

1050 CONNECTICUT AVENUE, N.W.
TENTH FLOOR
WASHINGTON, D.C. 20036

(202) 772-1981 FACSIMILE (202) 318-4257
johnelogan@msn.com

May 23, 2006

JOHN E. LOGAN PLLC
ATTORNEY AT LAW

Ms. Marlene H. Dortch
Secretary to the
Federal Communications Commission
Washington, D.C. 20554

Re: *Ex Parte* Presentation
Universal Service Assessment- Automotive Telematics
CC Docket Nos. 96-45, 98-171, 90-571, 92-237,
99-200, 95-116 and 98-170

Dear Ms. Dortch:

Today, Ari Q. Fitzgerald, representing Mercedes Benz USA LLC (MBUSA), Gregory L. Rohde and I, representing the ATX Group, Inc., met with the Honorable Michael J. Copps and Legal Advisor Scott M. Deutchman.

In the meeting, we presented the position of ATX and MBUSA that the proposal to assess each phone number a monthly fee of \$1.00 would violate the equitable and non discriminatory standard of the law with regard to automotive telematics. The proposed fee would represent a 3000% increase over the current assessment, an amount that approaches and may exceed the total telecommunications cost of the service. We emphasized the confined and limited use of the network by automotive telematics which any assessment model must recognize. We also stated that the proposed assessment would disrupt an important public safety feature—the ability to locate expeditiously and dispatch aid to individuals facing an emergency, ubiquitously and without limitation.

A copy of the *ex parte* communications by MBUSA, dated April 12, 2006, and ATX, dated April 19, 2006, which are filed in this docket and set forth our position in more detail, was provided to Mr. Deutchman.

Respectfully,

Copy to:
The Honorable Michael J. Copps
Mr. Scott M. Deutchman

