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December 11, 2001

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BY HAND

DEC 11 2001

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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

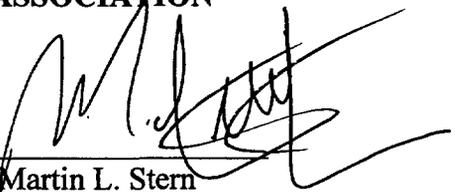
Re: *Ex Parte* Presentations by the Broadband Service Providers Association in CS
Docket No. 95-184, WT Docket No. 99-217 and CS Docket No. 01-290

Dear Ms. Salas:

Pursuant to 47 C.F.R. § 1.1206 of the Commission's Rules, the Broadband Service Providers Association submits herewith the original, signed notice of *ex parte* presentations in the above-captioned proceedings. In order to meet the Commission's deadline for filing *ex parte* notices, a copy of the attached *ex parte* letter with a faxed signature, and the additional copies as required by the Commission's rules, were filed on Friday, December 7, 2001.

Respectfully submitted,

**BROADBAND SERVICE PROVIDERS
ASSOCIATION**

By: 

Martin L. Stern
Lisa L. Friedlander
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*Attorneys for Broadband Service Providers
Association*

Attachment

A LAW FIRM

A LIMITED LIABILITY PARTNERSHIP INCLUDING OTHER LIMITED LIABILITY ENTITIES

BROADBAND SERVICE PROVIDERS ASSOCIATION

December 7, 2001

VIA HAND DELIVERY

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Re: *Ex Parte* Presentations by the Broadband Service Providers Association in CS
Docket No. 95-184, WT Docket No. 99-217 and CS Docket No. 01-290

Dear Ms. Salas:

Pursuant to 47 C.F.R. § 1.1206 of the Commission's Rules, the Broadband Service Providers Association ("*BSPA*") submits this notice of *ex parte* presentations in the above-captioned proceedings.

On December 6, 2001, members of *BSPA* had the following meetings: Chairman Powell and legal advisors Susan M. Eid and Jon Cody; Commissioner Abernathy and legal advisor Stacey Robinson; Commissioner Copps and legal advisor Jordan Goldstein; and Commissioner Martin and legal advisors Catherine Crutcher Bohigian and Sam Feder. Attending one or more of these meetings for *BSPA* were the following individuals:

David Rozzelle, CEO
William Schuler, CEO
Michael Deggendorf, Senior Vice President
Haynes Griffin, CEO
Richard Rowlenson, VP & General Counsel
William Morrow, CEO
Andy Keever, Sr. VP & General Counsel
Rodger Johnson, President
Chad Wachter, VP & General Counsel
John Goodman, Vice President

Deborah Royster, General Counsel

Frank Harkins, General Counsel
Bill Mahon, Vice President

Altrio Communications
Carolina BroadBand
Everest/UtiliCorp
Gemini Networks, Inc.
Gemini Networks, Inc.
Grande Communications
Grande Communications
Knology
Knology
Seren Innovations dba Astound
Broadband
Starpower Communications, LLC
(also on behalf of RCN Corp.)
Utilicom Networks
WinFirst

At the meetings, BSPA was introduced as the organization of a new breed of last-mile service providers – companies that are building new, facilities-based, advanced last mile broadband networks for the delivery of compelling bundles of voice, multichannel/on demand video, and high-speed data/Internet services. BSPA discussed the importance of facilities-based competition to the public interest and consumer choice, and Commission policies that promote such competition. In particular, BSPA addressed immediate barriers to successful deployment involving access: (1) to poles, conduits, and rights-of-way; (2) multiple dwelling units (“MDUs”); and (3) programming. A presentation outline provided at each of the meetings, along with a summary of BSPA’s position on each of the three issues, is attached hereto.

In order to meet the Commission’s deadline for filing *ex parte* notices, a copy of this letter with a faxed signature and two additional copies, together with enclosures, are being filed today for inclusion in the public record for each of the above-referenced dockets. The original letter will be filed on Monday, December 10.

Respectfully submitted,

**BROADBAND SERVICE PROVIDERS
ASSOCIATION**

By: 
Richard C. Rowleson,
Chairman, Regulatory Committee

Enclosures

cc: FCC Attendees (w/out enclosures)