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September 16, 2003

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

**RE:    Notice of *Ex Parte* Presentation, GN Docket No. 00-185, CS Docket  
      No. 02-52**

Dear Madame Secretary:

On this date, the Alliance of Local Organizations Against Preemption (“ALOAP”) met with Johanna Mikes, Legal Advisor to Commissioner Adelstein in the above captioned proceeding. Representing ALOAP were Elizabeth Beaty of the National Association of Telecommunications Officers and Advisors, Juan Otero of the National League of Cities and the undersigned.

The purpose of the meeting was to share with Commissioner Adelstein local governments’ ongoing concerns with the FCC’s March 15th, 2002 Declaratory Ruling and to inquire as to the status of the NPRM in the matter. ALOAP also provided Mrs. Mikes a copy of the opinion of the Federal District Court for the Northern District of Illinois in *City of Chicago v. AT&T Broadband* 2003 WL 22057905 (N.D. Ill., September 4, 2003).

Sincerely,

MILLER & VAN EATON, P.L.L.C.

By

Gerard Lavery Lederer

Cc:    Johanna Mikes, Legal Advisor to Commissioner Adelstein