

# WILLKIE FARR & GALLAGHER

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January 31, 2003

***EX PARTE***

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

Re: CC Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch:

On January 31 2003, Royce Holland, Kevin Joseph, Donovan Dillon, and Chris MacFarland of Allegiance Telecom and I met with Matt Brill, Legal Advisor to Commissioner Kathleen Abernathy and Jason Scism, Special Assistant to Commissioner Abernathy. During the meeting, we discussed the attached presentation. In addition, we expressed our concern that limiting requesting carriers to purchasing three DS3s per interoffice point-to-point route was arbitrary and would artificially constrain competitors' ability to compete.

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 Allegiance Telecom, Inc.

Enclosure

cc: Matt Brill  
Jason Scism