

# WILLKIE FARR & GALLAGHER

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December 19, 2002

***EX PARTE***

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: WC Docket Nos. 02-202; 02-317; 02-319; 02-304

Dear Ms. Dortch:

On December 18, 2002, Kelsi Reeves of Time Warner Telecom and I met with Sam Feder, Legal Advisor to Commissioner Kevin Martin. During the meeting, we discussed Time Warner Telecom's position on incumbent carriers' proposed customer deposit requirements. Time Warner Telecom believes the criteria for imposing these deposits is vague and unreasonable. Further, Time Warner Telecom argued that the relief sought is inconsistent with the rationale underlying price caps and the relief is unnecessary in light of the BOCs' high interstate rates of return and relatively low rates of uncollectibles. These positions are consistent with Time Warner Telecom's filings in the above-referenced proceedings.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), a copy of this letter is being filed electronically for inclusion in the public record of each of the above-referenced proceedings.

Sincerely,

/s/

Thomas Jones  
Counsel to Time Warner Telecom

cc: Sam Feder