

January 3, 2001



Magalie Roman-Salas
Secretary, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: CS Docket No. 00-30
AOL-Time Warner Merger**

**CS Docket No. 99-251
AT&T/MediaOne Merger**

Notice of Oral *Ex Parte* Presentation

Dear Ms. Roman-Salas:

Pursuant to Section 1.1206(b) of the Commission's rules, this letter provides notice of a January 3, 2000 oral *ex parte* presentation by Andrew Jay Schwartzman of Media Access Project in a telephone conversation with Karen Edwards Onyeije, Legal Advisory to the Chairman.

Mr. Schwartzman suggested that in light of the Commission's December 21, 2000 order determining that AT&T had definitively elected to divest its partnership interest in Time Warner Entertainment Co, LP (TWE), the Commission might now find that it need not address the continuing common ownership of TWE in the context of the AOL/Time Warner proceeding. However, he observed that the Commission should assure that it retain authority to address that issue in the event that AT&T should subsequently establish a right to follow an alternative path to achieving compliance with the Commission's ownership policies.

Mr. Schwartzman also urged that the Commission should direct that any order granting the AOL/Time Warner applications should be conditioned on assurances that local and regional ISP's be afforded access. He stated that this would cause minimal disruption to AOL/Time Warner while advancing the Commission's public interest objectives of diversity and localism.

Respectfully submitted,

Andrew Jay Schwartzman
Counsel for CU, *et al.*

cc. Karen Edwards Onyeije