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Telecommunications Research & Action Center

Post Office Box 27279 Washington, D.C. 20005 (202) 263-2950

September 07, 2000

Secretary Magalie Roman Salas
Federal Communications Commission
445 Twelfth Street, SW, Room TWB-204
Washington, D.C. 20554

RE: **Notice of Oral Ex Parte**
WT Docket No. 99-217 and CC Docket No. 96-98

Dear Ms. Roman Salas:

On September 5, 2000, Samuel Simon, Chairman and I, Counsel, Telecommunications Research Action Center (TRAC) met with Jeffrey S. Steinberg, Deputy Chief and Lauren Maxim Van Wazer, Senior Attorney, Commercial Wireless Division, Wireless Telecommunications Bureau regarding the above-captioned matter. Our conversation centered around how the Federal Communications Commission (FCC) should promulgate rules that afford Multi-Dwelling Family Unit (MDU) residents of condominiums, cooperatives and rental tenants the same choices of telephone service providers (TSPs) that single family homeowners now enjoy.

We also stressed that the Telecommunications Act of 1996's primary goal was to guarantee that all Americans receive the benefits of choice in an expanded and competitive telecommunications market place. The FCC's anticipated rules will impede this goal, if the decision of choice and access is removed from tenants and is given to building owners/ landlords. Next, we explained that a broad coalition of groups representing consumers, minorities, seniors and homeowners are urging the Chairman to intervene in the rule making process to ensure that tenants have access, choice and competition for MDU residents and single family homeowners alike. While the coalition has focused on the video service proceedings, the issue of tenant's choice in MDU's is not only for video, but for telecommunication services as well.

Finally, we stated that exclusive contracts thwart competition; just and reasonable compensation should be given to incumbents for the use of their lines; demarcation points should be flexible and that what happened with the deregulation of pay phones serves as poignant reminder of what will happen if the FCC keeps choice in the hands of landlords.

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206 of the Commission's rules.

Sincerely,

Dirck A. Hargraves, Esq.
Counsel

- cc: Chairman Kennard
- Commissioner Susan Ness
- Commissioner Michael Powell
- Commissioner Gloria Tristani
- Commissioner Harold Furchtgott-Rott
- Jeffrey S. Steinberg, Deputy Chief, Commercial Wireless Division
- Lauren Maxim Van Wazer, Senior Attorney, Policy and Rules Branch
- Anna Gomez, Senior Legal Advisor to Chairman Kennard
- Clint Odom, Legal Advisor

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