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ORIGINAL

Monday, March 17, 2003

To: Michael K. Powell, Kathleen Q. Abernathy, Michael J. Copps, Kevin J. Martin, Thomas J. Sugrue  
Federal Communications Commission  
CC: Hon. W.J. Tauzin, Hon. Fred Upton, Hon. Jon C. Porter, Hon. Shelley Berkley, Hon. Jim Gibbons  
US House of Representatives  
CC: Hon. Ernest F. Hollings, Hon. Ernest F. Hollings, Hon. Daniel K. Inouye, Hon. John Ensign, Harry Reid  
US Senate  
CC: Barbara Cegavske, David E. Goldwater, Randolph Townsend  
Nevada Senate  
CC: **Governor** Kenny C. Guinn  
Governor of Nevada

**Background:** In 1996, Congress specified in the Telecommunications Reform Act that all telephone carriers—including wireless carriers like Verizon, Cingular, AT&T, and Sprint PCS—must allow their customers to switch to another carrier while still retaining the same wireless phone number. This capability was originally mandated to be in place by 1998, but the wireless industry lobbied the FCC successfully on a number of occasions to extend the deadline, first to 2000, and then to November 24, 2002, and again to November 2003. Now a coalition of wireless carriers, led by Verizon but with the support of other major carriers, is seeking to have the FCC eliminate the mandate entirely.

Consumer surveys have shown that the wireless industry has one of the lowest levels of customer satisfaction among major m i c e industries. The major wireless providers argue that customers do not want number portability and that having to give up one's number is not an impediment to consumer choice, citing figures showing that 3 to 4 percent of wireless customers change carriers every month even though they have to give up their numbers. However, a December 2001 survey by Telephia, Inc. showed that 40 percent of dissatisfied customers who did not change carriers stayed put because they wanted to keep their existing wireless number.

**Consequences:** The inability of consumers to change wireless providers while keeping their current number unfairly limits consumer choice and, as a result, removes a main impetus for wireless providers to improve the quality of their service.

The major carriers have claimed this will be a hard task to perform. However, this is currently done in the United Kingdom and has not had any adverse problems for them.

Therefore, in the interest of consumer choice, improved customer satisfaction, and healthier competition within the wireless telephone industry, I hereby petition the Federal Communications Commission to reject the attempts of the wireless industry to further delay or eliminate the implementation of Wireless Number Portability as currently scheduled on November 2003. Further, I petition the Congress of the United States, acting through the appropriate subcommittees of the House and Senate, as well as my duly ordained representatives, to conduct any necessary investigations or hearings to ensure that the will of the Congress with regard to wireless number portability as expressed in the 1996 Telecommunications Reform Act is carried out without delay according to the current timeline mandated by the FCC. Lastly, I petition the elected officials of the State of Nevada to require any cellular company which operates within the borders of the State of Nevada to implement Wireless Number Portability.

Sincerely,  
  
Michael H. Cox

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