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Cronan O'Connell  
Vice President-Federal Regulatory

EX PARTE

RECEIVED

May 10, 2004

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

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: *In the Matter of Review of the Commission's Rules Regarding the Pricing of Unbundled Network Elements and the Resale of Service by Incumbent Local Exchange Carriers, WC Docket No 03-173*

Dear Ms. Dortch

On May 5, 2004, Cronan O'Connell, Craig Brown and Gary Fleming of Qwest Communications International Inc. ("Qwest"), and Dr. Dale E. Lehman and Dr. Dennis Weisman, also representing Qwest, met with staff members of the Pricing Policy Division of the Wireline Competition Bureau, including Steven Morris, Jeremy Marcus, Marvin Sacks, Alvaro Gonzalez, Monica Desai and Richard Kwiatkowski, to discuss total element long-run incremental cost. On May 6, 2004, Qwest filed an *ex parte* letter in the above-captioned proceeding that described this meeting and filed documents on the record that were referred to during the May 5, 2004 meeting.

During the *ex parte*, Qwest discussed in detail a declaration filed by Dr. Lehman that was titled "Investment and the Level of UNE-P Rates A Critique of the Willig Study", as filed with Qwest's reply comments in this proceeding. In addition to attaching further details of an updated study on the Critique in the *ex parte* filed last week, Dr. Lehman presented Commission staff with a diskette so that all parties could access the data and review the results. However, Qwest inadvertently omitted to include the information regarding the diskette and the availability of the diskette in the *ex parte*. Qwest is filing this supplemental *ex parte* letter today therefore so that other parties to this proceeding are aware of the availability of the data and means to obtain a copy of it. Effective immediately, copies of the data in Excel format can be obtained by one of the following methods (1) a diskette (provided at no charge) copy is available by calling Qwest's Washington, DC office (the contact person is Kelseau Powe, who can be reached on (202) 429-3114), (2) transmission via e-mail upon request to Kelseau Powe at [kelseau.powe@qwest.com](mailto:kelseau.powe@qwest.com) or by telephone at (202) 429-3114; or (3) downloading the data via the Internet, using a web site with the following URL: [polar.alaskapacific.edu/dlehman](http://polar.alaskapacific.edu/dlehman) (no www before polar) and accessing the data under the heading "Data for my investment analysis HERE"

This *ex parte* letter (an original and copy) is being filed in accordance with Commission Rule 47 C.F.R. § 1.1206 for inclusion in the public record of the above-referenced proceeding. Copies of

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May 10, 2004

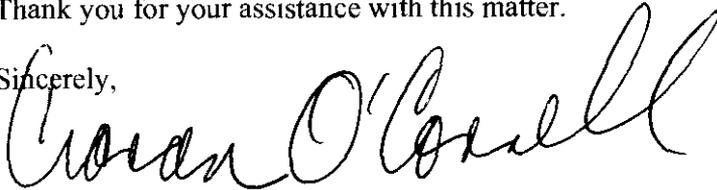
*Ex parte* Letter to Ms. Dortch

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this letter are being served on the same Commission staff that received the May 6, 2004 *ex parte* filing, along with a copy to the Commission's copy contractor, Qualex International. Finally, an extra copy of this *ex parte* is included so that it can be stamped and returned to the courier.

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward O'Connell". The signature is fluid and cursive, with the first name "Edward" written in a larger, more prominent script than the last name "O'Connell".

cc. (via e-mail, with an electronic copy of Dr. Lehman's Excel "Investment Data" attached)

Tamara Preiss ([tamara.preiss@fcc.gov](mailto:tamara.preiss@fcc.gov))

Steven Morris ([steven.morris@fcc.gov](mailto:steven.morris@fcc.gov))

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Monica Desai ([monica.desai@fcc.gov](mailto:monica.desai@fcc.gov))

Richard Kwiatkowski ([richard.kwiatkowski@fcc.gov](mailto:richard.kwiatkowski@fcc.gov))

Qualex International ([qualexint@aol.com](mailto:qualexint@aol.com))

Attachment (diskette)

DOCKET NO. *03-173*

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