CTIA
Building The Wireless Future™
Cellular Telecommunications & Internet Association

October 15, 2003

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby, TW-A325
Washington, D.C. 20554

Re: *Ex Parte* Presentation
CC Docket 95-116

Dear Ms. Dortch:

On October 14, 2003, the Cellular Telecommunications & Internet Association ("CTIA"), represented by Scott Ford, President and CEO, ALLTEL, Bobby Franklin, Vice President of Federal Government Affairs, ALLTEL, Greg Landis, Executive Vice President & General Counsel, AT&T Wireless Services, Inc., and Harvey White, Chairman and CEO, Leap Wireless International, Inc., along with CTIA representatives Steve Berry, Senior Vice President for Government Affairs, Diane Cornell, Vice President for Regulatory Policy, and Lori Messing, Director of Numbering Issues, met with John Muleta, Chief of the Wireless Telecommunications Bureau, and David Furth, Associate Bureau Chief/Counsel for the Wireless Telecommunications Bureau. The parties discussed the competitive policy implications and customer confusion that would result if there were different rules for wireline-to-wireless and wireless-wireless porting in effect on November 24th. The CTIA representatives also explained why the technical arguments raised by Qwest and SBC were without merit.

The CTIA representatives emphasized that the Commission has a statutory obligation to ensure that full and competitive intermodal porting occur simultaneously with wireless-wireless porting implementation on November 24, 2003, and in a manner that consumers will understand. CTIA also noted that the Commission's often-repeated policy goal of affording customers a meaningful choice would be frustrated if the wireline porting obligation were limited in the way some wireline carriers urge. In addition, CTIA reiterated the arguments raised in its prior ex parte submissions explaining why there is no sound basis for Qwest's view that it would be competitively disadvantaged if it is required to port to a wireless number that did not originate in its rate center.

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The CTIA representatives indicated that, if the technical burdens raised by LECs were valid, the issues would have been a problem in the number pooling proceeding, where numbers have been "ported" using the same call routing technology as will take place in the porting context. LECs have been rating and routing calls from pooled blocks since November 2002 – without complaint.

As the Commission is aware, during Thousand Block Pooling implementation, blocks of 1000 telephone numbers were donated to pools. As part of that process, the pooled blocks had to be "*intra-service provider ported*" using the same LRN technology as is used for Number Portability. Many of the pooled blocks had customers currently assigned because the Pooling rules required blocks with up to 10% "*contamination*" be donated. Immediately upon entering Number Pooling, competing wireline *and* wireless carriers were sharing numbers from the same block of telephone numbers, and the rate center and rating of the call is handled in the same way it always has been. The technical adjustment necessary for pooling readiness is no different than the adjustment necessary for full intermodal portability.

Moreover, the fact that several wireline and wireless carriers have signed porting agreements suggests that there are no technical obstacles or undue burdens associated with wireline-wireless porting. For example, Verizon has signaled that a full portability is technically feasible by signing an intermodal porting agreement with Verizon Wireless. In any event, the record reveals that the ability to offer service to a customer physically located in one rate center but rated to another is available today through foreign exchange services. In the case of Qwest, they are doing this through their "FX" service.[1]

The CTIA representatives emphasized that the record convincingly demonstrates, in filings by both wireless and wireline carriers, that requiring full and unencumbered intermodal porting would not create a competitive inequality.[2] Indeed, requiring wireline carriers *on November 24th* to port numbers to wireless carriers without regard to the limitations of rate center boundaries or interconnections agreements is necessary to prevent a competitive inequality from arising, to the detriment of consumers

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being electronically filed with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Diane Cornell

Diane Cornell

cc: John Muleta
David Furth

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[1] See Sprint letter filed October 8, 2003 at 4.
[2] See Sprint's letters filed October 8, 2003 and August 18, 2003 in CC Docket No. 95-116.

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