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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

UNITED STATES GOVERNMENT

memorandum

DATE: October 28, 1999

REPLY TO

ATTN OF: David H. Siehl, Staff Attorney, Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission *DHS*

SUBJECT: **NOTICE OF EX PARTE PRESENTATION** -- Oral Presentation with NARUC Representatives in Calling Party Pays Service Offering in the Commercial Mobile Radio Services, WT Docket No. 97-207

TO: Ms. Magalie Roman Salas
Secretary
Federal Communications Commission

Pursuant to Sections 1.1204(a)(10)(iii) and 1.1206(b) of the Commission's Rules, 47 C.F.R. §§ 1.1204(a)(10)(iii), 1.1206(b), hereby submitted to the Secretary is an original and one copy of this memorandum.

In Calling Party Pays Service Offering in the Commercial Mobile Radio Services, Declaratory Ruling and Notice of Propose Rulemaking, WT Docket No. 97-207, FCC 99-137 (released July 7, 1999), at para. 39 (*CPP NPRM*), the Federal Communications Commission indicated that a process should be initiated that considers the role and interests of the states in consumer protection and directed its Wireless Telecommunications Bureau to work with the states through the National Association of Regulatory Utility Commissioners (NARUC), as well as with interested wireless industry and consumer representatives, to develop a consensus implementation of the Commission's calling party pays notification proposal. Pursuant to that directive, the Policy Division, Wireless Telecommunications Bureau participated in a fourth conference call with state representatives to NARUC on October 21, 1999. This memorandum summarizes the conference call conversation that took place on October 21, 1999. The following persons were present at the conference call in connection with the above referenced proceeding:

Jeff Richter, PUC of Wisconsin
Sandra Adams, Iowa Utilities Board
Kate Whitney, Montana PUC
Kris Monteith, Chief, Policy Division, Wireless Telecommunications Bureau,
FCC
Joseph Levin, Policy Division, Wireless Telecommunications Bureau, FCC
David H. Siehl, Policy Division, Wireless Telecommunications Bureau, FCC

The NARUC representatives discussed draft language for a notification announcement that should be included in a draft resolution that they would forward to the NARUC state utility commissioners for consideration.

The FCC staff informed the NARUC representatives of the Policy Division's plans to contact industry and consumer representatives concerning the FCC's notification proposal. The FCC staff reviewed with the NARUC representatives concerns of commenting parties with regard to the length of any notification that would be recommended by NARUC and to alternatives for shortening or "by-passing" the announcement.

Among these alternatives discussed by NARUC representatives was a menu driven announcement that would provide options to calling consumers to access further information or proceed directly to making the call. Another concern raised by NARUC representatives was that the calling party should not be charged for the message, particularly if the calling party elected not to complete the call. The NARUC representatives concurred that the matters discussed would be given consideration and perhaps incorporated into the draft resolution to recommend for adoption by NARUC.