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September 22, 2004

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

Re: Notice of *Ex Parte* – Developing a Unified Intercarrier Compensation Regime, CC Docket No. 01-92; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98; Intercarrier Compensation for ISP-Bound Traffic, CC Docket No. 99-68

Dear Ms. Dortch:

On September 21, 2004, Richard S. Whitt and Alan Buzacott, MCI, and A. Richard Metzger, Jr. of Lawler, Metzger, and Milkman, LLC, counsel to MCI, met separately with Matthew Brill, Senior Legal Advisor to Commissioner Abernathy; Christopher Libertelli, Senior Legal Advisor to Chairman Powell, and Aaron Goldberger, Legal Advisor, Wireless Telecommunications Bureau; and Jessica Rosenworcel, Competition and Universal Service Legal Advisor to Commissioner Copps, to discuss issues pending before the Commission in the above-referenced proceedings. MCI's presentation was consistent with its prior written submissions in these proceedings. In particular, MCI urged the FCC to conclude that ISP-bound traffic falls within the scope of the Commission's section 251(b)(5) authority. MCI further pointed out that this result is both consistent with the plain language of the statute and the Court of Appeals' decision in *WorldCom v. FCC*, and would affirm the agency's broad authority under that provision to adopt a comprehensive plan for intercarrier compensation.

Pursuant to the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically with the Office of the Secretary. If you have any questions, please do not hesitate to contact me.

Respectfully submitted,

/s/ A. Richard Metzger, Jr.  
A. Richard Metzger, Jr.

cc: Matthew Brill  
Aaron Goldberger  
Christopher Libertelli  
Jessica Rosenworcel