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October 23, 2002

EX PARTE – Via Electronic Filing

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

Re: CC Dockets No. 96-45, 98-171, 90-571, 92-237, 99-200,
95-116, 98-170, and NSD File No. L-00-72

Dear Ms. Dortch:

On October 22, 2002, Brian Moir (of the e-Commerce & Telecommunications Users Group (“e-TUG”)), Staci Pies (of Level 3), Alan Buzacott (of WorldCom), Richard Metzger (on behalf of WorldCom) and Chris Wright and I (on behalf of the Coalition for Sustainable Universal Service (“CoSUS”))¹ met with Commissioner Kevin Martin and Dan Gonzalez, Senior Legal Advisor to Commissioner Martin. We provided the attached materials, which summarize the principal points of our presentation. In addition, we stated that CTIA’s submission of a single page of assertions about traffic studies for unnamed carriers was an insufficient record for a wireless safe harbor. There has been no opportunity for any party to review or comment on the underlying traffic studies. We also urged that the Commission move promptly to address discrimination caused by reporting lags.

I also spoke with Eric Einhorn, Acting Chief, Telecommunications Access Policy Division, Wireline Competition Bureau. I stated that CoSUS had designed its capacity tiers to attempt to avoid skewing procurement decisions solely because of universal service assessments.

In accordance with the Commission’s rules, a copy of this letter, and attachments, is being filed in the above-captioned dockets.

Sincerely,

John T. Nakahata

Counsel to the Coalition for Sustainable Universal Service

JTN/krs
Attachments

¹ The members of CoSUS are the above-referenced entities.