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July 1, 2004

EX PARTE – VIA ELECTRONIC FILING

Ms. Marlene Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Re: CC Docket No. 01-338

Dear Ms. Dortch:

On June 30, 2004, I met with Christopher Libertelli, Aaron Goldstein, and Donald Jackson of the Chairman's Office. We discussed the rules the Commission should adopt in response to the D.C. Circuit's *USTA II* decision, which, *inter alia*, vacated the rule requiring all incumbent local exchange carriers to unbundle switching. I noted that it is undisputed that the Bell Operating Companies are required to unbundle switching under section 271. I also noted that it should now be clear that the Bells do not favor deployment of switches by new entrants and that rules promoting a transition from "UNE-P" to "UNE-L" need to recognize that fact.

Sincerely,

/s/

Christopher J. Wright
Counsel to Z-Tel Communications, Inc.