



401 9th Street, NW, Suite 400
Washington, DC 20004

January 7, 2004

Marlene H. Dortch
Secretary
Federal Communications Commission
TW-A325
445 12th St., SW
Washington, D.C. 20554

Re: EX PARTE PRESENTATION
CC Docket No. 01-92 and WC Docket No. 02-361

Dear Ms. Dortch:

Today, Dick Juhnke and I, both of Sprint, met with Dan Gonzalez of Commissioner Martin's office to discuss US LEC's petition for declaratory ruling regarding LEC access charges for CMRS traffic. We explained why US LEC should not be allowed to assess the full CLEC benchmark access rate where it does not perform all associated access functions, and that under existing law, it would be appropriate for the Commission to apply such a finding on both a retroactive and prospective basis to the traffic at issue here. We also explained why the facts underlying US LEC's petition and those underlying AT&T's petition for declaratory ruling regarding Voice Over IP traffic were sufficiently different as to warrant different treatment regarding retroactive application of the relevant rules.

I request that this letter, which is being filed electronically, be placed in the file for the above-captioned proceedings.

Please contact me at (202) 585-1915 with any questions.

Sincerely,

A handwritten signature in black ink that reads "Norina Moy".

Norina Moy
Director, Federal Regulatory
Policy and Coordination

c: D. Gonzalez