

August 5, 1999

Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street , SW
Washington, D.C. 20554

***Re: Ex Parte Presentations in FCC Docket 97-181
In the Matter of Defining Primary Lines***

Dear Ms. Salas:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, the California Public Utilities Commission (CPUC) and the People of the State of California submit for filing this summary of a recent ex parte communication with FCC Commissioner Susan Ness and her advisor, Linda Kinney.

On Monday, July 19, 1999, Commissioner Ness met with CPUC President Richard E. Bilas at the CPUC in San Francisco. Also present were Comr. Ness' advisor, Linda Kinney, Pres. Bilas' advisor, Lester Wong, CPUC staff attorney Helen Mickiewicz, and CPUC staff analyst Risa Hernandez. In the July 19th, meeting, President Bilas and CPUC staff expressed the same concerns set forth in item 1 of this letter. In the meeting, CPUC staff explained California's concern about the manner in which the FCC has defined primary lines.

Specifically, the CPUC staff noted that, in California, because of our dense urban population, members of multiple families or households often reside at the same address. For this reason, we explained that basing the definition of primary line on address alone unfairly penalizes those who must share living space in order for economic reasons. We disputed assertions in the FCC's order that significant abuse has occurred by members of the same family at the same address obtaining telephone service under different names to take advantage of the primary line rate. CPUC staff stated that we are unaware of such abuse occurring in California other than in very rare instances. We urged the FCC to define primary lines on an account basis, instead, noting that carriers keep their records by account and not by address.

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Thank you for your assistance in making these materials part of the record. A copy of this letter is also being filed electronically with the FCC.

Sincerely,

Helen M. Mickiewicz
Senior Staff Counsel

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