EXHIBIT 2

KRASKIN, LESSE & COSSON, LLC
ATTORNEYS AT LAW
TELECOMMUNICATIONS MANAGEMENT CONSULTANTS

2120 L Street, N.W., Suite 520
Washington, D.C. 20037

Telephone (202) 296-8890
Telecopier (202) 296-8893

July 23, 2003

VIA E-MAIL & OVERNIGHT DELIVERY

Linda Godfrey
Interconnection, Numbering and Mandates
Verizon Wireless
2785 Mitchell Drive
Walnut Creek, CA 94598

Dear Ms. Godfrey:

Our firm represents several local exchange carriers that have received correspondence from Verizon Wireless regarding number portability.[1] Having analyzed the letters and accompanying forms (collectively, the Verizon Wireless mailings") sent to these companies, we question whether the mailings constitute a valid request for number portability. Moreover, even if the mailings were sufficient, the Verizon Wireless correspondence does not request service provider portability that would enable customers of these LECs to retain their existing telephone numbers "at the same location" as the Act and FCC Rules require.[2]

The mailings seek only switch information rather than request the implementation of number portability.[3] The process of responding to the information request has been "simplified" by Verizon Wireless by allowing carriers to update the attached form, which has been provided for this purpose. This attachment is comprised of a generic form with no carrier or market information indicated and a spreadsheet containing the switch information referenced in the letter. Accordingly, the mailing fails to "specifically request portability" and "identify the discrete geographic area" as required by FCC Rules.[4] Furthermore, although the generic form

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[1] A list of these companies is attached.

[2] *See* 47 U.S.C. § 153(30); 47 C.F.R. § 52.21(k).

[3] According to the letter, the purpose of the mailing is pursuant to a specific FCC Rule which requires carriers to provide, upon request, "a list of their switches for which provisioning of number portability has been requested (and therefore provided)." The carriers on the attached list have either responded to this information request directly or we are responding on their behalf.

[4] *See In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portabilty:*

specifies the date of the request as May 19, 2003, many of the letters are dated May 28, 2003 with postmark dates well into the month of June. Accordingly, if the mailing was intended to constitute a request for a LEC, which currently is not number portable-capable, to implement number portability by November 24, 2003, the request, in these instances, was not timely made.[5]

The mailing fails to indicate whether Verizon Wireless provides service within the companies' respective LEC service areas. The rules specify that number portability is required only if requested by "another telecommunications carrier in areas in which that telecommunications carrier is operating or plans to operate."[6] Furthermore, for most of the companies, there is no local interconnection in place between Verizon Wireless and the LEC, demonstrating the absence of Verizon Wireless' local presence and any indication of its "plans to operate" within the area.

The Act and the FCC have defined the obligation of a LEC to provide number portability that enables the "users of telecommunication services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."[7] If you have facts to indicate that Verizon Wireless plans to ensure that the customer retains his/her telephone number "at the same location" please provide us with those facts and we will reevaluate our analysis of the Verizon Wireless request on the basis of these facts.

While we and our clients recognize that pursuant to Section 252 of the Act, carriers are free to "negotiate and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of Section 251,"[8] our clients at this time has no need or desire to negotiate an agreement that goes beyond

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Fourth Report and Order in CC Docket No. 99-200 and CC Docket No. 95-116, and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 99-200, CC Docket Nos. 99-200, 96-98, 95-116 (rel. June 18, 2003) at para. 10 ("Requesting telecommunications carriers must specifically request portability, identify the discrete geographic area covered by the request, and provide a tentative date by which the carrier expects to utilize number portability to port prospective customers").

[5] *See* 47 C.F.R. § 52.23(b)(2)(iv).

[6] 47 C.F.R. § 52.23(c).

[7] 47 U.S.C. § 153(30) (emphasis supplied); 47 C.F.R. § 52.21(k) (emphasis supplied). The FCC has distinguished this "service provider portability" from "location portability," a much different form of portability that the FCC has determined is not required by statute. "Location portability" is defined as "the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or convenience when moving from one physical location to another." 47 C.F.R. § 52.21(i) (emphasis supplied).

[8] 47 U.S.C. § 252(a)(1).

the standards the FCC has set forth pursuant to Section 251. As noted, the geographic portability that would result from the Verizon Wireless request has not been required by the FCC under Section 251.

Again, we would be pleased to review any additional facts Verizon Wireless may offer to demonstrate that its request is not for geographic number portability.

Sincerely

Kraskin, Lesse & Cosson, LLC

By: _____

Attachment

ATTACHMENT

Updated List of Local Exchange Companies Represented by Kraskin, Lesse & Cosson, LLC in Matters Pertaining to Correspondence From Verizon Wireless Regarding Number Portability

YCOM

KRASKIN, LESSE & COSSON, LLC
ATTORNEYS AT LAW
TELECOMMUNICATIONS MANAGEMENT CONSULTANTS

2120 L Street, N.W., Suite 520
Washington, D.C. 20037

Telephone (202) 296-8890
Telecopier (202) 296-8893

July 16, 2003

VIA E-MAIL & OVERNIGHT DELIVERY

Fawn Romig
Industry Compliance and Operational Network Support, Numbering Solutions
Sprint PCS
6580 Sprint Parkway
Mailstop: KSOPHW0516-5B360
Overland Park, Kansas 66210

Dear Ms. Romig:

In our letter dated June 9, 2003, and in subsequent e-mails and telephone conversations, we notified you of over seventy companies represented by this firm that have received correspondence from Sprint PCS regarding number portability.[1] Having analyzed the generic letter and accompanying form dated May 23, 2003 (collectively, the Sprint PCS "mailings") sent to these companies, we question whether the mailings constitute a valid request for number portability. Moreover, even if the mailings were sufficient, the Sprint PCS correspondence does not request service provider portability that would enable customers of these LECs to retain their existing telephone numbers "at the same location" as the Act and FCC Rules require.[2]

The geographic areas specified in the mailings are limited to Metropolitan Statistical Areas ("MSAs"). Twenty-eight of these companies, however, operate wholly outside of any MSA. Additionally, on forms sent to fourteen of the companies that serve within MSAs, no specific market was indicated.[3] Accordingly, for these forty-two companies, the mailings fail to identify the "discrete geographic area" as required by the FCC.[4]

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[1] An updated list of the companies that we represent in this matter is attached.

[2] *See* 47 U.S.C. § 153(30); 47 C.F.R. § 52.21(k).

[3] The companies that operate wholly outside of any MSA and ones for which no specific market was indicated are specified with an asterisk on the attached list.

[4] *See In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portabilty: Fourth Report and Order in CC Docket No. 99-200 and CC Docket No. 95-116, and Fourth Further Notice of Proposed Rulemaking in CC Docket No. 99-200*, CC Docket Nos. 99-200, 96-98, 95-116 (rel. June 18, 2003) at para. 10 ("Requesting telecommunications carriers must specifically request portability, identify the discrete geographic area covered by the request, and

Further, in at least two instances, the request was sent to the wrong company[5] and in many instances the switch information contained on the forms is incorrect.[6] For example, one company received a mailing that identifies the switches of the company's affiliate rather than the company's switches.[7]

The mailing fails to indicate whether Sprint PCS provides service within the companies' respective LEC service areas. The rules specify that number portability is required only if requested by "another telecommunications carrier in areas in which that telecommunications carrier is operating or plans to operate."[8] Furthermore, for most of the companies, there is no local interconnection in place between Sprint PCS and the LEC, demonstrating the absence of Sprint PCS' local presence and any indication of its "plans to operate" within the area.

The Act and the FCC have defined the obligation of a LEC to provide number portability that enables the "users of telecommunication services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another."[9] If you have facts to indicate that Sprint PCS plans to ensure that the customer retains his/her telephone number "at the same

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provide a tentative date by which the carrier expects to utilize number portability to port prospective customers").

[5] Hancock Telephone Company located in New York received a mailing directed to Hancock Rural Telephone Cooperative located in Indiana and ComSouth Telecommunications, Inc. received a mailing directed to Hawkinsville Telephone Company, a company that no longer exists.

[6] The FCC's orders and rules require local exchange carriers to implement number portability only "in switches for which another carrier has made a specific request . . . ." *See, e.g., In the Matter of Telephone Number Portability: First Memorandum Opinion and Order on Reconsideration*, 12 FCC Rcd 7236, 7273 (1997); 47 C.F.R. § 52.23(c).

[7] Although the correspondence is addressed to Horry Telephone Cooperative, Inc., the form specifies switches which belong to an affiliated, but separate company, HTC Communications, Inc.

[8] 47 C.F.R. § 52.23(c).

[9] 47 U.S.C. § 153(30) (emphasis supplied); 47 C.F.R. § 52.21(k) (emphasis supplied). The FCC has distinguished this "service provider portability" from "location portability," a much different form of portability that the FCC has determined is not required by statute. "Location portability" is defined as "the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or convenience when moving from one physical location to another." 47 C.F.R. § 52.21(i) (emphasis supplied).

location" please provide us with those facts and we will reevaluate our analysis of the Sprint PCS request on the basis of these facts.

While we and our clients recognize that pursuant to Section 252 of the Act, carriers are free to "negotiate and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of Section 251,"[10] our clients at this time has no need or desire to negotiate an agreement that goes beyond the standards the FCC has set forth pursuant to Section 251. As noted, the geographic portability that would result from the Sprint PCS request has not been required by the FCC under Section 251.

Again, we would be pleased to review any additional facts Sprint PCS may offer to demonstrate that its request is not for geographic number portability.

Sincerely,

Kraskin, Lesse & Cosson, LLC

By: _____

[10] 47 U.S.C. § 252(a)(1).

ATTACHMENT

List of Companies Represented by Kraskin, Lesse & Cosson, LLC in Matters Pertaining to Correspondence From Sprint PCS Regarding Number Portability

YCOM Networks, Inc.*

* Request fails to specify a market or specifies a market that is not covered by the company.

DECLARATION OF JOHN J. LAPENTA

I, John J. LaPenta, Assistant General Counsel of YCOM Networks, Inc., do hereby declare under penalties of perjury that I have read the foregoing "Petition for Waiver" and that the facts stated therein are true and correct, to the best of my knowledge, information, and belief.

Date: 11-21-03

John J. LaPenta
[Signature]

CERTIFICATE OF SERVICE

I, Ka Triska Orville, of Kraskin, Lesse & Cosson, LLC, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify that a copy of the foregoing "Petition for Waiver" was served on this 21st day of November 2003, via hand delivery to the following parties:

Ka Triska Orville

William Maher, Chief
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Eric Einhorn, Chief
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Cheryl Callahan, Assistant Chief
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW

Qualex International
445 12th Street, SW
Room CY-B402
Washington, DC 20554