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September 20, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA COURIER

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-204B
Washington, DC 20554

Re: WT Docket No. 99-217/CC Docket No. 96-98

Dear Ms. Salas:

Edge Connections, Inc. ("Edge") has received a copy of an *ex parte* letter filed by BroadBand Office, Inc. ("BBO") on September 7, 2000 in the above-referenced proceeding. Edge hereby responds to the letter of BBO in order to ensure an accurate record in this proceeding.

In the letter, BBO emphasizes that its confidential agreements with building owners are non-exclusive in nature because "telecommunications providers other than BBO may bring service directly to a tenant." This presumably means that telecommunications providers other than BBO may serve tenants in buildings owned by BBO partners if they install separate equipment directly in each tenant's space rather than in the building's telephone closet or other common spaces. However, Edge submits that it is not economical for any provider of broadband services, including BBO itself, to serve tenants in Multiple Tenant Environments ("MTEs") if it must install separate equipment (e.g., DSLAMs) in each tenant's space rather than installing common equipment in the telephone closet that can be used to serve multiple tenants. Therefore, merely allowing other providers to "bring service directly to a tenant" will not result in tenants having the ability to receive telecommunications from the service provider of their choice.

BBO also points to the fact that Edge has been negotiating – and continues to negotiate – with BBO partners for building access to suggest that Edge is aware that BBO's

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Ms. Magalie R. Salas
September 20, 2000
Page Two

agreements are non-exclusive. Apart from the provision of the BBO License Agreement quoted in the document that Edge filed with the Commission on September 1, 2000, Edge has not seen any BBO License Agreements. Thus, Edge has no means to verify BBO's repeated claims that its License Agreements are non-exclusive. However, as Edge explained in its letter, several different partners of BBO have told Edge that they could not enter into a building access agreement with Edge due to a "moratorium" imposed by BBO. Since that time, Edge has continued to attempt to negotiate with these building owners. Although negotiations with Hines seem to have progressed since Edge's September 1, 2000 filing, Edge still has not received access to Hines buildings, and negotiations have not improved with any of the other partners of BBO. The bottom line is that none of these building owners have entered into a building access agreement with Edge, despite strong demand by tenants who have signed service contracts with Edge. As such, the 56 Edge customers – who have already waited for over 90 days for their landlords to grant Edge access – remain stranded without the ability to receive service from the service provider of their choice: Edge.

Edge submits that these types of experiences with several business owners demonstrate that regulation to promote non-discriminatory building access is urgently needed. Unless the Commission acts now to ensure that service providers can obtain building access on a non-discriminatory basis, tenants will not be able to receive service from the provider of their choice and the competition that the 1996 Act seeks to foster will be irreparably harmed.

Please let us know if you need any additional information about this matter. An original and two copies of this notice are provided.

Sincerely,



Robert J. Aamoth
Todd D. Daubert
Counsel to Edge Connections, Inc.

cc:	Clint Odom	Mark Schneider	Helgi Walker
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	Eloise Gore (CSB)	Cheryl King (CSB)	Wilbert Nixon (WTB)
	Paul Noone (WTB)	Mark Rubin (WTB)	David Furth (WTB)
	Richard Arsenault (WTB)		

CERTIFICATE OF SERVICE

I, Gledys Y. Lovato, hereby certify that, this 20th day of September 2000, I caused a copy of the foregoing "Ex Parte" to be served via hand delivery to the following:

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