

May 4, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex parte filing - CC Docket No. 95-116*

Dear Ms. Salas:

On behalf of Dobson Communications Corporation and Dobson Cellular Systems (“Dobson”), this is to follow up on points made by the undersigned in meetings with Commission staff on April 22 and April 28, 2004. The attached letter to Dobson from counsel to a small incumbent local exchange carrier (“ILEC”) is merely one example of the resistance that Dobson continues to face as it seeks to prepare for the May 24, 2004 implementation of local number portability (“LNP”) in areas outside the largest 100 Metropolitan Statistical Areas (“MSAs”). The submission of this particular letter is not intended to single out the ILEC that sent it, for Dobson has received similar correspondence from a large number of other ILECs, as well as some small and rural wireless carriers.

The letter demonstrates that some ILECs continue to ignore the Commission’s Rules and the *Intermodal LNP Order*¹ by insisting on unreasonable conditions before even beginning to prepare for the impending LNP deadline. For example, this particular ILEC is insisting that Dobson have points of interconnection or numbering resources in the ILEC’s rate centers as a precondition to porting; suggesting that porting numbers to Dobson is “technically infeasible,” despite the additional time that the FCC has given small and rural ILECs to prepare for intermodal portability; suggesting that it will not provide Dobson with LNP until six months after the date of Dobson’s LNP inquiry, without regard to whether the ILEC received an earlier BFR triggering its LNP obligation; and suggesting that it unilaterally will review the sufficiency of Dobson’s LNP request, and may in its discretion refuse to comply with it.

¹ *Telephone Number Portability; CTIA Petitions for Declaratory Ruling on Wireline-Wireless Porting Issues, Memorandum Opinion & Order and Further Notice of Proposed Rulemaking, CC Docket No. 95-116, 18 FCC Rcd 23697 (2003) (“Intermodal LNP Order”).*

WILKINSON) BARKER) KNAUER) LLP

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Given the imminence of the deadline, and the continued recalcitrance of many carriers (such as the sender of the attached letter), Dobson would welcome further steps by the Commission to ensure that *all* carriers are aware of and prepared for the arrival of the May 24 deadline.

Please direct any questions regarding this filing to the undersigned.

Sincerely,

/s/

L. Charles Keller

Attachment

cc (by email): K. Dane Snowden

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April 22, 2004

Mr. David Wilson
Wilson & Bloomfield LLP
1901 Harrison Street, Suite 1630
Oakland, CA 94612

Subject: Trading Partner Profile/Service Level Agreement

Dear Mr. Wilson:

Our firm represents Oklahoma Western Telephone Company ("Oklahoma Western") who asked that we respond to your letter dated April 9, 2004, regarding a request for implementation of LNP and review of a proposed Service Level Agreement.

Oklahoma Western operates in areas located outside of the 100 largest MSAs. As such, Oklahoma Western's LNP obligations are subject to the FCC's limited waiver of the deployment date for wireline-wireless LNP until the later of May 24, 2004, or six months from the date of a bona fide request. If Mr. O'Hara's January 12 letter satisfies the FCC's requirements of a bona fide request, Oklahoma Western has until June 12, 2004, to deploy LNP pursuant to such request and Oklahoma Western will follow FCC rules governing deployment of LNP. Please fax a copy of Mr. O'Hara's letter to my office so that I may have an opportunity to review it.

As for the routing of calls to ported numbers, to my knowledge, Dobson Cellular Systems ("Dobson Cellular") has not established a point of interconnection with Oklahoma Western's network for the exchange of local traffic. In addition, Oklahoma Western does not have any outgoing trunks in place to route calls to Dobson Cellular's telephone numbers. As a result, all calls to Dobson Cellular's switch from Oklahoma Western's service areas are interexchange calls subject to the Act's equal access requirement. Because Dobson Cellular's switch is located outside the rate centers served by Oklahoma Western's switches, it is technically infeasible to route the call to Dobson Cellular over an interexchange carrier's facility.

To date, all wireline company LNP has been rate center based (i.e., local calls). With this limitation, Oklahoma Western's switches perform translations on the dialed number before they make a database query. Therefore, when a call is made to a ported number, it must be routed as a local call. The switch is incapable of making a subsequent query to determine the end user's

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presubscribed long distance carrier for routing purposes. As a result, the switch must have local trunks in place to which to route the call for completion to Dobson Cellular's switch.

As a result, it is technically infeasible for Oklahoma Western's switches to route calls to numbers ported to Dobson Cellular. For its switches to route calls to ported numbers, there must be an outgoing trunk facility identified to Dobson Cellular.

To date, Dobson Cellular has not identified a any two-way trunk facilities connecting Oklahoma Western's switches and Dobson Cellular's MSC. For the above reasons, Dobson Cellular must complete arrangements for its provision of two-way trunk facilities for the routing and transmission of calls to ported numbers from the companies' service areas to Dobson Cellular's switch location.

Enclosed is a service level agreement which describes the responsibilities of the parties and establishes the obligations of the parties with respect to the porting of telephone numbers between them and the routing of calls to ported numbers. This is not an interconnection agreement, but rather is an agreement forming the responsibilities and obligations of the parties for porting telephone numbers.

In order to schedule testing, these companies will require an executed copy of the Service Level Agreement in our files and installation of two-way trunk facilities for Dobson Cellular's routing of calls to numbers ported to Dobson Cellular's switch location. Please review the attached Service Level Agreement and return a signed copy at your convenience. If you have any questions, please feel free to call our office.

Sincerely,



Kendall Parrish

Enclosure

Cc: Oklahoma Western Telephone Co.