

CTIA

Building The Wireless Future™
Cellular Telecommunications & Internet Association

October 21, 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 20, 2003, the Cellular Telecommunications & Internet Association (“CTIA”), represented by Scott Ford, President and CEO, ALLTEL and current Chairman of CTIA, Tim Donahue, President and CEO, Nextel Communications, Inc. and Immediate Past Chairman of CTIA, along with CTIA representative Diane Cornell, Vice President for Regulatory Policy and Bobby Franklin, Vice President, Federal Government Affairs, ALLTEL, met with Commissioner Martin, his Senior Legal Advisor, Dan Gonzalez and Sam Feder, Legal Advisor for Spectrum and International Issues. 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 some wireline carriers are 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.

The CTIA representatives noted that 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 full portability is technically feasible by signing an intermodal porting agreement with Verizon Wireless.



The CTIA representatives observed 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. Indeed, requiring wireline carriers *on November 24th* to port numbers to wireless carriers without arbitrary limitations or anti-competitive preconditions 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: Commissioner Martin
Dan Gonzalez
Sam Feder

