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STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

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VIA FED EX

July 9, 2001

Magalie R. Salas, Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

RE: Notice of Ex Parte Presentation, CC Docket No. 98-221

Dear Secretary:

Enclosed for filing is an original and one copy of a Notice of Ex Parte Presentation filed by the Idaho Public Utilities Commission in the above referenced matter.

Please date stamp the extra copy of this transmittal letter and return it in the enclosed, self-addressed stamped envelope.

Sincerely,

Donald M. Howell, II
Deputy Attorney General

Enclosure

cc: Cathy Carpino, FCC
John Adams, FCC
Service List

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bls/L:cc98-221_dh

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Magalie R. Salas, Esq.
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, DC 20554

RE: Notice of Ex Parte Presentation in CC Docket No. 98-221

Dear Secretary Salas:

Pursuant to 47 C.F.R. § 1.1206(a)(3), the Staff of the Idaho Public Utilities Commission (IPUC) provides this notice of an ex parte presentation. During a brief telephone conversation on July 6, 2001, the IPUC responded to inquiries from the Commission Staff regarding the IPUC's Petition for a Declaratory Ruling in CC Docket No. 98-221. The Commission Staff inquired about the continued relevance of the IPUC's Petition in this matter given the passage of time since the Petition was first filed. The IPUC continues to believe that the Commission should declare that CTC Telecom, Inc., be treated as an incumbent LEC pursuant to Section 251(h)(2) of the Telecommunications Act of 1996. Although the IPUC petitioned the Commission to provide for the treatment of CTC and all similarly situated LECs by rule, the IPUC also recognizes that the Commission may issue an Order declaring that only CTC should be treated as an incumbent LEC pursuant to 47 C.F.R. § 51.223(b).

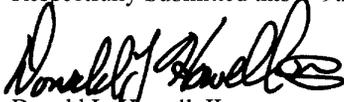
At the time that the IPUC filed its Petition, it had proposed state administrative rules (i.e., regulations) that address the obligations of CTC. These rules were subsequently reviewed and approved by the Idaho Legislature in 1999 and are currently in effect. The rules are codified in the Idaho Administrative Code at IDAPA 31.42.01.401 through .411. These rules adopt interconnection and access standards for facilities-based LECs that provide local exchange service in a geographic area unserved by any other facilities-based carrier. The IPUC Rules also permit any facilities-based competitor to petition the IPUC for an exemption from these rules. No Idaho LEC has requested such an exemption from the state rules. See Rules 401.01, 404 and 410, IDAPA 31.42.01.401.01, -.404 and -.410.

Contracts & Administrative Law Division, Idaho Public Utilities Commission

P.O. Box 83720, Boise, Idaho 83720-0074, Telephone: (208) 334-0300, FAX: (208) 334-3762, E-mail: ipuc@puc.state.id.us
Located at 472 West Washington St., Boise, Idaho 83702

Finally, the Commission Staff inquired about the status of TCI Cable service in the geographic area in question. TCI Cable was acquired by AT&T and subsequently conveyed to Cable One. It is the IPUC Staff's understanding that Cable One has no intention to deliver telecommunication services to the geographic area that is the subject of this Petition.

Respectfully Submitted this 9th day of July 2001.



Donald L. Howell, II
Deputy Attorney General

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 9th DAY OF JULY 2001, SERVED THE FOREGOING **NOTICE OF EX PARTE PRESENTATION**, IN CC DOCKET NO. 98-221, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

INTERNATIONAL TRANSCRIPTION SERVICES
1231 20TH STREET NW
WASHINGTON DC 20036

CONLEY E WARD
KENNETH R McCLURE
GIVENS PURSLEY LLP
277 NORTH 6TH STREET SUITE 200
PO BOX 2720
BOISE ID 83701-2720

BENJAMIN H DICKENS JR
GERARD J DUFFY
MICHAEL B ADAMS JR
BLOOSTON MORDKOFKY
JACKSON & DICKENS
2120 L STREET NW
WASHINGTON DC 20037

KECIA BONEY
MCI WORLDCOM INC
1801 PENNSYLVANIA AVE NW
WASHINGTON DC 20006

ROBERT S TANNER
MARK TRINCHERO
DAVIS WRIGHT TREMAINE
1155 CONNECTICUT AVE NW SUITE 700
WASHINGTON DC 20036

STUART POLIKOFF
DIRECTOR OF GOVERNMENT AFFAIRS
OPASTCO
21 DUPONT CIRCLE NW SUITE 700
WASHINGTON DC 20036

ROY E HOFFINGER
MARK C ROSENBLUM
AT&T CORP
ROOM 3249J1
295 NORTH MAPLE AVE.
BASKING RIDGE NJ 07920

CHARLES C HUNTER
CATHERINE M HANNAN
HUNTER COMMUNICATIONS LAW
GROUP
1620 I ST NW STE 701
WASHINGTON DC 20006

JOHN H HARWOOD II
LYNN R CHARYTAN
TODD ZUBLER
WILMER CUTLER & PICKERING
2445 M STREET NW
WASHINGTON DC 20037-1420

ROBERT B McKENNA
JOHN L TRAYLOR
1020 19TH STREET NW
WASHINGTON DC 20036

WILLKIE FARR & GALLAGHER
THREE LAFAYETTE CENTRE
1155 21ST STREET NW
WASHINGTON DC 20036


SECRETARY