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Publisher of Consumer Reports

May 8, 2000

Magalie Roman-Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Notice of *Ex Parte* Presentation
CS Docket No. 99-251
Merger Application of AT&T & MediaOne

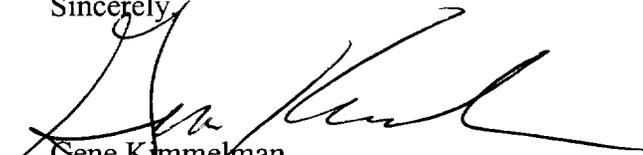
Dear Ms. Salas:

In accordance with Section 1.1206(b)(2) of the Commission's rules, this letter memorializes a telephone message pertaining to Docket 99-251 left on May 5, 2000, by Gene Kimmelman of Consumers Union (CU), for David Goodfriend, Legal Advisor to Commissioner Ness.

In the message, he addressed the following issues:

1. CU urged the Commission to require the divestiture of MediaOne's ownership interest in TWE. This would not only be the appropriate policy, but it would also vindicate the Commission's enforcement of the 1992 Cable Act.
2. CU urged the Commission to deny AT&T's requested waiver. The Commission has yet again assured the Court of Appeals that the six month stay period provided in the Commission's rules is sufficient to assure compliance, and there is no reason why the Commission should create a new violation and then require an even longer period to remediate it. Moreover, there is reason to believe that AT&T would attain compliance not by divesting groups of cable systems, but by selling off the TWE interest. This can be done quickly, and any Commission waiver would simply transfer negotiation leverage to AT&T at the expense of Time Warner, thereby interfering with an arms-length relationship among private parties.

Sincerely,


Gene Kimmelman
Co-Director, Washington Office

cc: David Goodfriend

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