

COVINGTON & BURLING

1201 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004-2401
TEL 202.662.6000
FAX 202.662.6291
WWW.COV.COM

WASHINGTON
NEW YORK
SAN FRANCISCO
LONDON
BRUSSELS

GERARD J. WALDRON
TEL 202.662.5360
FAX 202.778.5360
GWALDRON@COV.COM

May 20, 2005

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Oral Ex Parte Communications, CC Docket No. 02-278

Dear Ms. Dortch:

This letter is being filed to report that on May 19, 2005, Jade West, Sr. Vice President of Government Relations of the National Association of Wholesaler-Distributors and Director of the Fax Ban Coalition, informed Dan Gonzalez, Senior Legal Advisor to Chairman Martin, that each day 20-30 businesses and business groups are calling or contacting her office, unsure as to whether to begin the expensive task of implementing compliance measures that may not be necessary, and concerned about the prospect of lawsuits after July 1. On behalf of the Coalition, which includes nearly every sector of the business community, Ms. West urged prompt action on the Coalition's Extension Request of six months for the effective dates of the Commission's fax rules. Also on May 19, the undersigned met via telephone with Monica Desai, Chief of the Consumer & Governmental Affairs Bureau, and emphasized the need for Commission action in a timely manner given the immediacy of the compliance date for thousands of businesses across America and based on the pendency of numerous petitions for reconsideration and legislation in the U.S. Senate. Ms. West also spoke with Ms. Desai on May 20 and reiterated this point.

If you have any questions, please contact the undersigned.

Sincerely,



Gerard J. Waldron

cc: Mr. Daniel Gonzalez
Ms. Monica Desai
Mr. Matthew Brill
Ms. Jessica Rosenworcel
Mr. Scott Bergmann
Ms. Jade West