

EX PARTE OR LATE FILED



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January 14, 1999

Magalie Roman Salas, Secretary
Federal Communications Commission
445 Twelfth Street, SW Room TWB-204
Washington, D.C. 20554

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JAN 14 1999

RE: Ex Parte CC Docket 96-128 FEDERAL COMMUNICATIONS COMMISSION
Implementation of the Pay Telephone Reclassification and OFFICE OF THE SECRETARY
Compensation Provision of the Telecommunications Act of 1996

Dear Ms. Salas:

On Tuesday, October 12, 1999, Richard Rubin of AT&T, Richard Whitt of MCIW, George Ford of MCIW, Rachel Rothstein of Cable & Wireless, Steve Augustino representing CompTel, Richard Juhnke of GTE Sprint, Tiki Gaugler of Qwest and I met with Commissioner Furchtgott-Roth and Legal Advisor Kevin Martin to discuss the above-captioned docket.

We discussed strong concerns relevant to any future Commission action that does not contain a bottom-up analysis of relevant payphone provider costs and a recognition that the average volume of calls per payphone per month cannot be significantly less than the call volume recently determined by the Commission in its Second Report & Order. It was specifically emphasized that Congress mandated the Commission in the Telecommunications Act of 1996 to set a fair price for economic payphones and that it has allowed the Commission to permit state regulatory bodies to deal with any future potential issues involving non-economic public payphones through a state-specific process.

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's rules.

Sincerely,

cc: Hon. Harold Furchtgott-Roth
Mr. Kevin Martin

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