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January 7, 2002

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VIA HAND DELIVERY

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

Re: *Notice of Ex Parte Presentation by e.spire Communications, Inc.,*
CC Docket No. 96-98

Dear Ms. Salas:

Pursuant to Sections 1.1206(b)(1) and (2) of the Commission's Rules, e.spire Communications, Inc. ("e.spire"), by its attorneys, hereby submits two copies of this notice of an oral *ex parte* presentation made in the above-captioned proceeding on January 3, 2002. The *ex parte* presentation was made during a meeting with Commissioner Abernathy and Mathew A. Brill, her Legal Advisor. The presentation was made by George Schmitt and James Falvey of e.spire, and by Brad Mutschelknaus of Kelley Drye & Warren LLP.

During the presentation, e.spire explained the importance to facilities-based CLECs of retaining UNEs' previously-approved by the Commission. Special emphasis was placed on the need to compel ILECs to make EELs available expeditiously and in accordance with prior Commission orders. e.spire also explained the difficulty it continues to have in collecting charges levied on various ILECs for transport and termination services, and asked the Commission to enforce its requirements more vigorously.

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Magalie R. Salas
January 7, 2002
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Please do not hesitate to contact me if you have any questions regarding this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Mutschelknaus", written in a cursive style.

Brad E. Mutschelknaus

cc: Commissioner Abernathy
Mathew A. Brill
Vistrionix Inc.