

ORIGINAL



Robert M. Halperin
(202) 624-2543
rhalperin@crowell.com

RECEIVED

043:smd
01215.010

SEP 14 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

September 14, 2001

BY HAND DELIVERY

EX-PARTE LETTER

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street S.W., Room TWB204
Washington, DC 20024

Re: In the Matter of Federal-State Joint Board on Universal Service,
CC Docket No. 96-45

Dear Ms. Salas:

This letter is being filed, in duplicate, in accordance with the Commission's Rules, to report that yesterday, September 13, 2001, Marideth Sandler, Associate Director of International Policy, Transportation and Telecommunications, Office of the Governor of the State of Alaska, and I met with Kyle Dixon and Bill Quirk of Chairman Powell's Office to discuss the pending "Petition of the State of Alaska for Waiver for the Utilization of Schools and Libraries Internet Point-of-Presence in Rural Remote Alaska Villages Where No Local Access Exists and Request for Declaratory Ruling."

The State discussed why, in its view, the requested waiver would not violate Section 254(h) of the Communications Act. The State's position and the reasons therefor are set forth in the State's petition and reply comments, which are already a matter of record in this proceeding. The State also explained why, in its view, the decision whether to allow all interested local ISPs (or multiple local ISPs) access to the interstate transport facility to be shared should be left to local school districts as they are in the best position to evaluate whether multiple access would be both feasible (e.g., is the facility to be shared of sufficient size to make sharing feasible?) and otherwise in the best interests of the community. This position was set forth in the State's reply comments which are already a matter of public record in this proceeding. The State also set forth its position that the requested waiver is

No. of Copies rec'd 012
List ABCDE

Ms. Magalie Roman Salas
September 14, 2001
Page 2

urgently needed and asked that the Commission act on this matter as quickly as possible.

In the event there are any questions concerning this notice, please communicate with the undersigned.

Very truly yours,

A handwritten signature in black ink that reads "Robert M. Halperin" followed by a horizontal line.

Robert M. Halperin
Counsel for the State of Alaska

cc: Mark G. Seifert
Kyle D. Dixon
William Quirk
Marideth J. Sandler

1842344 v2