

**FLEISCHMAN AND WALSH, L. L. P.**

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1919 PENNSYLVANIA AVENUE, N. W.

SUITE 600

WASHINGTON, D. C. 20006

TEL (202) 939-7900 FAX (202) 745-0916

INTERNET [www.fw-law.com](http://www.fw-law.com)

JAMES N. MOSKOWITZ  
(202) 939-7965  
[JMOSKOWITZ@FW-LAW.COM](mailto:JMOSKOWITZ@FW-LAW.COM)

December 7, 2004

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W. Room TWB-204  
Washington, D.C. 20554

**Re: Notice of Oral Ex Parte Communication, In the Matter of Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket Nos. 04-313 and 01-338**

Dear Ms. Dortch:

On December 7, 2004, the undersigned, together with Lawrence R. Freedman, counsel to WorldNet Telecommunications, Inc. ("WorldNet"), met with Christopher Libertelli, senior legal advisor to Chairman Powell, regarding the above-referenced dockets.

The substance of the meeting dealt with the implications of the federal UNE rules in Puerto Rico. WorldNet's counsel emphasized that the Commission must take Puerto Rico's unique market conditions into account in any ruling that it makes. WorldNet counsel argued that, at a minimum, the Commission must either provide a safety valve process for permitting a granular review of facts relating to impairment in specific markets, or allow for longer UNE switching transition timeframes in markets where state commissions have made factual findings that they are warranted. WorldNet's counsel and Mr. Libertelli discussed standards and mechanisms that the Commission could employ to address specific market conditions in areas such as Puerto Rico.

Pursuant to the Commission's rules, 47 C.F.R. § 1.1206(b)(2), this letter is being filed electronically in the above-referenced proceedings.

Respectfully submitted

James N. Moskowitz

cc: Christopher Libertelli  
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