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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

HARRIS,  
WILTSHIRE &  
GRANNIS LLP

7 July 1999

**Hand Delivery**

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

*Re: Ex Parte Presentation in WT Docket No. 96-198*

Dear Ms. Salas:

On Tuesday, 6 July 1999, Marc Berejka of Microsoft Corporation, and undersigned counsel for Microsoft, met with Kathy Brown of Chairman Kennard's office in connection with the above-captioned proceeding. On Wednesday, 7 July 1999, the undersigned counsel also met with Dorothy Attwood of Chairman Kennard's office and Ellen Blackler of the Common Carrier Bureau.

Microsoft suggested that the Commission's Order adopting regulations to implement Section 255 of the Telecommunications Act of 1996 should explicitly exclude equipment, such as computers, that are *used primarily to provide information services*. It should also explicitly exclude software that is not "integral" to the provision of telecommunications services over telecommunications and customer premises equipment. In particular, Microsoft suggested that the Order should plainly say that all computer software, regardless of function, is excluded from these regulations.

Respectfully submitted,



Scott Blake Harris

cc: Kathy Brown  
Dorothy Attwood  
Ellen Blackler

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