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November 15, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.—The Portals
TW-B204
Washington, D.C. 20554

**Re: America Online, Inc. Notice of *Ex Parte* Presentation
Applications of America Online, Inc. and Time Warner Inc.
for Transfers of Control, CS Docket No. 00-30**

Dear Ms. Salas:

On behalf of America Online, Inc. ("AOL"), submitted herewith pursuant to Section 1.1206(b)(2) of the Commission's rules, are an original and one copy of this notice regarding a permitted oral *ex parte* presentation in the above-referenced proceeding with Deborah Lathen, Chief, Cable Services Bureau.

On November 14, 2000, I spoke with Ms. Lathen to determine the scope of issues to be addressed during a meeting scheduled for Thursday, November 16, 2000, to discuss instant messaging issues. We also discussed other issues raised in this proceeding, and I briefly reiterated the position of AOL and Time Warner, Inc. regarding (i) the interest that AT&T holds in Time Warner Entertainment Company, L.P. (as detailed in prior *ex parte* notices filed on October 5 and 13, 2000) and (ii) open access, including how, consistent with Commission precedent in support of market-based solutions to open access, contractual and private enforcement mechanisms could be used to ensure unaffiliated ISPs of the merged entity's compliance with the MOU (as set forth in the parties' *ex parte* filing of October 19, 2000).

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Please let me know if you have any questions regarding this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter D. Ross". The signature is written in a cursive style with a large initial "P" and "R".

Peter D. Ross

cc: Deborah Lathen, Chief, Cable Services Bureau
James Bird, FCC Assistant General Counsel
Sherille Ismail, Cable Services Bureau
Royce Dickens, Deputy Chief, Policy and Rules Division,
Cable Services Bureau
Linda Senecal, Cable Services Bureau
International Transcription Services, Inc.