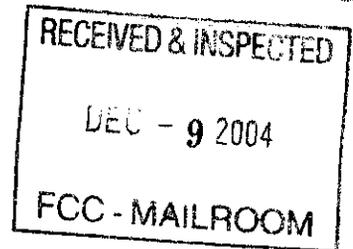




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ORIGINAL

December 4, 2004

Chairman Michael Powell  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> Street, S.W., TW-A325  
Washington, DC 20554

Re: Access to Unbundled Network Elements, WC Docket No. 03-225

Dear Chairman Powell:

I am writing to urge you to take action against the pending revision of the Unbundled Network Element (UNE) rules. If you allow this revision to take place many independent payphone providers like myself would be unable to continue to operate.

Payphones play a critical role in meeting the needs of the public in the low income, and poverty stricken areas of our community. For many citizens, payphones are the only telephones they can use. Payphones are also critical for communications on the move – especially in emergencies and in disasters such as Hurricanes and 9/11. The Commission has long recognized this need and that is why Congress mandated wide availability of service in the Telecommunications Act. To continue providing payphones in the face of an expanding use of personal wireless devices, my company must have reliable local service connections at a reasonable cost. The local phone bill is the single largest monthly cost of operating my phones. To keep service quality high and costs low, we rely on the availability of competitive telephone companies for local

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service. Without competitive local service options like UNE-P, there is no market check on what we may be charged by the incumbent telephone company.

UNE-P is the only effective alternative for competition for the payphone provider. Our payphones do not transmit data and do not need broadband channels; thus, broadband facilities do not provide a viable competitive alternative for our payphones. In the last few years, we have had to remove a large number of our payphones from service because their revenue was insufficient to meet operating costs. Without UNE-P, the American public is sure to lose more of the valuable payphone services they need and rely on today.

Therefore, I urge you to take steps to ensure that the FCC's revised UNE rules preserve competitive local service alternatives for payphones. Thank you for your consideration.

Sincerely,

Joe Distrito  
President

A handwritten signature in black ink, appearing to read "Joe Distrito", is written over a faint circular stamp or watermark.