

November 19, 2004

***EX PARTE***

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12th Street, SW  
Washington, DC 20554

Re: CC Docket No. 01-338, WC Docket No. 04-313

Dear Ms. Dortch:

On November 18, 2004, Jason Oxman of the Association for Local Telecommunications Services ("ALTS"), and I met with Austin Schlick, John Stanley, Christopher Killion, Jeffrey Dygert, and Linda Kinney of the Office of General Counsel and Jeremy Miller of the Wireline Competition Bureau. During the discussion, we made the same points as are set forth in the ALTS comments and reply comments in the above-referenced proceedings. We emphasized in particular that there is ample evidence in the record to justify the adoption of a national finding of impairment or, at the very least, an actual competition test, for DS1 loops. Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), one electronic copy of this notice is being filed in each of the above-referenced proceedings.

Sincerely,

/s/

Thomas Jones

cc: Austin Schlick  
John Stanley  
Christopher Killion  
Linda Kinney  
Jeremy Miller