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March 31, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: Ex Parte Presentation/
CC Dkt. No.s 95-20, 98-10, 98-147; CCB Pol. 96-09

Dear Ms. Salas:

In accordance with the Commission's *ex parte* rules, this letter is to notify you that Barbara Dooley and I, on behalf of the Commercial Internet eXchange Association ("CIX"), met yesterday with Stacy Pies and John Reed of the Commission's Common Carrier Bureau to discuss pending issues in the above-referenced proceedings.

During the meeting, CIX discussed its concerns with the Commission's March 10 Computer III Report and Order. CIX explained that it was particularly concerned with discriminatory practices of the RBOCs. Specifically, CIX is concerned that the current CEI parameters may be too general, and that clarification or further consideration of the parameters is needed, to protect ISPs from competitive abuses of ILECs, such as ISP "slamming" and disparagement in the roll-out of DSL services. CIX also discussed the need for further clarification of the CEI protections so that competing ISPs are provided timely information on when and where ILEC DSL services would be available (both in terms of DSLAM deployment and line conditioning). CEI protections in the context of the DSL environment would better promote the Commission's goals for independent ISPs to compete equally with affiliated ISPs. CIX also presented its view that the March 10 order should be interpreted to require posting of all RBOC CEI plans on the RBOC's web-sites, and not just amendments and new CEI plans. CIX also asked for clarification

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on whether the network change rules, incorporated in the March 10 order, provide ISPs with an opportunity for notice concerning ILEC line conditioning and DSLAM deployment.

Finally, CIX expressed its concern that the March 10 order had dismissed without prejudice CIX's November 17, 1998 letter (filed in CCBPol. 96-09) concerning Bell Atlantic's GSP arrangements. CIX also presented its view that the order allows it to file the CIX November 17 letter as a formal complaint.

Please find attached seven copies of this letter for inclusion in each of the above-referenced dockets. Should you have any questions, please contact the undersigned.

Sincerely,



Mark J. O'Connor
Counsel for the Commercial Internet
eXchange Association

cc: Stacey Pies
John Reel