

March 8, 2004

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

Re: *Ex Parte Notification, IB Dockets Nos. 02-324, 96-261*

Dear Ms. Dortch:

This letter serves as notification that, pursuant to Sections 1.1204(a)(10)(iv) and 1.1206(b) of the Commission's rules, the undersigned, on behalf of Vodafone Americas, Inc. and Vodafone Group Services Limited (jointly, "Vodafone"), had a telephone conversation with Paul Margie, Legal Advisor to Commissioner Michael J. Copps, on March 5, 2004 at Mr. Margie's request. Vodafone reiterated its position that the international settlements caps set forth in the Commission's 1997 *Benchmarks Order* do not apply to foreign mobile termination rates ("MTRs").<sup>1</sup> Vodafone noted that many overseas regulatory authorities have reduced MTRs and many more are engaged in proceedings which are expected to lower MTRs further. As a result, a further proceeding is unwarranted. Vodafone further observed that the Commission nonetheless may wish to keep apprised of foreign MTRs, take action if US consumers become subject to discriminatory MTRs, and if issues arise, engage individual countries on a bilateral basis to address specific concerns in connection with MTRs.

Please contact the undersigned if you have any questions.

Respectfully submitted,

  
Adam D. Krinsky

cc: Paul Margie

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<sup>1</sup> See Letter to Marlene H. Dortch, Secretary, FCC from Barbara Phillips, Vice President, Vodafone Americas, Inc., in IB Dockets 02-324 and 96-261 (Mar. 3, 2004).