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**Robert W. Quinn, Jr.**  
Federal Government Affairs  
Vice President

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January 23, 2003

VIA ELECTRONIC FILING

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWB-204  
Washington, DC 20554

Re: Notice of Ex Parte Presentation  
In the Matter of Review of Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers and Implementation of the Local Competition Provisions in the Local Telecommunications Act of 1996, CC Docket Nos. 01-338; 96-98; 98-147

In the Matter of Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, CC Docket Nos. 02-33; 95-20; 98-10

Dear Ms. Salas,

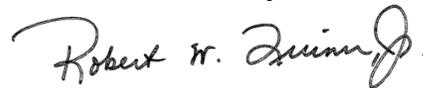
On Wednesday January 22, I spoke on the telephone with Jordan Goldstein, Commissioner Copp's Legal Adviser, to discuss issues related to the aforementioned proceedings. During the course of those discussions, we explained AT&T's position on the necessity of requiring the unbundling of switching until the significant economic impairments that AT&T has identified in the record of the Triennial Review are addressed and eliminated. The process of identifying those impairments and whether they have been removed can only be conducted on a market-by-market basis and cannot be determined in a national proceeding. Rather, state commissions must be left with the authority to conduct that granular analysis based upon local facts and conditions. The Commission here should find that the record here requires on a nationwide basis that carriers are impaired without access to all UNEs previously identified without limitations such as the ones that exist in the switching and combination areas. We stated that pricing of those UNEs should continue to be done by the states.

In addition, we emphasized the importance of maintaining unbundling obligations on incumbent providers based upon the services the CLECs seek to offer over those

facilities rather than the services the ILEC chooses to offer over a facility. The latter, we explained, would distort competition by incenting the incumbents to create separate, inferior networks for competitive access in direct contravention of the non-discrimination principles espoused in the Telecommunications Act. We briefly discussed why use restrictions should be eliminated, particularly in a post-271 environment as the maintenance of those restrictions will put carriers in a classic price squeeze situation with the incumbent. We also discussed Commissioner Martin's regulated layer approach to addressing the investment incentives issues identified in the aforementioned proceedings as articulated in his speech at PLI in December was a possible alternative manner in addressing those issues to one proposed in the Wireline proceeding.

The positions expressed in the meeting for each of these areas were consistent with those contained in the Comments, Reply Comments and ex parte filings previously made in the aforementioned dockets. One electronic copy of this Notice is being submitted for each of the referenced proceedings in accordance with the Commission's rules.

Sincerely,

A handwritten signature in cursive script that reads "Robert W. Quinn". The signature is written in black ink and is positioned to the right of the typed name "Robert W. Quinn".

cc: Jordan Goldstein