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January 8, 2001

RECEIVED

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**By Hand**

Magalie Roman Salas  
Secretary  
Federal Communications Commission  
Room CY-A257  
445 Twelfth Street, SW  
Washington, D.C. 20554

Re: *Oral Ex Parte*  
In the Matter of Applications of America Online, Inc. and Time Warner, Inc. for  
Transfers of Control, CC Docket No. 00-30

Dear Ms. Salas:

On January 5, 2001, George Bell, Chairman and Chief Executive Officer, Excite@Home Corporation, spoke by telephone to Chairman William E. Kennard. In that telephone call, Mr. Bell described Excite@Home's perspective on interoperability for instant messaging (IM), and stressed that any Commission approval of the Time Warner, Inc./America Online, Inc. merger must include meaningful and enforceable conditions to address the problem of non-interoperability of IM.

Pursuant to section 1.1206(b)(1) of the Commission's rules, 47 C.F.R. §1.1206(b)(1), an original and one copy of this letter are being provided to you for inclusion in the public record of the above-referenced proceeding.

Sincerely,



Ruth Milkman

cc: Chairman Kennard

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