

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202)424-7500
FACSIMILE (202) 295-8478

www.swidlaw.com

RUSSELL M. BLAU
DIRECT DIAL (202) 424-7835
RMBLAU@SWIDLAW.COM

NEW YORK OFFICE
405 LEXINGTON AVENUE
NEW YORK, NY 10174

June 26, 2002

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Notice of Ex Parte Meetings

CC Docket Nos. 01-338, 96-98, 98-147, 02-33, 95-20, 98-10

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this will provide notice that on June 25, 2002, Pantios Manias, Senior Vice President for Carrier Relations, Regulatory and Business Development, and Stephen Crawford, General Counsel, of El Paso Global Networks ("EPGN"); Joshua Bobeck of this firm and the undersigned met with Kyle Dixon, in the office of Chairman Powell, to discuss regulatory issues relating to the above-referenced dockets.

In particular, EPGN stressed the importance to its business operations in Texas of continued access to dark fiber unbundled network elements ("UNEs") and high-capacity loop and transport UNEs. EPGN expressed the view that competition in the markets EPGN serves would be impaired if competitors did not have access to dark fiber UNEs, because comparable facilities are not available as a practical matter from third parties, and self-provisioning in most cases is uneconomical due to the cost characteristics of deploying dark fiber. EPGN pointed out that it has invested over \$500 million to construct telecommunications facilities in Texas, including deploying equipment to light fiber UNEs, but that it would be economically infeasible to extend fiber facilities to most of its prospective customers due to the expense and delay inherent in constructing duplicative facilities (including, for example, the need to negotiate access to buildings and construct lateral facilities that duplicate the incumbent LEC's existing building entrance facilities).

EPGN also outlined difficulties it has experienced in obtaining parity access to dark fiber and other UNEs from SBC in Texas, and urged the Commission to strengthen its UNE rules to

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protect the availability of network elements on reasonable terms and on parity with the access available to the incumbent LECs.

Finally, EPGN expressed its view that the Commission should seek further review of the decision of the United States Court of Appeals for the D.C. Circuit in *USTA v. FCC*.

Sincerely,

/s/

Russell M. Blau
Attorney for El Paso Global Networks

cc: Kyle Dixon