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September 10, 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. 02-33, 01-337

Dear Ms. Dortch:

On September 9, 2003, Kevin Joseph and Megan Delany of Allegiance Telecom, Scott Sawyer of Conversent Communications, Don Shepheard and Kelsi Reeves of Time Warner Telecom and I met with Scott Bergmann, Legal Advisor to Commissioner Adelstein. During the meeting, we made the arguments set forth in the attached presentation. Pursuant to Section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter and two copies are being filed for inclusion in the public record of each of the above-referenced proceedings.

Sincerely,

/s/
Thomas Jones

cc: Scott Bergmann