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June 2, 2004

**Ex Parte**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**RE: Section 251 Unbundling Obligations for Incumbent Local Exchange Carriers, CC Docket No. 01-338; Implementation of Local Competition Provision of the Telecommunications Act of 1996, CC Docket No. 96-98; Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147**

Dear Ms. Dortch:

On June 2, 2004, Michael Glover and I representing Verizon, met with Commissioner Abernathy and Matt Brill, Senior Legal Advisor to Commissioner Abernathy. The purpose of the meeting was to discuss the need for clarification of unbundling requirements for fiber provided to mass-market customers who are located in multi-unit premises ("MUPs"). They discussed Verizon's position as set forth in its previous filings in this docket.

As the Commission has recognized, a key goal of its policies on broadband, and in particular of its limitations on unbundling requirements, is to promote the "deployment of the network infrastructure necessary to provide broadband services to the mass market." *Triennial Review Order* ¶ 278. In order to include all mass-market customers within those policies, Verizon discussed various ways in which to address mass-market customers located in MUPs. Specifically, Verizon agreed that it would be a positive step to clarify that any MUP is considered part of the mass market for purposes of FTTP unbundling if the tenants occupying the MUP are primarily residential customers. This clarification alone, however, would not cover customers who are part of the mass market under any possible definition in several real-world scenarios. One way to address this issue is simply to provide that any MUP is considered part of the mass market for purposes of FTTP unbundling if the tenants occupying the MUP are primarily residential, *and*, to the extent a MUP cannot be determined to be primarily residential, that any customer in a MUP who is part of the mass market continues to be classified as a mass market customer.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Susanne A. Guyer".

cc: Commissioner Abernathy  
Matt Brill