September 29, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

RE: **Notice of Ex Parte Communication**

WC Docket Nos. 04-313, 02-52
CC Docket No. 01-338

Dear Ms. Dortch:

On September 22, 2004, Steve Gray, McLeodUSA President, and Bill Courter, Associate General Counsel, met with Senior Legal Advisor Jessica Rosenworcel regarding issues related to the permanent unbundling rules. Specifically, McLeodUSA advocated for national impairment findings on DS0 loops, DS1 loops and EELS and DS3 loops. Regarding DS1 transport and DS3 transport, McLeodUSA advocated for a national impairment finding except in the largest MSAs where competitive wholesale alternatives along a specific route exist. We also highlighted SBC anti-competitive "collo cross connect" charges that make leasing DS3 transport from another competitive provider uneconomic. We also advocated for minimum federal standards on batch hot processing to facilitate an orderly transition from UNE-P to UNE-L.

Finally, McLeodUSA discussed the Bell South fiber-to-the-curb petition and urged the Commission to oppose the additional unbundling relief. In the alternative, we urged the Commission to ensure at a minimum that competitors continue to receive DS0/DS1 TDM equivalence if a Bell company chooses to install packet switching equipment.

Very truly yours,

William H. Courter
Associate General Counsel