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BY ELECTRONIC FILING

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

Re: *Ex Parte Presentation*
In the Matter of Review of the Section 251 Unbundling
Obligations of Incumbent Local Exchange Carriers,
CC Docket Nos. 01-338, 96-98, 98-147

Dear Ms. Dortch:

On May 18, 2004, Donna Sorgi and Hank Hultquist of MCI, and Ruth Milkman, Lawler, Metzger & Milkman, counsel to MCI, met with Jessica Rosenworcel to discuss the above-referenced proceeding. In this meeting, MCI discussed BellSouth's Petition for Reconsideration of the *Triennial Review Order* as described in the attached presentation.

Pursuant to the Commission's rules, this letter is being provided to you for inclusion in the public record of the above-referenced proceeding.

Sincerely,


Ruth Milkman

Enclosure

cc: Jessica Rosenworcel

Triennial Review Recon Petitions

CC Docket No. 01-338

May 2004



FCC Should Not Restrict Unbundling of Fiber to MDUs

- MDUs range from duplexes to large mixed use (commercial and residential) buildings.
- CLECs need access to MDUs to offer customers choice.
- No showing that fiber is not being deployed to residential MDUs.
 - If there is a concern about deployment, must be limited to mass market customers.

Any Change Must Be Narrowly Tailored

- Maintain brownfield/greenfield distinction.
- Draw line based on customer, not building.
 - Preserve competitive carriers' access to unbundled DS1s and DS3s.

Access to DS1s and DS3s Must Be Maintained

- Incumbent LECs are free to design their networks any way they want, except that they may not design networks in a way that makes it impossible to provide customers with DS1s and DS3s.
 - Failure to provide DS1s and DS3s would be inconsistent with obligations under federal law.