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November 29, 2001

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

RE: Verizon Wireless' Petition for Partial Forbearance from CMRS Number
Portability Obligation, WT Docket No. 01-184 Ex Parte

Dear Ms. Salas:

On November 28, 2001, representatives of VoiceStream Wireless Corporation, AllTel Communications Incorporated and Cingular Wireless, LLC met with members of the Wireless Telecommunications and Common Carrier Bureaus to discuss issues related to the above referenced proceeding. A list of attendees at the meeting is attached. The attendees for the FCC included Kris Monteith, Chief of the Wireless Policy Division and Diane Griffin Harmon, Assistant Chief of the Common Carrier Bureau. Two representatives from AllTel participated in the meeting via conference bridge connection.

The attached document was used for discussion purposes. Please associate this notification and accompanying material with the referenced proceeding.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,



Ben G. Almond
Vice President-Federal Regulatory

No. of Copies rec'd 011
List A B C D E

Attachment

cc: Kris Monteith Jared Carlson
Diane Griffin Harmon Patrick Forster
Jennifer Salhus Joseph Levin

Kris Mantooth	WTB / Policy Div
Pam Sipakoff	- Attorney Advisor - CCB-NSD
Beth Swett	Cingular Wireless
Anna Miller	VoiceStream Wireless
Jennifer Salthus	- WTB / Policy Division
Diane Griffith Harmon	CCB
Jared Carlson	WTB / Policy
Patrick Forster	WTB / Policy
Glenn Rabin	ALLTEL
John Vu	CCB / NSD
Rich Schmidt	Cingular Wireless
Bob Calaff	VoiceStream Wireless
Joseph Levin	FCC - WTB / Policy Div
Ben Almoned	Cingular Wireless
Susan Wichmann	Cingular Wireless
Samatha Mayo	ALLTEL - VIA conference bridge
Cheryl Gordon	ALLTEL - VIA conference bridge

FCC Ex Parte
LNP Forbearance Petition
WT Docket No. 01-184

No Longer a Valid Policy Rationale
The Forbearance Criteria are Met
Wireless Portability is Not in the Public Interest
Risk to Service Quality and Network Reliability
FCC Decision is Needed Now

ALTEL Communications Incorporated
Cingular Wireless, LLC
VoiceStream Wireless Corporation
November 28, 2001

No Longer a Valid Policy Rationale For Portability

- *Wireless competition is flourishing without portability*

Since 1996

- Subscribership tripled from 38.2M to 122M
- Penetration increased from 15% to 39%
- Customer choice of providers increased from two to 8:
 - 91% of population have access to 3 or more
 - 47% can choose from 6
- Average price per MOU fell from \$.54 to \$0.21
- New entrants have evolved from questionable viability to challengers for major market share
- Churn has increased to 30%

“By any standard, this [wireless] industry is the most competitive market in the telecommunications industry.”

– *Michael Powell*

No Longer a Valid Policy Rationale (continued)

- *Wireless is competing with wireline service without portability*
 - Wireless is replacing public/payphone market
 - Wireless pricing plans are highly competitive with wireline
 - Toll - 20 million wireless customers have plans that do not charge for long distance
 - Local
 - Wireless is replacing second and third lines
 - Wireless features compete with LEC calling features -- Voice mail, Call Forwarding, Call Waiting, Caller ID
 - 3% of wireline customers have dropped service for wireless; this trend will increase, especially among highly mobile customers.
- *Primary drivers of competition are price, coverage, and quality service*

No Longer a Valid Policy Rationale (continued)

- *Wireless Portability is not required for pooling*
 - LRN architecture adopted is required for both pooling and porting, not LNP itself
 - Includes MIN/MDN separation, roaming changes, and NPAC interconnection requirements
 - Wireless will participate in pools like wireline carriers
 - Donate “clean” and “contaminated” 1k blocks
 - “intra-service” and “port back” contaminated numbers
 - Both wireless and wireline carriers will share and withdraw from same pool

The portability mandate is a regulatory solution to a problem that does not exist

The Forbearance Criteria Are Met

- *The Commission granted forbearance in 1999*
- *Section 10: Just and Reasonable Rates*
 - 1999
 - LNP would not play direct role in ensuring rates are just and reasonable
 - Based on current market, LNP is not necessary to promote such competition
 - If true then, certainly true today
 - Prices have declined 23.6% since 1999; landline prices increased by over 11%
 - Competition has increased providing customers multiple choices
 - Pricing plans for Local, Regional, National as well as group or family plans
 - Multiple providers
- *Section 10: Not Necessary to Protect Consumers*
 - 1999: High incidence of churn indicates customers easily and routinely switch carriers without portability -- temporary forbearance would not harm consumers
 - Today, churn has increased to 30%

The Forbearance Criteria Are Met (continued)

- *Section 10: Consistent with the Public Interest*
 - 1999
 - Forbear until completion of 5 year PCS build out period
 - Forbearance will provide flexibility to complete network build out, technical upgrades and other improvements
 - See insufficient competitive benefits to justify cost and technical burden of implementing more rapidly
 - Extending timeframe does not adversely affect number conservation, such as pooling
 - Portability diverts resources from initiatives which have a more immediate impact on competition and other policy goals, such as
 - Increasing capacity, improving service, building out networks, rolling out 3G
 - Pooling, E911, CALEA, TTY, N11 services
 - Services and redundancy needed to increase national security and safety
 - Costs outweigh incremental portability benefits
 - LNP will not improve service quality, variety of services available or lower prices

Repeal Criteria Are Also Met

- *Section 11: Repeal of the LNP Mandate*
 - Congress did not legislate portability on wireless as it did LECs - Section 251(b)
 - Congress requires biennial review to repeal regulation no longer necessary in the public interest
 - The FCC omitted wireless LNP in its 1998 and 2000 biennial reviews
- *Meaningful competition renders portability rule unnecessary*

Under Section 10, the Commission is legally required to forbear from applying the LNP mandate; and under Section 11, FCC should repeal the mandate

Wireless Portability is Not in the Public Interest

- *Wireless Pooling is a Major Undertaking*
 - MIN/MDN Separation and MBI Administration
 - Roaming
 - Pooling establishment catch up for 178 NPAs
- *Concurrent Implementation of Pooling and Porting is Far More Complex*
 - Inter-Carrier Communication Process
 - Service Level Agreements between all porting carriers
 - Different wireless and wireline porting regions, intervals and forms
 - Service Order Administration (SOA) ~ modifications to sales customer activation, provisioning, billing, customer care, and technical support systems and procedures
 - NPAC Port Activation Process Between Carriers
 - Subscription version creates/modifies, conflicts, cancels, pending and inadvertent ports
 - NPAC, LSMS/LSOA failures and resynchronization
 - Port Center

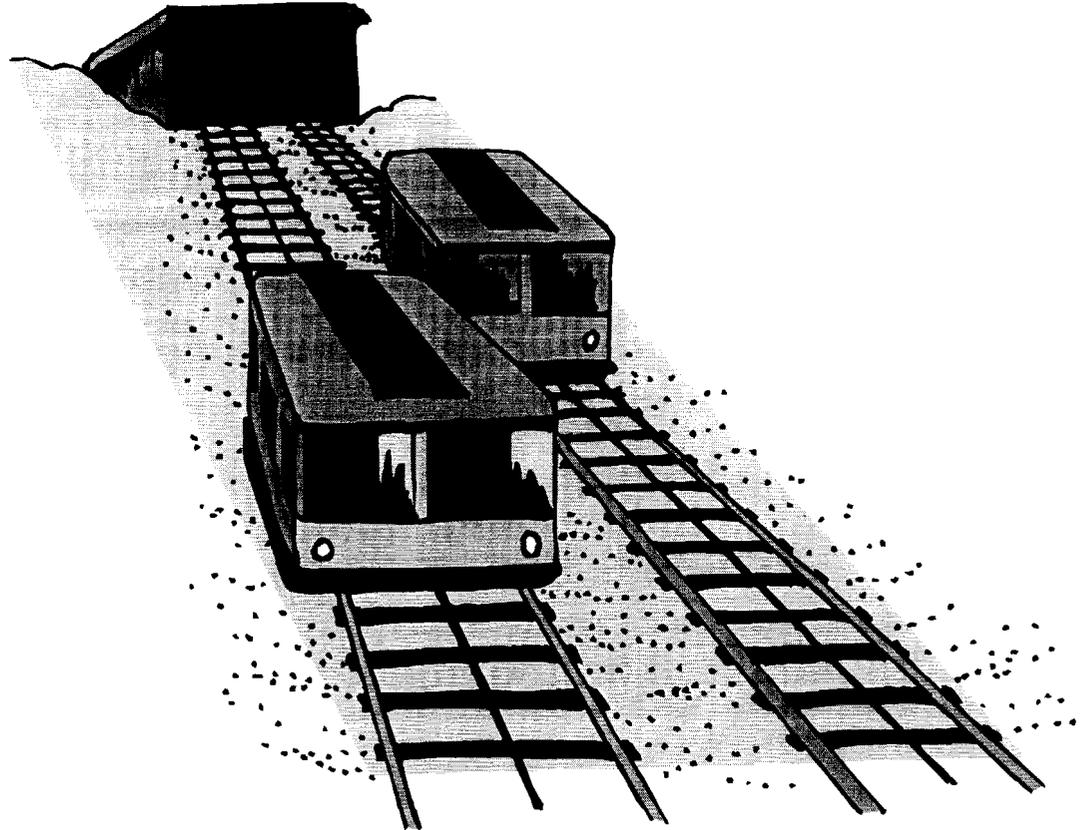
Wireless Portability is Not in the Public Interest (continued)

- *Risk to Service Quality and Network Reliability*
 - The Slow Horse Issue ~ the weakest LSMS links
 - Capacity issues associated with wireless porting and pooling volumes
 - Availability of new features on ported numbers

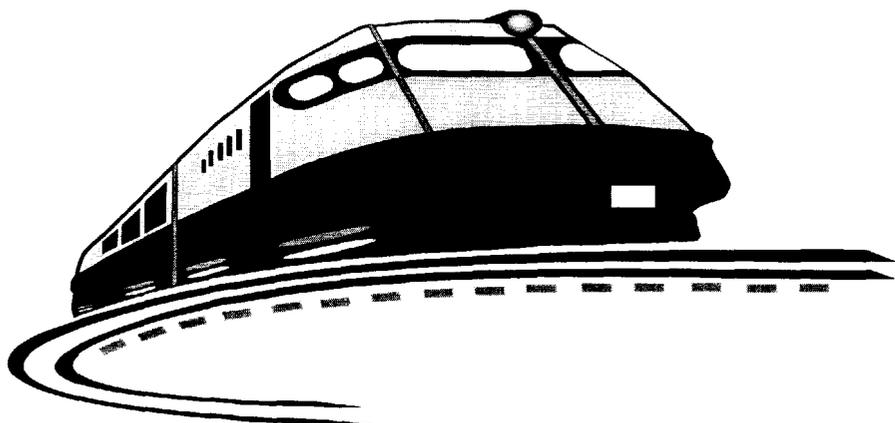
The addition of wireless porting and pooling volumes will exacerbate existing landline porting problems and jeopardize service quality and network reliability

The Track ~ LRN Infrastructure

- LNP QUERY SOFTWARE
- MIN/MDN SEPARATION
- MBI ADMINISTRATION



THE POOLING TRAIN



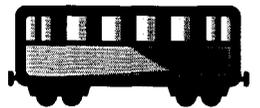
- Solutions To Reduce Wireline Pooling Issues Are Still Pending



NPAC Release 3.0 suspension



NPAC Release 3.1 testing



EDR

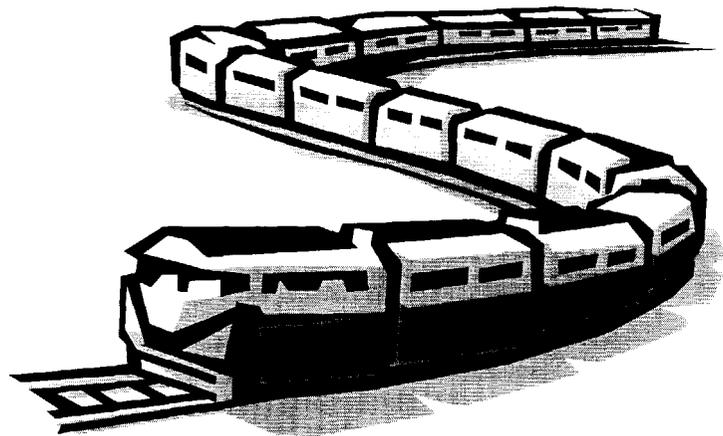
- Inclusion Of Wireless Pooling And National Rollout Will Increase Load Multiple Times



Catch Up for 178 NPA's

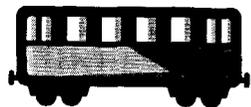


NPAC, LSMS, & LSOA Capacity



THE PORTING TRAIN

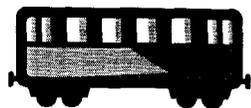
- Adding Porting Increases Capacity And Service Concerns



Inter-Carrier Communications Testing



Slow Horse

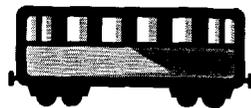


NPAC & LSMS Capacity

- FCC Needs To Resolve Pending Policy Issues
And Adopt Guidelines



Rate Center Disparity



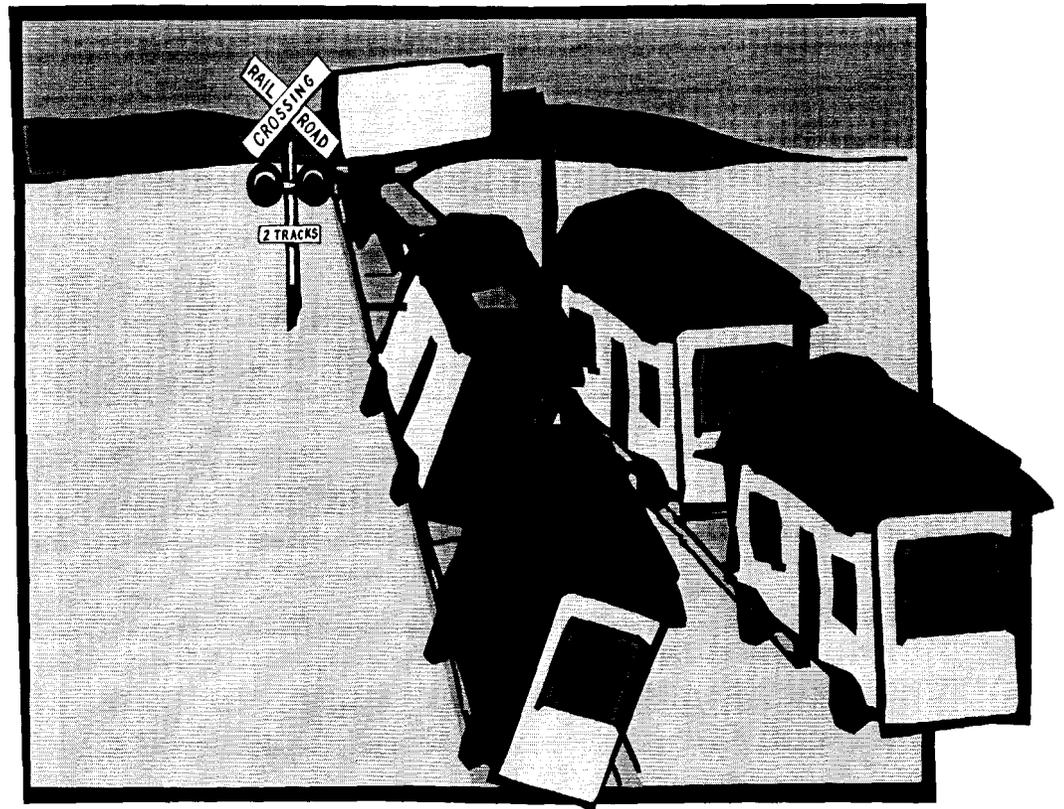
Wireless Number Portability Guidelines



Wireless Wireline Integration Guidelines

The Train Wreck

- Too many massive changes to the network and operational support system
- Too many unresolved problems and issues
- Too many LSMS, LSOA, and NPAC failures
- Too many customers affected by service problems



A FCC Decision is Needed Now

- *Significant costs and resources are being expended to implement portability*
 - Additional significant expenses in 2002
 - Ongoing expenses of port center, customer service and technical support personnel
 - Ongoing expense related to NPAC port activation
- *Limited resources should focus on real priorities with real public benefits*
 - Limited resources are needed for mandates with real public benefit ~ E911, CALEA, TTY, Pooling
 - LNP will not promote competition or improve service
 - Wireless porting and pooling volumes will diminish network reliability and service quality; and thus, disserves the public interest
 - LNP implementation hinders carriers' ability to participate in Pooling

Commission should grant total forbearance from portability.

Commission should take action immediately to avoid conflicts with pooling.