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February 28, 2002

BY ELECTRONIC FILING

William F. Caton
Acting Secretary
Federal Communications Commission
445 - 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: *Notice of Ex Parte Presentation*
Dobson Communications Corporation
Wireless Local Number Portability (WT Docket No. 01-184)

Dear Mr. Caton:

This is to notify you that, on this date, Douglas Stephens, Chief Operating Officer, and Timothy Duffy, Chief Technology Officer, of Dobson Communications Corporation ("Dobson"), and the undersigned on behalf of Dobson, met with Samuel Feder, legal advisor to Commissioner Kevin J. Martin. The topic of the meeting was forbearance from the wireless local number portability ("LNP") requirements.

In the meeting, the Dobson representatives explained the particular importance of forbearance from the LNP mandate for carriers such as itself that serve predominantly rural areas. The costs of implementing number portability, above and beyond the costs of implementing number pooling, are substantial. These costs are especially burdensome to smaller carriers because they must be spread over a smaller customer base. Implementing LNP will reduce the resources available for expenditures that would truly benefit consumers in rural America, such as expanding coverage in unserved areas, extending digital coverage, and providing more competitive rate plans. These are the issues about which Dobson hears regularly from its customers.

As the Dobson representatives explained, an expenditure of this magnitude cannot be justified in a wireless marketplace that is already highly competitive. As to wireless-to-landline competition, although wireless and landline carriers sometimes compete for the same customers, the history of monopoly service in the landline market justifies continued market-opening measures, such as LNP, for local exchange carriers that cannot be justified for wireless carriers. Wireless carriers that wish to compete more directly with landline carriers will be at liberty to implement LNP unilaterally once the industry makes the network changes necessary to implement number pooling. The Commission should not, however, mandate such a business strategy for all wireless carriers.

Wireless carriers are growing and improving the way they serve their customer precisely because the Commission has refrained from regulating absent a demonstrated need. No need for wireless LNP has been shown. While customers may express an interest in number portability in the abstract, Dobson believes that, faced with the very real choice between better coverage and the opportunity to keep their numbers, the vast majority of customers – particularly those in rural areas – would choose the former.

The talking points that were used in the meeting are attached. Pursuant to section 1.1206(b) of the Commission's Rules, this letter is being filed electronically in the above-referenced docket.

Sincerely yours,

WILKINSON BARKER KNAUER, LLP

By: ______________________________
L. Charles Keller

Enclosure

cc (w/ encl.): Hon. Kevin J. Martin (by fax)
Samuel Feder (by fax)

Wireless Local Number Portability Forbearance
DOBSON COMMUNICATIONS CORPORATION
February 28, 2002

- Dobson Communications Corporation is a wireless carrier headquartered in Oklahoma City, Oklahoma, serving customers in 17 states. 85% of Dobson's coverage area is classified as rural; 10% is suburban; 5% is urban.
- Large incremental cost of deploying LNP (*above and beyond the cost of deploying pooling*):
  - Personnel costs: Training of sales and customer care representatives; ongoing customer care and intercarrier communication costs.
  - Point-of-sale systems to port in numbers.
  - Billing and number inventory systems to accommodate ported-in numbers.
  - Reseller systems to accommodate reseller "end-user" porting.
  - System testing and incremental SS7 network costs.
- Customer base of systems Dobson owns or manages: approximately 1.1 million.
  - Less than 9% as many as Sprint PCS. Less than 4% as many as Verizon Wireless.
  - Dobson does not believe there are significant economies of scale in LNP implementation. Despite Dobson's smaller customer base, its LNP implementation costs will not be proportionally lower than those of the large carriers. (Large carriers' estimates are $50 million per carrier per year.)
- This disproportionate capital expenditure will place carriers like Dobson at a competitive disadvantage compared to larger, national carriers. This could encourage industry consolidation and reduce competitive options for consumers.
- Enormous capital expenditure to implement LNP will represent a substantial proportion of Dobson's capital improvements budget. Diverts resources from other priorities with greater benefit to Dobson's customers:
  - Extending coverage to unserved areas.
  - Digital conversion in rural areas.
- Smaller carriers like Dobson have fewer human resources for simultaneous systems projects (LNP, number pooling, E-911 deployment, etc.)
- Competition will be better served if Dobson can use the financial and human resources it would have spent on LNP to improve service to its customers and compete better with the national carriers
- The wireless market is already highly competitive. Dobson, as a mid-sized carrier, feels enormous competitive pressure from other carriers. A "market-opening" measure like LNP is not warranted in a market that is already highly competitive.