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April 1, 2004

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

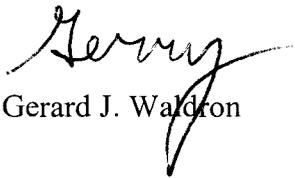
Re: Oral ex parte, CC Docket No. 99-273

Dear Ms. Dortch:

On March 31, 2004 Lois Pines, regulatory counsel to InfoNXX, Inc. and the undersigned, its counsel, met with Commissioner Jonathan Adelstein and Legal Advisor Scott Bergmann, Commissioner Kathleen Abernathy and Legal Advisor Matthew Brill, Daniel Gonzales, Legal Advisor to Commissioner Kevin Martin, William Maher, Chief, Wireline Competition Bureau, Margaret Dailey and Rodney McDonald with the Bureau to discuss competitive retail directory assistance and the recently adopted NARUC resolution.

If you have any questions, please contact the undersigned.

Sincerely,



Gerard J. Waldron

cc: Commissioner Jonathan Adelstein
Commissioner Kathleen Abernathy
Commissioner Kevin Martin
Mr. Gregory Cooke
Mr. William Maher
Ms. Margaret Dailey
Mr. Rodney McDonald
Mr. Scott Bergmann
Mr. Matthew Brill
Mr. Daniel Gonzales

NARUC Resolution Regarding Retail Directory Assistance Competition

WHEREAS, the FCC released a Notice of Proposed Rulemaking on January 9, 2002, in CC Docket No. 99-273, on whether changes in the provision of directory assistance (DA) services by local exchange carriers (LECs) are needed to promote competition for retail directory assistance services; *and*

WHEREAS, the Federal Telecommunications Act of 1996 sought to promote competition in all telecommunications markets; *and*

WHEREAS, according to the FCC's NPRM, consumers spend more than \$6 billion on directory assistance; *and*

WHEREAS, in areas of the country where the retail DA rates are not regulated, customers have seen steady or increasing prices since 1996; *and*

WHEREAS, competitive DA providers have emerged at the wholesale level in the wireless, CLEC and large end-user markets and their entry has produced such innovations as automatic call completion and enhanced DA services such as movie listings, driving directions, and restaurant reservations; *and*

WHEREAS, some of the proposals put forth in CC Docket No. 99-273 involve nation-wide elimination of the 411 dialing pattern or expensive presubscription plans to that number or costly substitute dialing patterns, *and*

WHEREAS, many recently implemented changes in structure to telecommunications service offerings have resulted in a series of unpopular surcharges on all subscriber lines, *and*

WHEREAS, consumers could realize benefits in the form of lower prices and expanded services if the retail DA market were subject to increased competition; *and*

WHEREAS, many states have provided consumers with a minimum number of free calls per month to obtain a telephone number and also have ensured persons with disabilities, including the blind, and severely motion and mobility impaired have access to free DA to obtain telephone numbers; *Now therefore be it*

RESOLVED, that the National Association of Regulatory Utility Commissioners (NARUC) convened in its 2004 Winter Meeting in Washington, D.C., supports retail Directory Assistance competition in concept as long as it is developed in a manner that preserves each state's authority over DA within its jurisdiction, is not overly costly, and does not involve per-line surcharges, *and therefore be it*

RESOLVED, that, if necessary, the FCC should take prompt action to update the record in CC Docket 99-273, *and be it further*

RESOLVED, that the FCC should take prompt action to promote retail DA competition, except that no FCC decision to adopt an alternative dial string in order to promote retail DA competition shall go into effect in a state unless that state concurs in or does not object to such action, *and therefore be it*

RESOLVED, that NARUC does not support a competitive retail DA scenario that involves a costly presubscription plan or any plan that involves a surcharge applied to all subscriber lines to recover conversion or ongoing costs, *and be it further*

RESOLVED, that if the FCC decides to adopt policies to promote retail DA competition and a state adopts such, it shall not impair the ability of any state to:

1. require that each subscriber is able to receive a minimum number of free telephone number inquiries.
2. require that, consistent with the federal policy, disabled subscribers, including the blind and severely mobility or motion impaired, are able to access free telephone number inquiries.
3. regulate the retail price subscribers are charged by providers of DA for telephone number inquiries.

and be it further

RESOLVED, that the NARUC General Counsel is authorized to file and take appropriate actions to further the intent of this resolution.