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February 6, 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:

Today, I had a telephone conversation with Tom Navin of the Wireline Competition Bureau on behalf of Allegiance Telecom, Inc. During the call, I argued that there is no basis for the Commission to include in the impairment test for interoffice transport a provision that allows a state to eliminate unbundling on point-to-point route A (which does not otherwise meet the relevant standard for elimination as a UNE) solely because it may share some characteristics with point-to-point route B (which does meet the relevant standard for elimination as a UNE).

In accordance with the Commission's rules, 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 for Allegiance Telecom, Inc.

cc: Tom Navin