



Marie T. Breslin  
Director  
Federal Regulatory

Verizon  
1300 I Street NW, Suite 400W  
Washington, DC 20005  
Phone 202 515-2533  
Fax 202 336-7922  
marie.t.breslin@verizon.com

May 2, 2003

**EX PARTE**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: CC Docket No. 94-129, Implementation of the Subscriber Carrier  
Selection Changes Provisions of the Telecommunications Act of 1996**

Dear Ms. Dortch:

The undersigned parties are filing this written ex parte to seek Commission clarification of one sentence in the *Third Reconsideration Order*, released March 17, 2003.

Specifically, the undersigned seek confirmation that the Commission did not impose a new obligation on local exchange carriers to verify tens of millions of carrier-change orders that they are not required to verify today. These are orders a LEC receives from its subscribers to change their presubscribed carrier when that new carrier is neither the LEC itself nor an affiliate of the LEC.

The sentence in question appears in Paragraph 91 of the *Third Reconsideration Order* and reads as follows:

“Due to the changes in the competitive landscape that have come to fruition since the adoption of the *Second Report and Order*, and based on our experiences therewith, we now find it necessary, as with other in-bound carrier change calls, to require verification of carrier change requests that occur when a customer initiates a call to a LEC.”

When this sentence is read in the context of the entire paragraph, it appears the Commission merely intended to confirm that customer calls to the LEC to make a carrier change benefiting the LEC or, more specifically its long distance affiliates, must be verified pursuant to existing Commission verification rules. This is clear from the discussion at the beginning of paragraph 91 where the Commission notes "...many LECs have become (or plan to become) long distance service providers."

This reading of the sentence is further confirmed by the fact that the Commission did not change the language of its regulations to require LEC verification of all orders (or engage in any discussion of the effects of such a change) and by the Commission's ruling in the *Second Report and Order* that verification is not required in these circumstances. Moreover, the Commission did not give notice that it was considering changing its rules or seek comment on the proposed changes.

Since the introduction of presubscription, LECs have been taking carrier-change requests directly from their customers to presubscribe to carriers unaffiliated with the LEC. Today, for example, Verizon processes close to 14 million such customer requests a year. When the Commission initially examined the issue of verification requirements on in-bound calls in the *Second Report and Order*, it was in the context of in-bound consumer calls to their *desired* carrier. The Commission found that in-bound consumer carrier-change requests to the acquiring carrier required verification. In that same decision, the Commission expressly held that "...in situations in which a customer initiates or changes long distance service by contacting the LEC directly, verification of the customer's choice would not need to be verified by either the LEC or the chosen IXC. In this situation, neither the LEC nor the IXC is the submitting carrier as we have defined it. The LEC is not providing interexchange service to that subscriber." [*Second Report and Order* at par. 93] The *Third Reconsideration Order* did not change the definition of submitting carrier or otherwise alter the verification rules.

The undersigned companies LEC operations do process in-bound consumer carrier change request for their long distance affiliates. The undersigned verify all such transactions, pursuant to the Commission's verification rules and will continue to do so. We believe the Commission sought in paragraph 91 to confirm that these in-bound carrier change requests do require verification but did not intend to extend its verification rules to tens of millions of other presubscription orders processed by the LECs.

We respectfully request that the Commission promptly confirm our reading of this language as correct.

Sincerely,

Marie Breslin  
Marie Breslin  
Director-Federal Regulatory  
Verizon

Mary Henze/s/MTB  
Mary Henze  
Assistant Vice President-Federal Regulatory  
BellSouth

Mike Alarcon/s/MTB  
Mike Alarcon  
Director-Federal Regulatory  
SBC Telecommunications Inc.

Kathy Krause/s/MTB  
Kathy Krause  
Senior Attorney  
Qwest

cc: Margaret Egler  
Nancy Stevenson