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September 22, 2003

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

Re: Ex Parte in CC Docket Nos. 00-256, 96-45, 98-77, and 98-166

Dear Ms. Dortch:

On September 17, 2003[1], David Bartlett of ALLTEL Communications, Inc. and Robert DeBroux of TDS Telecommunications Corporation (collectively referred to as the "Company Representatives"), met with Christopher Libertelli, Senior Legal Advisor to Chairman Powell, and Daniel Gonzalez, Senior Legal Advisor to Commissioner Martin, to discuss their Rate-of-Return Company Tariff Option proposal.

The Company Representatives have met previously with Commission Staff and other parties to discuss their collective efforts with respect to the development of an alternative regulatory structure contemplated by the MAG *Further Notice of Proposed Rulemaking*.[2] These discussions were a reiteration of how the proposal would function and the benefits it would produce. These positions have previously been placed in the record in this proceeding.

The Company Representatives also emphasized that the concept of their proposal has already been discussed in the record in the context of the *Further Notice*. Therefore, no impediments exist to adopting the changes proposed in the Rate-of-Return Company Tariff Option in the further MAG order. The attached documents were provided and referred to in the course of the discussions.

Respectfully submitted,

Sylvia Lesse

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Attachments

cc: Christopher Libertelli
Daniel Gonzalez

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[1] Following the *ex parte* meetings on September 17, 2003, the Washington, D.C. offices of the federal government were closed on September 18-19, 2003 due to the effects of Hurricane Isabel. Accordingly, this filing is timely because it is made on the first day that the FCC reopened.

[2] *Multi-Association Group (MAG) Plan for Regulation of Interstate Services of Non-Price Cap Incumbent Local Exchange Carriers and Interexchange Carriers*, CC Docket No. 00-256, Second Report and Order and Further Notice of Proposed Rulemaking, *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Fifteenth Report and Order, *Access Charge Reform for Incumbent Local Exchange Carriers Subject to Rate-of-Return Regulation*, CC Docket No. 98-77, Report and Order, *Prescribing the Authorized Rate of Return From Interstate Services of Local Exchange Carriers*, CC Docket No. 98-166, Report and Order, 66 Fed. Reg. 59719, FCC 01-304 (rel. Nov. 8, 2001).