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May 29, 2003

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Notice of Ex Parte Presentation:* In the Matter of Petitions of US LEC Corp. and T-Mobil USA, Inc., *et al*, for Declaratory Ruling Regarding Intercarrier Compensation for Wireless Traffic, CC Docket No. 01-92

Dear Ms. Dortch;

On Thursday, May 29, 2003, Henry Hultquist, representing MCI, Richard Juhnke and Norina Moy, representing Sprint and Robert Quinn Jr. and I, representing AT&T met with Matthew Brill, Senior Legal Advisor to Commissioner Kathleen Q. Abernathy to discuss the above mentioned petitions. AT&T, MCI and Sprint urged the FCC to deny the US LEC petition as it seeks the ability to impose additional access charges on interexchange carriers, when in fact, the CLEC provides no access service or functionality. Where a CLEC simply inserts itself between the CMRS provider and the ILEC tandem, it provides no genuine access function and should not be permitted to charge the interexchange carrier access. In the situation where a CLEC actually replaces the ILEC in providing the tandem switching or other genuine access functions, the CLEC should only be permitted to charge the ILEC rate for the access functions that are actually being performed by the CLEC, not the full CLEC benchmark rate as requested by US LEC.

The positions expressed by the three companies were consistent with those expressed in their previous filings in the above referenced proceeding.

Consistent with the Commission rules, I am filing one electronic copy of this notice and request that you place it in the record of the proceedings.

Sincerely,

Patrick H. Merrick

CC: Matthew Brill