

FEDERAL COMMUNICATIONS COMMISSION  
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December 14, 2000

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Michael E. Glover  
Senior Vice President & Deputy General Counsel  
Verizon Communications  
1320 North Courthouse Road  
8<sup>th</sup> Floor  
Arlington, VA 22201

EX PARTE OR LATE FILED

A. Richard Metzger, Jr.  
Counsel to NorthPoint Communications, Inc.  
Lawler, Metzger & Milkman, LLC  
1909 K Street, NW  
Suite 820  
Washington, DC 20006

EX PARTE OR LATE FILED

Re: Joint Application for Authority to Transfer Control of Section 214  
Authorization from NorthPoint Communications, Inc. to Verizon  
Communications, **CC Docket No. 00-157**

Dear Mr. Glover & Mr. Metzger:

As you know, on November 17, 2000, Commission staff asked NorthPoint and Verizon to submit additional information relating to their proposed merger, including information on market definition issues related to bandwidth, service guarantees, pricing and demand for SDSL and T-1 services. On November 20, 2000, the Common Carrier Bureau filed a letter in the record that summarized this meeting and indicated that if NorthPoint and Verizon did not supply the information requested in satisfactory form by December 1, 2000, Commission staff would consider stopping the proposed 180-day merger clock.<sup>1</sup>

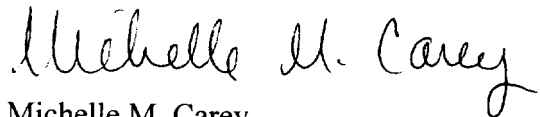
Because neither NorthPoint nor Verizon have submitted any information in response to our November 17, 2000 request, we have elected to stop the proposed 180-day merger clock as of December 1, 2000, the day the information was due. Although Verizon has sought to terminate its proposed merger agreement with NorthPoint, the Commission has not yet received any notification that the transfer of control application

<sup>1</sup> See Letter from Jessica Rosenworcel, Attorney Advisor, Policy & Program Planning Division, Common Carrier Bureau, FCC to Magalie Roman Salas, Secretary, FCC (filed Nov. 20, 2000).

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has been withdrawn.<sup>2</sup> Accordingly, because this is currently a pending Commission proceeding, we are stopping the clock on day 92, based on NorthPoint and Verizon's failure to supply the Commission with the information on December 1, 2000, as requested on November 17, 2000.

Sincerely,

A handwritten signature in cursive script that reads "Michelle M. Carey".

Michelle M. Carey  
Chief, Policy & Program Planning Division  
Common Carrier Bureau  
Federal Communications Commission

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<sup>2</sup> See Verizon News Release, "Verizon Terminates NorthPoint Merger Agreement" (released Nov. 29, 2000); *but see* NorthPoint Complaint for Breach of Contract, Fraud, Negligent Performance, Preliminary and Permanent Injunction, and Unfair Business Practices and Demand for Jury Trial (filed Dec. 8, 2000 California Superior Court, City and County of San Francisco).