

ORIGINAL

EX PARTE OR LATE FILED

WILLKIE FARR & GALLAGHER

Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20036-3384

202 328 8000
Fax: 202 88 8979

RECEIVED
JUL 20 2000
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

July 20, 2000

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

Re: Ex Parte Presentation in WT Docket No. 99-217 and CC Docket No. 96-98

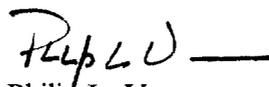
Dear Ms. Salas:

On July 19, 2000, on behalf of the Smart Buildings Policy Project, I spoke by telephone with Jim Schlichting, Wireless Telecommunications Bureau, and Kathy Brown, Chief of Staff for Chairman Kennard, in connection with the above-referenced dockets.

I indicated that FCC regulation designed to assure non-discriminatory building access is necessitated by the introduction into channels of communication of entities that possess market power. The fact that these entities are unregulated is a historical artifact, the product of earlier decisions to deregulate facets of telecommunications at a time when local exchange and local transmission competition was not foreseen. The early deregulatory decisions did not anticipate that there was a danger that new types of essentially unregulated intermediaries might seek to monopolize telecommunications service and thus did not provide explicit safeguards to prevent this type of anticompetitive/anticonsumer result. I mentioned that the Commission needed to exercise its traditional regulatory responsibilities to protect the fundamental right of subscribers to exercise preference and to do so without being victimized by the exercise of market power or by acts of opportunism.

In accordance with the Commission's rules, for each above-mentioned docketed proceeding, I am submitting two copies of this letter.

Sincerely,


Philip L. Verveer

No. of Copies rec'd 0+2
List A B C D E

cc: Jim Schlichting
Kathy Brown

Washington, DC
New York
Paris
London