necessary authority under state law to perform the functions delegated to it by Congress in Section 252 of the Communications Act of 1934, as amended.²

Two copies of this Notice are being submitted on the following business day to the Secretary of the FCC in accordance with Section 1.1206(a)(2) of the Commission's rules.

Sincerely,

Frank Simone

cc: A. Starr
J. Askin

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¹ Ex parte, CC Docket No. 97-100, Petition for Expedited Declaratory Ruling Preempting Arkansas Public Service Commission Pursuant to Section 252(e)(5) of the Communications Act of 1934, as amended, Frank Simone, March 5, 1998.