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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

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 separate telephone conversations pertaining to Docket 99-251 on Tuesday, May 23, 2000, between Gene Kimmelman of Consumers Union (CU), David Goodfriend, Legal Advisor to Commissioner Ness, and Sarah Whitesell, Legal Advisor to Commissioner Tristani.

In both of these conversations Mr. Kimmelman argued that the Commission should not use its public interest authority to benefit one company, AT&T, through a waiver of the FCC's ownership rules. He pointed out all the reasons why AT&T should have to comply with the Commission's rules articulated in the May 23, 2000, memorandum filed with the Commission by Andrew Jay Schwartzman of the Media Access Project on behalf of Consumers Union, et al. He also pointed out that granting a waiver under these circumstances would involve use of the Commission's public interest authority to directly harm the public by extending the time during which AT&T could exercise monopoly power.

Sincerely,


Gene Kimmelman
Co-Director, Washington Office

cc: David Goodfriend
Sarah Whitesell

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