

*EX PARTE*

October 1, 2003

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: CC Docket Nos. 01-338; 96-98; 98-147

Dear Ms. Dortch:

On September 30, 2003, Kevin Joseph of Allegiance Telecom, Inc. (“Allegiance”) and the undersigned met with Commissioner Martin and Dan Gonzales, legal advisor to Commissioner Martin, in regards to the BellSouth proposal for expanding the current unbundling exemption for fiber-to-the-home (“FTTH”) loops to fiber-to-the-curb (“FTTC”) loops with. During the meeting, we discussed the definition of a “greenfield” and the problems associated with expanding the FTTH unbundling relief to FTTC loops, specifically with regard to the small- and medium-sized business sector. In addition, we expressed procedural concerns with the Commission pursuing an expedited reconsideration of such proposal.

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.

Respectfully submitted,

/s/

Megan M. Delany  
Vice President – Government Relations & Regulatory Counsel  
Allegiance Telecom, Inc.

cc: Commissioner Kevin J. Martin  
Dan Gonzales