

December 20, 2000



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 December 19, 2000 oral *ex parte* presentation to Kathryn Brown, Chief of Staff.

Messrs. Kimmelman and Schwartzman reviewed issues surrounding AT&T's letter of December 15, 2000 purporting to elect a spin-off of Liberty Media to comply with the June, 2000 AT&T/MediaOne decision. They argued that the staff letter of December 18, 2000 contained a sound analysis, and that the Commission should act with the greatest speed to resolve the matter. They stated that the Commission should direct a divestiture of AT&T's TWE assets, employing its jurisdiction under the June, 2000 Order, its review of the pending reconsideration of that order, or by using the opportunity presented by the pending AOL/Time Warner transaction.

Messrs. Kimmelman and Schwartzman also urged Ms. Brown to consider whether 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. They 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.*