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January 15, 2003

**HAND DELIVERY**

The Honorable Michael Powell, Chairman  
Federal Communications Commission  
445 Twelfth Street, S.W., 8<sup>th</sup> Floor  
Washington, D.C. 20554

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JAN 15 2003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: **Further Supplemental *Ex Parte* Presentation**  
**CC Docket Nos. 96-98, 01-338**

Dear Chairman Powell.

On December 4, 2002, the Association for Communications Enterprises ("ASCENT") submitted an *ex parte* presentation outlining a market based proposal for UNE-P's, the subject of the above referenced proceedings. On behalf of ASCENT and its affiliated companies, we herewith submit the affidavit of Michael Weprin, President and Chief Executive Officer of BridgeCom International, Inc. in support of the UNE-P market based proposal. Please associate the attached affidavits with the initial *ex parte* presentation submitted by ASCENT on December 4, 2002.

Questions or concerns regarding this submission should be addressed to the undersigned

Sincerely,

  
William B. Wilhelm, Esq.  
Counsel for ASCENT

cc: Commissioner Kathleen Abernathy  
Commissioner Kevin J. Martin  
Christopher Libertelli  
Matthew Brill  
William Maher, Chief  
Richard Lerner  
Michelle Carey  
Tom Navin  
Rob Tanner

Commissioner Michael J. Coppes  
Commissioner Jonathan S. Adelstein  
Jordan Goldstein  
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Jeremy Miller  
Marlene H. Dortch, Secretary

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AFFIDAVIT

State of New York                    )  
  )  
County of Westchester                )

I, Michael Weprin, hereby affirm that I am the President and Chief Executive Officer of BridgeCom International, Inc., and state the following:

BridgeCom International, Inc. ("BridgeCom" or the "Company"), as a competitive local exchange carrier, is a provider of telecommunications services, including data services, long distance services, unified messaging services, and, first and foremost, local telephone services. We are headquartered in New York, have approximately 200 employees and provide services primarily in New York and New Jersey and, to a lesser extent, approximately 18 additional states. Our customer base is primarily comprised of small businesses with a total of approximately 120,000 local access lines, the overwhelming majority of which are at a DSO level. Our local service offering is currently provided by utilizing a combination of UNE-P (approximately 80%) and resale. We currently operate our own facilities for unified messaging services and Internet access services and anticipate the testing of our own voice facilities to begin in the spring of 2003.

In starting and building our business under the parameters as set forth in the Telecommunications Act of 1996, two things should be noted. First, the availability of UNE-P has allowed us to develop our business successfully in an environment where all other market entry models or methodologies have produced no sustainable success or competition, but at the same time its availability has not deterred or dissuaded us from making and planning additional prudent investment in our own facilities. Secondly, it should be understood that a transition of our existing customer base to our own voice facilities would take considerable time for appropriate testing and then for implementation, and at that only be ultimately feasible in certain central offices and not eliminate our need for ubiquitous availability of UNE-P.

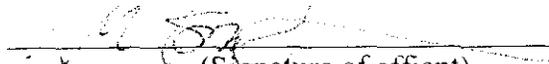
As a competitive provider of local telecommunications service, a transition by the Federal Communications Commission away from UNE-P is certain to disrupt our ability to continue to provision service to our customers. Of particular concern is our ability to purchase wholesale switching as an unbundled network element.

It is not possible, nor economically feasible, for BridgeCom to self-provision local switching services at this time. Were the FCC to forebear from requiring the ILECs to provision switching services as an unbundled network element, we would be unable to obtain reliable substitute switching services at reasonable rates. We have investigated all alternative sources of switching services that we are aware of in our primary operating areas, and have determined that

in many areas there are simply no alternatives. Further, even where there is a theoretically potential alternative to explore, upon examination, they cannot be deemed viable as a substitute due to either operational or financial considerations, **or** in most cases both. In essence, there is at this time no appropriately developed competitive and reliable wholesale market for such services, particularly at the DSO level, and it is not realistic to anticipate that one will be presented anytime in the near future.

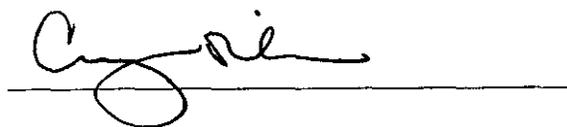
There are some who have tried to support the untenable position that where there are competitive switches installed in a given central office there is somehow necessarily a viable wholesale market available for competitive purposes, or that one is imminent. This is not a notion supported by any evidence **or** any entity that has a practical understanding of the operational and economic realities of this industry. **We** do not believe that there is any legitimate basis for a correlation between the number of switches deployed in a central office and the existence of a viable competitive wholesale market that can be supported in the existing marketplace, and little factual indication that this reality will change very soon, regardless of any such position taken by incumbent local exchange carriers.

In the absence of a competitive wholesale market for switching services, it is unreasonable to believe that the incumbent would have any incentive to provision services at reasonable rates. Accordingly, until such a market exists on a central office by central office basis, there is little doubt that BridgeCom would be impaired from provisioning services to its customers absent the availability of UNE switching services, and UNE-P specifically, on a TELRIC basis, as provided for in the Telecommunications Act of 1996.

  
(Signature of affiant)

Subscribed and sworn to **before** me, a Notary Public,

in the State and County above named, this 13 day of January, 2003.



**COREY RINKER**  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 02R16013491  
QUALIFIED IN WESTCHESTER COUNTY  
MY COMMISSION EXPIRES 9/21/2006