

Todd F. Silbergeld  
Director  
Federal Regulatory

SBC Communications Inc.  
1401 I Street, N.W.  
Suite 1100  
Washington, D.C. 20005  
Phone 202 326-8868  
Fax 202 408-4806



September 22, 1998

**ORIGINAL**

NOTICE OF EX PARTE PRESENTATION

EX PARTE OR LATE FILED

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
1919 M Street, NW  
Washington, DC 20554

**RECEIVED**  
SEP 24 1998  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, CCB/CPD 97-24*

Dear Ms. Salas:

Please be advised that yesterday, John Di Bene, David Hammock and Lincoln Brown, representing the local exchange carrier subsidiaries of SBC Communications Inc., met in separate meetings with Thomas C. Power of the Chairman's staff, Kevin Martin of Commissioner Furchtgott-Roth's staff, and Ed Krachmer of the Common Carrier Bureau staff in connection with the above-referenced proceeding. In addition, Messrs. Di Bene, Hammock and the undersigned met separately today with Kyle Dixon of Commissioner Powell's staff and James D. Schlichting, Deputy Chief of the Common Carrier Bureau. The purpose of the meeting was to discuss the status of the paging interconnection issues raised in several petitions of reconsideration.

The presentation did not contain any new arguments or information not already reflected in the Company's filings in the proceedings. In accordance with the Commission's rules governing ex parte presentations, an original and one copy of this notification and materials referenced during the meetings is provided herewith. Please contact me should you have any questions.

Respectfully submitted,

Attachments

cc: Mr. Power                      Mr. Dixon  
      Mr. Martin                    Mr. Schlichting  
      Mr. Krachmer

No. of Copies rec'd 3  
List A B C D E

# ***Airphone, Inc.***

**P.O. Box 24  
Pittsburg, KS 66762  
Ph: 316-231-8188**

July 21, 1998

Ms. Kathy Smith  
Southwestern Bell, ICSC  
One Bell Plaza  
Dallas, TX

re: Airphone, Inc. SWB Bills

Dear Kathy:

This letter is to confirm my position regarding illegal charges by S.W. Bell for current voice circuits being provided Airphone.

The '96 Telecommunications Act says that SWB cannot charge Commercial Wireless Providers for any paging facilities period. In addition, S.W. Bell can charge for facilities and usage for 2-way telephone services, but also must pay the Commercial Wireless Provider for terminating Bell's traffic on the wireless system. This does not mean minimum usage charges, mmuc. The Act provided for the above to begin Oct. '96.

In regards to past bills I have received from ICSC, the amounts included the total usage figures from the summaries from each of the invoices. This summary included the cellular mmuc. Again I assert, these minimums are not provided for in the Act and I refuse to pay them. You can charge for the facilities at 18% of your tariff and then charge usage or you can charge 100% of tariff and no usage, but you cannot charge for both.

At this time Airphone is not going to request compensation for usage terminated on its wireless systems, but I reserve the right to invoice and collect those charges in the future.

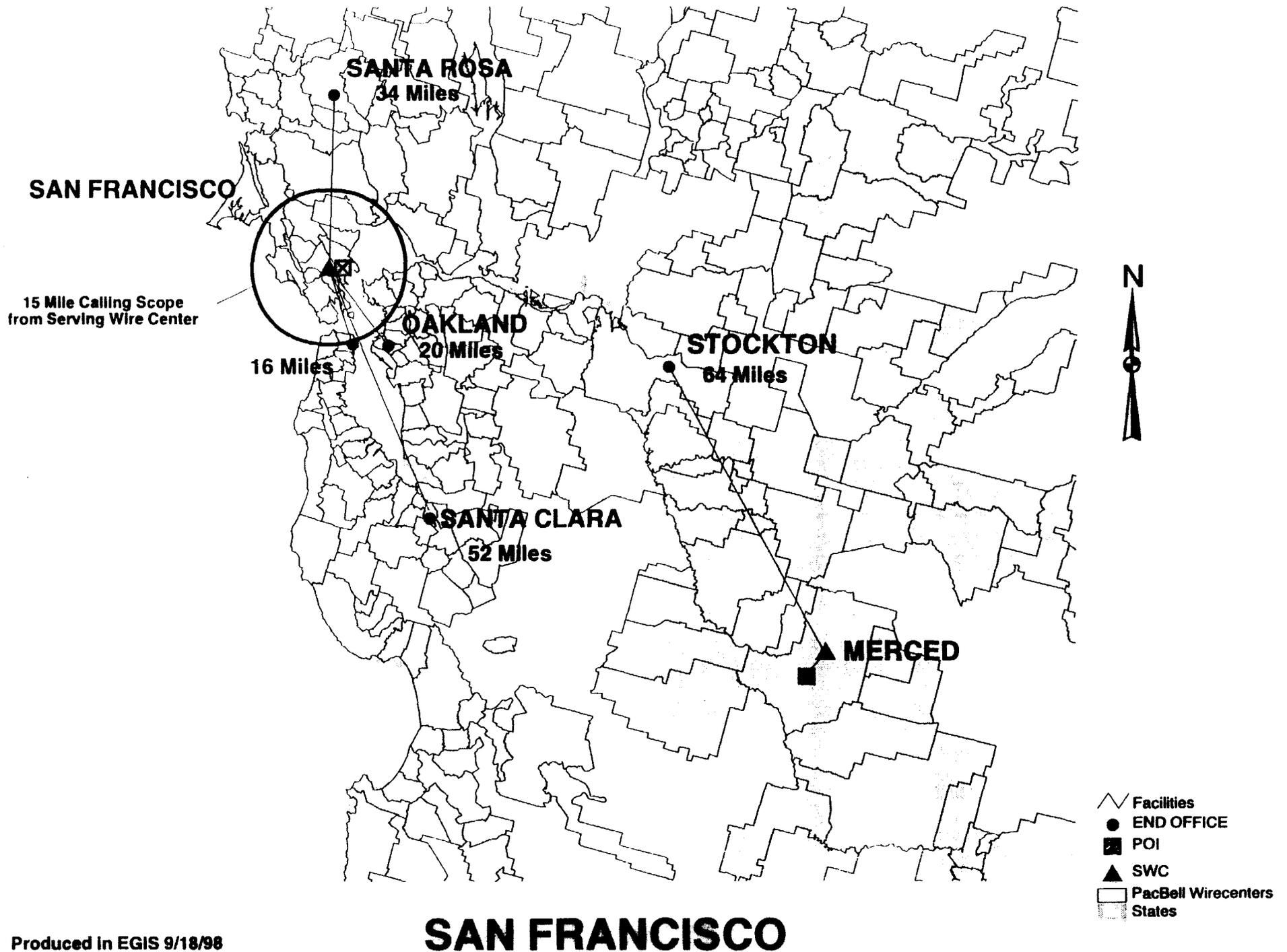
By my calculations, Bell owes me about \$14,000.00 for overpayment for overcharged fees from Oct. '96. I am in the process of having an independent accountant calculate the exact amount for those overcharges and will have the exact figures available in the near future.

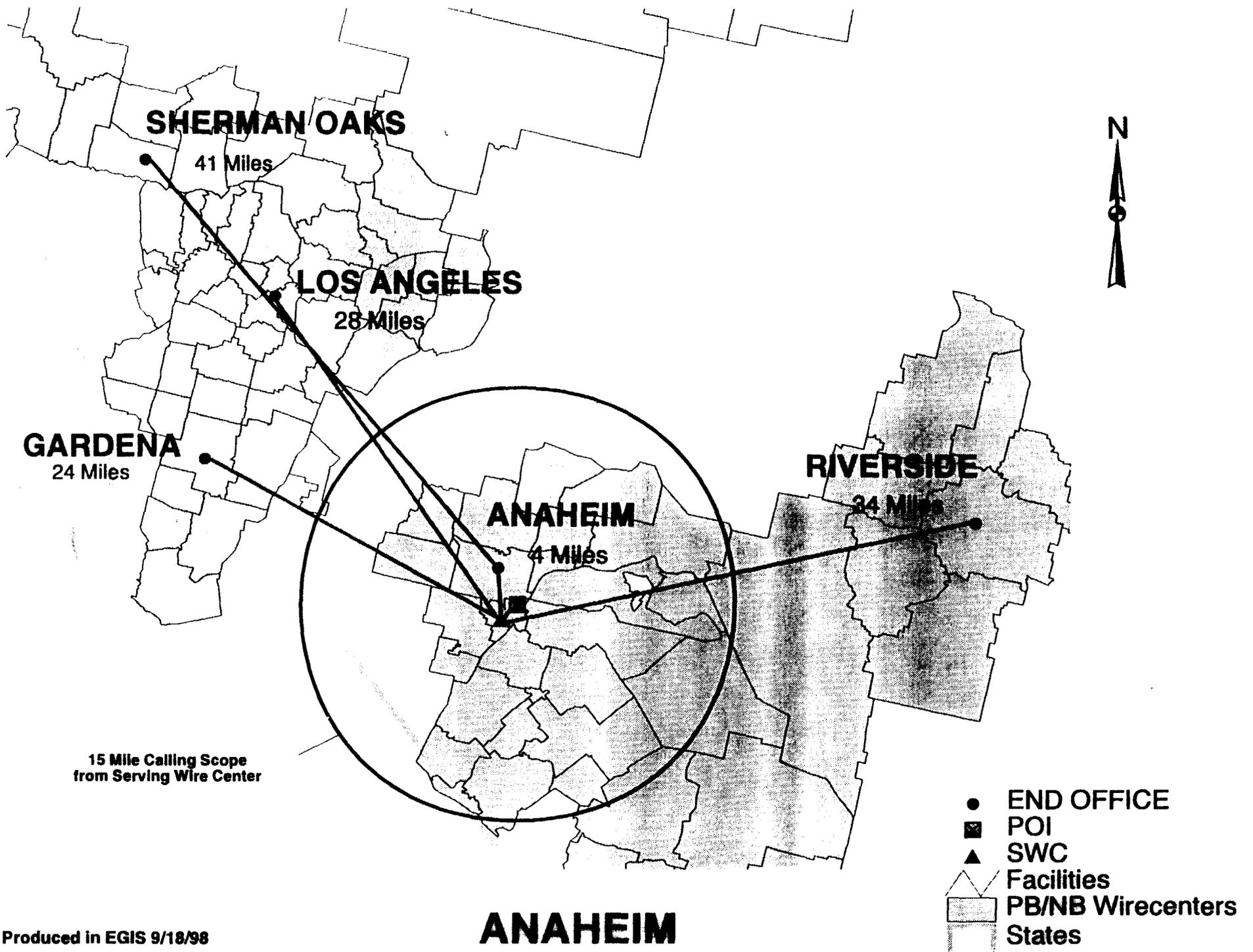
As far as beginning negotiations with S.W. Bell for service, I have done so by virtue of these correspondence. Besides, the FCC has done all of the negotiations for me in the Telecommunications Act of 1996. But, if Bell believes that they need someone to contact me, they may do so at any time. You have my phone number.

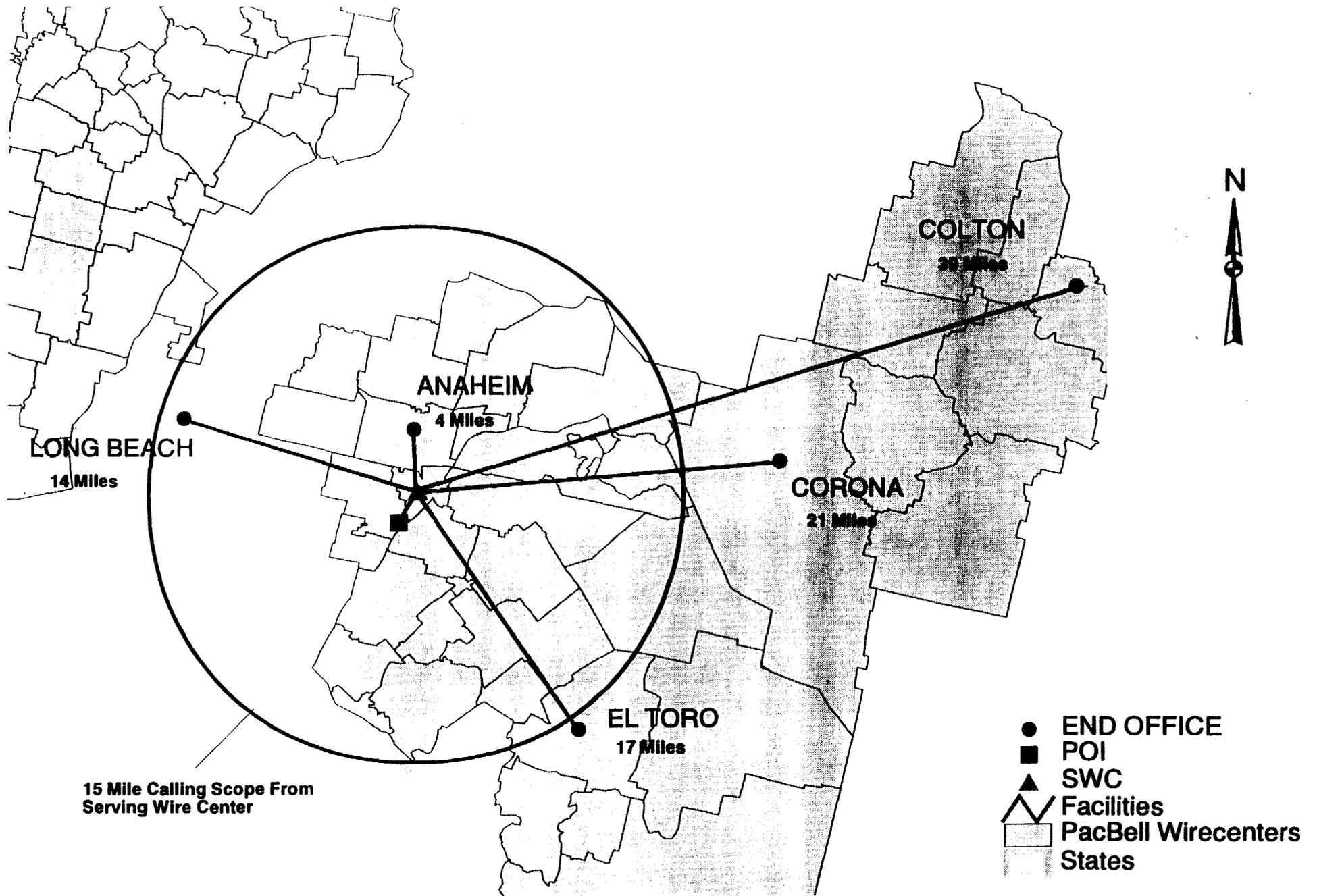
Sincerely:



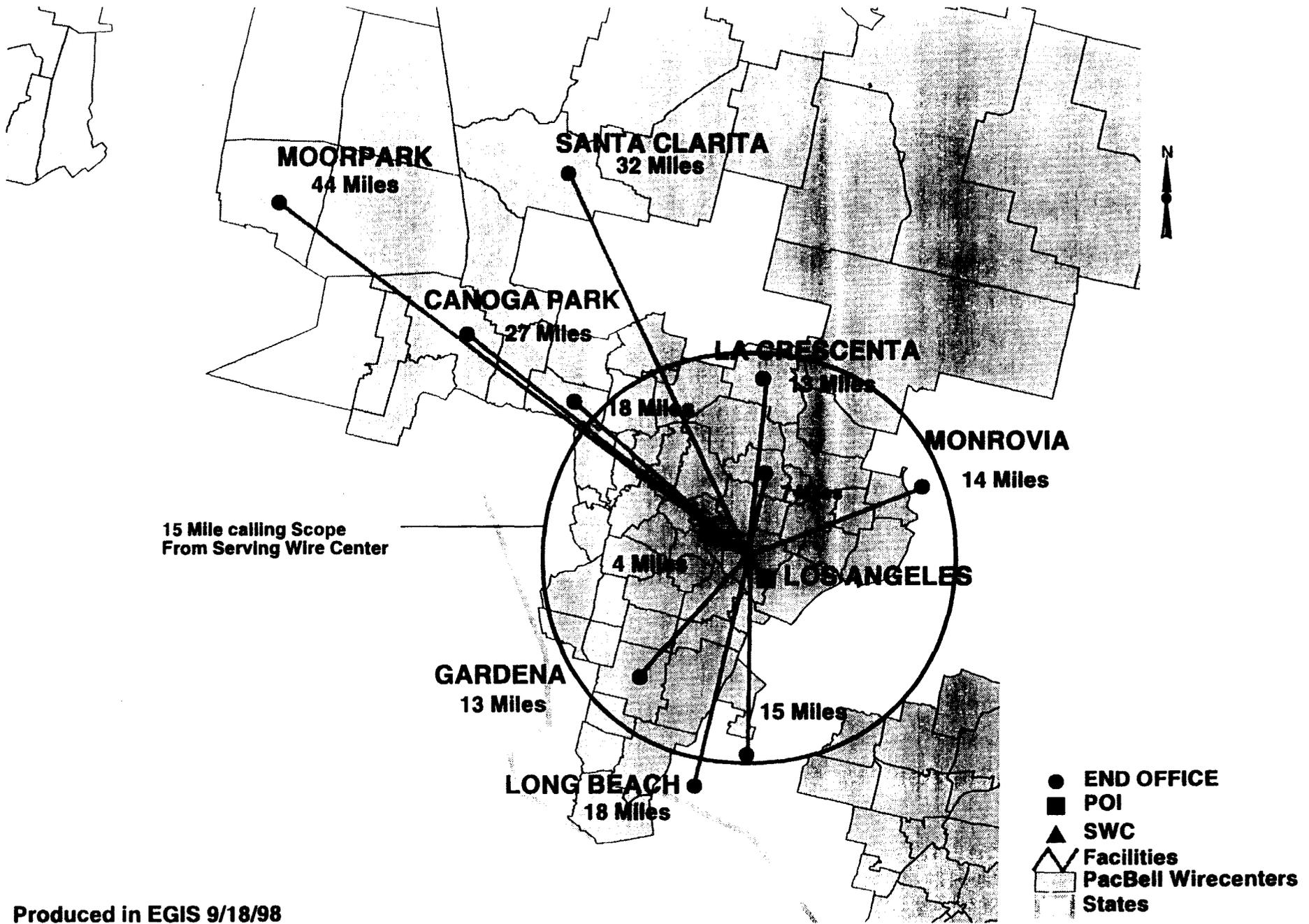
Philip J. Rankin, CEO  
Airphone, Inc.





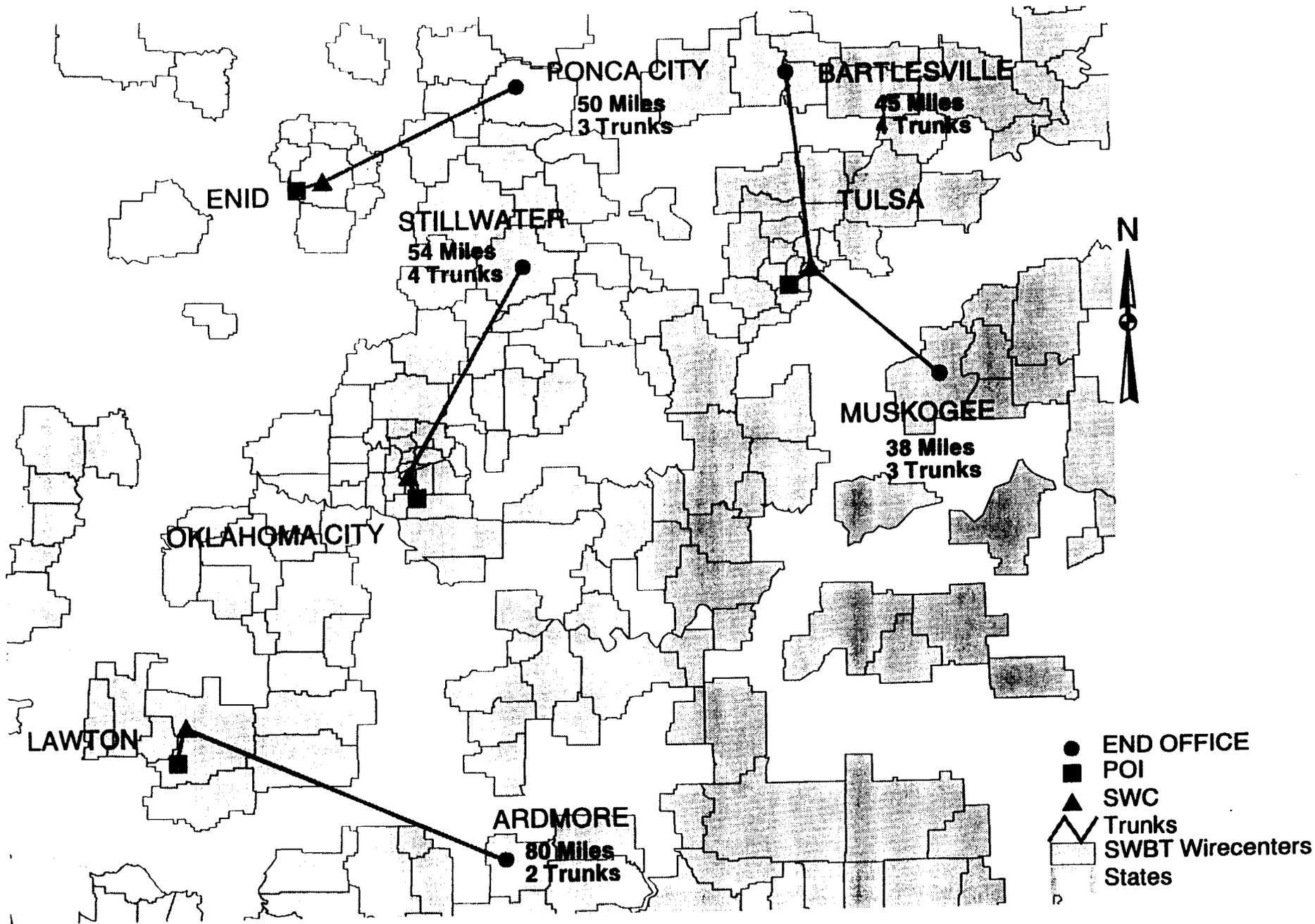


# ORANGE COUNTY AREA

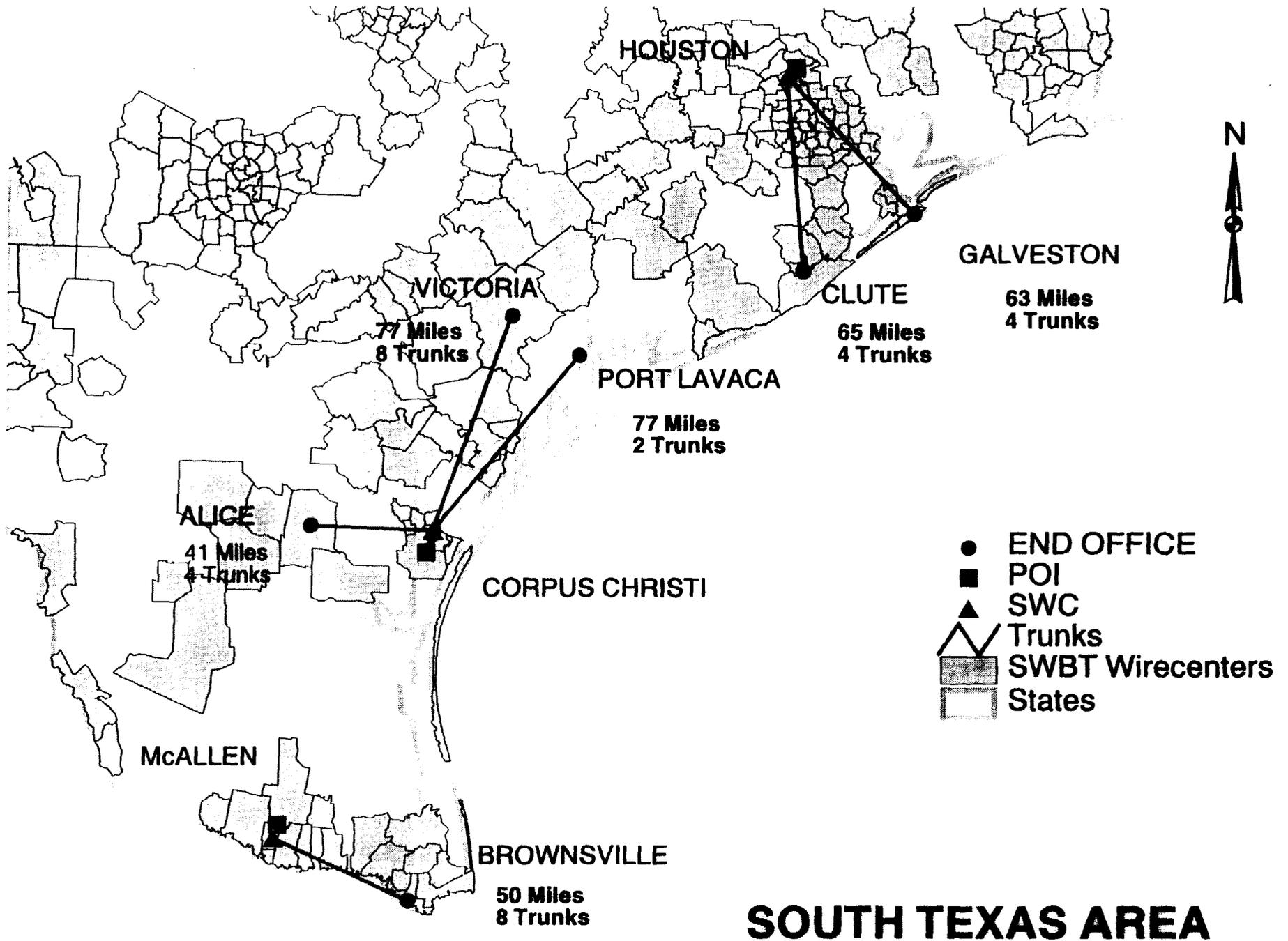


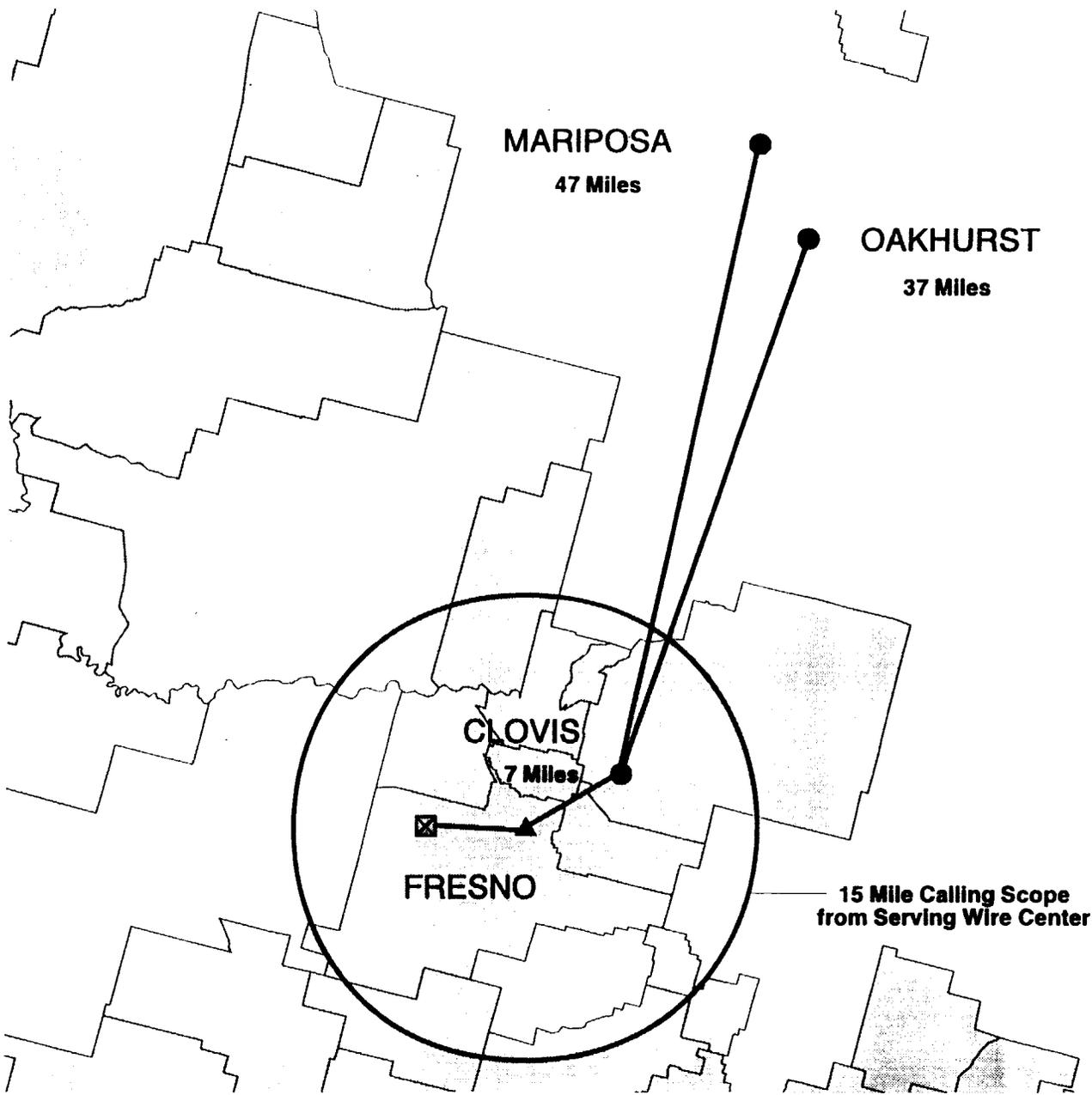
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# LOS ANGELES AREA



# OKLAHOMA





- END OFFICE
- ☒ POI
- ▲ SWC
- PB/NB Wirecenters

# FRESNO