

January 8, 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 5, 2001 oral *ex parte* presentation by Andrew Jay Schwartzman of Media Access Project in a telephone conversation with Commissioner Tristani.

Mr. Schwartzman 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. He noted that he had submitted suggested language to her legal assistant, William J. Friedman.

Mr. Schwartzman also endorsed interoperability for instant messaging services. He stated that a requirement that a second, unaffiliated IM service be available on any cable internet system was of limited utility.

Respectfully submitted,

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

cc. Commissioner Tristani