



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

Suite 1000
1120 20th Street NW
Washington DC 20036
202 457 3851
FAX 202 457 2545

January 31, 2003

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th 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

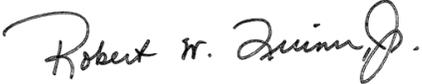
Dear Ms. Dortch,

Yesterday, David Dorman, Chairman of the Board and Chief Executive Officer of AT&T, James Cicconi, General Counsel and Executive Vice President of AT&T, Leonard Cali, Vice President – Law & Director Federal Government Affairs, and I met with Matthew Brill, Senior Legal Advisor to Commissioner Abernathy, to discuss matters related to the referenced proceedings. During the course of those discussions, we explained AT&T's position on the necessity of requiring the unbundling of all network elements, including local switching, until the significant economic and operational 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 in accordance with the dictates of the *USTA* decision. We reiterated that the Commission here find on a nationwide basis that carriers are impaired without access to all UNEs previously identified without limitations or restrictions.

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. We also underscored the importance of preserving CLEC access to ILEC loop facilities, and identified operational and cost barriers to competition that would result if CLECs were relegated to copper facilities as ILECs introduce additional fiber into existing loop plant. We argued that it is essential for the Commission to preserve competition in the residential broadband marketplace. We also stated that the evidence demonstrated the continued requirement for carriers to obtain access to elements in order to provide competitive services to business customers.

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 black ink, reading "Robert W. Quinn". The signature is written in a cursive style with a large, stylized initial "R".

cc: Matthew Brill