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By Electronic Filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte Notice: CG Docket No. 02-278, In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991.*

Dear Ms. Dortch:

On October 21, Karen Reidy and Hank Hultquist of WorldCom, Inc. (d/b/a MCI) and Marc Goldman of Jenner & Block met with Margaret Egler, Gene Fullano, Richard Smith and Erica McMahon of the Consumer and Governmental Affairs Bureau and Jerry Stanshine of the Office of Engineering and Technology to discuss MCI's plans to enable telemarketers who use its network to comply with the new telemarketing rules.

MCI explained that customers who are connected on non-SS7 PBX (dedicated) trunks to MCI switches are not able to transmit CPN. MCI further explained that in order to enable telemarketers using its network (and served on such trunks) to comply with the new telemarketing rules, MCI is in the process of upgrading its switches so that, if a telemarketer (or any other customer) requests that it do so, MCI switching software will add a customer-provided CPN when it passes calls from that customer's lines downstream to interconnecting carriers.¹ (Because MCI has no way to determine who is a telemarketer, MCI plans to add CPN for any customer on PBX trunks who requests that it do so, not just telemarketers). Once a customer requests that MCI adds CPN to its calls and MCI accedes to that request, all calls from that customer's lines will have the CPN added. Individual callers will not be able to block passage of CPN on calls from that customer's lines. This will assist MCI's telemarketing customers to comply with the new requirement that they transmit caller identification information on all telemarketing calls without allowing that identifying information to be blocked. See 47 CFR 64.1601(e)(ii).

¹ For customers who are connected to MCI switches via trunks with an SS7 connection (PRI trunks), MCI does not need to add CPN to the trunks. The customers themselves pass CPN to MCI on these trunks unless they choose to block passage of CPN, which they have the ability to do.

MCI further explained that its plan is consistent with the CPN privacy rules, as MCI's plan to add CPN at the customer's request concerns only services provided to customers on PBX trunks where the customer's equipment does not pass CPN to MCI. *See* 47 CFR 64.1601(d)(3) (exempting from CPN rules calls from PBXs that do not pass end-user CPN.). MCI explained, however, that it saw some tension between the new requirement that telemarketers pass CPN without allowing blocking and some of the policy goals of the CPN rules, which generally require that originating carriers enable individual callers to block passage of CPN by dialing *67. MCI therefore asked the Commission for an opinion letter stating that its plan to add CPN at a customer's request on all calls from that customer's lines (with no ability for the individual caller to block CPN) is consistent with the Commission's rules.

In accordance with Commission rules, this notice is being filed electronically for inclusion in the above-referenced docket. Please contact me if you have any questions with regard to this notice.

Sincerely,

/s/ Karen Reidy

cc: Margaret Egler
Gene Fullano
Richard Smith
Erica McMahan
Jerry Stanshine