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December 21, 2004

VIA ECFS

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

Re: *National Association of State Utility Consumer Advocates' Petition for Declaratory Ruling*, CG Docket No. 04-208; *Truth-in-Billing and Billing Format*, CC Docket No. 98-170
Notice of Oral Ex Parte Presentation

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), the purpose of this letter is to notify the Commission that on Monday, December 20, 2004, John T. Scott, Vice President and Deputy General Counsel – Regulatory Law, Verizon Wireless, and the undersigned met with the following individuals from the Consumer and Governmental Affairs Bureau: Dane K. Snowden, Chief; Jay C. Keithley, Deputy Bureau Chief-Policy; Erica McMahon, Associate Division Chief-Policy, and Leon Jackler, Legal Advisor to the Bureau Chief.

The purpose of the meeting was to discuss the arguments advanced by Verizon Wireless in its Comments, Reply Comments and ex parte notifications filed in response to the Commission's Truth-in-Billing rulemaking proceeding and the related NASUCA petition. These pleadings focused on the reasons why the NASUCA petition should be denied and why it is in conflict with existing FCC orders permitting line items on bills. In this regard, consistent with its Reply Comments and arguments presented by others in the docket, Verizon Wireless argued that the Commission should declare that state regulation of CMRS line items is preempted under Section 332 of the Communications Act.[1] We also expressed the view that many state regulations are "inconsistent" with the federal scheme established for CMRS billing practices and thus contrary to 47 C.F.R. § 64.2400 (c).

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[1] As evidence of disparate state regulation, we discussed existing and proposed state regulations regarding wireless billing including California, Vermont, and New Mexico.

Verizon Wireless also emphasized its efforts and those of the industry to address potential wireless customer confusion regarding monthly billing statements and line item descriptions. In particular, we discussed the CTIA Code and the Assurance of Voluntary Compliance and the provisions therein that address "commingling" of taxes and non-mandated fees, and misleading descriptions. We also discussed a tool that Verizon Wireless uses to provide its customers at the point of sale with detailed information regarding their monthly billing statements and the fees associated therewith.

Please contact the undersigned if there are questions concerning this filing.

Respectfully submitted,

Kathryn A. Zachem

cc: Dane K. Snowden
Jay C. Keithley
Erica McMahon
Leon Jackler