NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION
The Voice of Rural Telecommunications
www.ntca.org

October 25, 2004

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

Re: ***Ex Parte* Notice**

In the Matter of Developing a Unified Inter-carrier Compensation Regime, CC Docket No. 01-92

In the Matter of Telephone Number Portability, CC Docket No. 95-116

Dear Ms. Dortch:

On Monday, October 25, 2004, Jill Canfield, Senior Regulatory Counsel with the National Telecommunications Cooperative Association (NTCA) and Scott Reiter, NTCA's Senior Telecomm Specialist met with Jessica Rosenworcel, Commissioner Michael Copps' Legal Advisor for Competition and Universal Service Issues. We discussed NTCA positions on Sprint's Petition for Declaratory Ruling regarding rating and routing issues pending in CC Docket No. 01-92 and its impact on inter-modal number portability. NTCA's position is summarized in the attachment that was handed out at the meeting.

In accordance with the Commission's rules, an original and two copies of this letter are being filed with the Secretary's Office. If you have any questions, please do not hesitate to contact me at 703-351-2020.

Sincerely,

/s/ Jill Canfield
Jill Canfield
Senior Regulatory Counsel
Legal and Industry

cc: Jessica Rosenworcel

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Sprint Rating & Routing Petition
NTCA *ex parte*

- Sprint Petition
  - Is based on an incorrect reading of the law
  - Is an attempt to impose Sprint's costs of doing business on rural LECs

- Sprint's reading of the law is incorrect
  - Section 251(a) imposes a general duty to interconnect, but does not entitle the requesting carrier to choose method of interconnection to its financial advantage
  - Section 251(c)(2) requires a LEC to interconnect at any technically feasible point *within* its network
    - Is more specific than 251(a)
    - Indirect interconnection is at the discretion of the LEC
    - Rural ILECs are exempt from 251(c)
      - Does not make sense that rural LECs would have a greater burden than non-rural LECs

- Sprint attempts to impose costs of indirect interconnect on rural LECs
  - CMRS establishes point of interconnect within the RBOC network
  - Creates an indirect interconnection with the rural LEC
  - CMRS-Rural LEC point of interconnect is arbitrarily established at the RBOC LATA tandem
  - Costs associated with transporting traffic would be imposed on the rural LEC and its customers

- Granting Sprint's petition would exacerbate number porting difficulties
  - Current rules are not competitively neutral
  - Rural implementation costs are already disproportionately high
  - The remaining Rural LEC customers would receive none of the porting benefits and all of the costs

- NTCA's Position
  - The law does not require that CMRS carriers choose indirect interconnection at their discretion
  - Unilateral designation of the point of interconnection is contrary to industry practice
  - If CMRS carriers are permitted to choose indirect interconnection, they should be responsible for the associated costs.
    - Cost-causer pays for its own business decisions
    - CMRS carriers benefit from being able to offer "local" numbers and LNP to wireless customers