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January 10, 2003

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

Re: *In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket Nos. 01-338, 96-98 and 98-147*

Dear Ms. Dortch:

Enclosed for filing is a white paper from Judge Robert Bork in connection with the above referenced matter. In his paper, Judge Bork reviews the factors that AT&T has argued in this proceeding demonstrate "impairment" under the Section 251(d)(2) of the Communications Act and concludes that they are both reasonable and consistent with established antitrust principles.

Please contact the undersigned if you have any questions in this matter.

Sincerely,



C. Frederick Beckner, III

CFB:amm

Enclosure