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January 3, 2001

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Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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**Re: Applications of America Online, Inc. and Time Warner Inc. for
Transfers of Control (CS Docket No 00-30)
Notice of Ex Parte Communication**

Dear Ms. Salas:

This letter is to inform the Commission that today the undersigned and Marc Berejka of Microsoft Corporation spoke with Jay Friedman, Legal Advisor to Commissioner Tristani, and Mr. Berejka spoke with David Goodfriend, Legal Advisor to Commissioner Ness, regarding the need for the Commission to condition approval of the AOL/Time Warner merger on meaningful and enforceable requirements that facilitate IM interoperability across diverse systems provided by competitive IM providers. Also, on January 2, 2001, Craig Mundie, Senior Vice President for Advanced Strategies at Microsoft Corp., spoke with Commissioner Ness, Mr. Goodfriend, and David Farber of the Office of Engineering and Technology on these topics. They also discussed how, in the near future, presence detection and other aspects of IM technology will migrate into the provision of traditional telephony services.

Please do not hesitate to contact me if we may provide you with further information.

Sincerely,



Gerard J. Waldron

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cc: Commissioner Ness
Mr. Jay Friedman
Mr. David Goodfriend
Mr. David Farber
Ms. Royce Dickens
Ms. Linda Senecal
Mr. Jim Bird
International Transcription Services, Inc.