

PaulHastings

Paul, Hastings, Janofsky & Walker LLP
1299 Pennsylvania Avenue, NW, 10th Floor, Washington, DC 20004-2400
telephone 202-508-9500 / facsimile 202-508-9700 / internet www.paulhastings.com

Atlanta
Beijing
Hong Kong
London
Los Angeles
New York
Orange County
San Francisco
Stamford
Tokyo
Washington, D.C.

(202) 508-9530
michellecohen@paulhastings.com

April 23, 2003

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

Re: Notice of *Ex Parte* Presentation in CG Docket No. 02-278 and CC Docket No. 92-90

Dear Ms. Dortch:

Today, Robert Mainor and John Malone of Xpedite Systems, Inc. ("Xpedite"), together with Michelle Cohen and Kathrine Calderazzi of Paul, Hastings, Janofsky & Walker LLP, met with K. Dane Snowden, Margaret Egler, Erica McMahon and Richard Smith of the Commission's Consumer and Governmental Affairs Bureau.

During the meeting, we provided an overview of Xpedite's business. We also discussed Xpedite's position, as stated in its comments and reply comments filed in the above-referenced proceedings, on the exemption from liability under the Telephone Consumer Protection Act and the Commission's corresponding regulations for fax broadcasters who do not have a high degree of involvement in the transmission of facsimile messages. We articulated the merits of a prior business relationship exemption from the general prohibition on unsolicited facsimile advertisements. Finally, we discussed the requirement that certain identifying information of the content provider be included on all facsimile messages.

In accordance with the Commission's rules, a copy of this letter is being filed electronically for inclusion in the public record of the above-referenced proceedings.

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Respectfully submitted,

Michelle W. Cohen /kc

Michelle W. Cohen
for PAUL, HASTINGS, JANOFSKY & WALKER LLP

cc: K. Dane Snowden
Margaret Egler
Erica McMahon
Richard Smith