



BroadBand Office
2900 Telestar Court
Falls Church, VA 22042

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 6, 2000

Magalie Roman Salas, Secretary
Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

Ex Parte
WT Docket 99-217
Competitive Access to Multi-Tenant Buildings

Dear Ms. Salas:

On Tuesday, September 5, 2000, Kathleen Abernathy, VP-Public Policy, BroadBand Office Communications met with Adam Krinsky to discuss the above referenced proceeding. The attached materials were distributed at the meetings.

Pursuant to Section 1.1206(a), an original and one copy of this letter are being filed with our office. Please associate this letter with the file in the above-referenced proceeding.

Should you have any questions regarding this matter, please contact the undersigned.

Sincerely,

BROADBAND OFFICE COMMUNICATIONS

Kathleen Q. Abernathy
Vice President, Public Policy

Enclosures

cc: Adam Krinsky

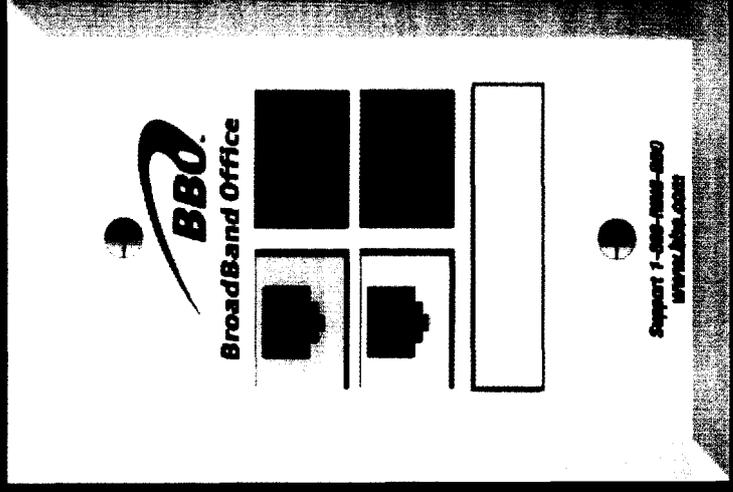
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BBO[™] **BroadBand Office**

Ex Parte Presentation

WT Docket Number 99-217
Competitive Access to Multi-Tenant Buildings

Kathleen Q. Abernathy
September 5, 2000



- BBO was formed by eight U.S. real estate companies and the leading Silicon Valley venture capital firm of Kleiner Perkins Caufield & Byers.
- BBO will be a leading global network-based applications provider. Our customers will simply plug into a wall jack and immediately access a full range of communications, Internet services and E-business solutions.
- BBO's services will include local, long distance, and wireless voice services, as well as dedicated Internet access, and advanced Internet services.
- Our goal is to empower small and medium businesses (the "Fortune One Million") to compete with Fortune 100 businesses by providing cutting edge telecommunications and technology tools.

Why BBO was Created

- Driving forces that led to BBO's creation:
 1. Desire to respond to the increasing competitiveness of the real estate marketplace by offering tenants greater value with "smart buildings";
 2. Market failure to address advanced telecommunications needs of small (fewer than 25 employees) and medium (fewer than 500) sized tenants; and
 3. Property owner frustration with existing carriers who did not deliver on promises.

Business Structure

- All of BBO's agreements with building owners – nationwide – are **NON-EXCLUSIVE** and according to a recent BOMA survey, 90% of all agreements in office buildings are non-exclusive.
- The agreements are designed to encourage property owners to open their buildings to competition and to ensure attractive, competitive service offerings to tenants.
- Other carriers are able to offer building owners and tenants the same terms BBO has given – and some do.
- BBO's access to a building increases tenant choice because it is non-discriminatory, non-exclusive.

- Important Facts: Building owners do not have monopoly power over their tenants. Because of the significant competitive forces that exist in the real estate market, building owners have every incentive to offer tenants high quality telecom services at competitive prices.
 - Forced access mandated by law distorts the competitive environment, may violate constitutional rights, creates a disincentive for innovation, creates numerous, complicated regulatory oversight issues, allows carriers to monopolize the limited space in the telephone closet without a commitment to service quality, and could leave smaller tenants without a choice of carriers.
 - BBO prefers to compete for building access based on its ability to rapidly and simply provision service, its exceptional customer service, and its innovative solutions aimed at responding to the unmet telecom needs of small and mid-size tenants.
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