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June 13, 2005

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

Re: Ex Parte Presentation
International Settlements Policy Reform, IB Docket Nos. 02-324, 03-38 and 96-261

Dear Madame Secretary:

On June 10, 2005, Patricia Paoletta of Harris, Wiltshire & Grannis LLP and Heather Dixon of Wiley Rein & Fielding, counsel to Globe Telecom Inc. of the Philippines, met with Sam Feder, Legal Advisor to Chairman Martin and Fred Campbell to discuss the FCC's treatment of the Philippines route. Counsel provided the Advisors a timeline of the Commission's regulatory treatment of the route (attached). Review of the regulatory status of the Philippines route is now well into its third year at the Commission. Counsel for Globe submit that it is now time for the FCC to conclude its review and lift the International Settlements Policy ("ISP") from the route, permitting the route to return to an environment of normal, commercial, flexible arrangements.

Background on the Current ISP Status of the U.S.-Philippines Route

Prior to the advent of widespread competition in global markets, the FCC developed the ISP to curtail the anticompetitive impact of foreign monopolists on competitive U.S. carriers and their customers. U.S. carriers operating on routes subject to the ISP must comply with a series of obligations. For instance, (1) U.S. carriers must publicly file with the FCC copies of their agreements with foreign carriers having market power on the foreign end of the route, (2) U.S. carriers must seek FCC approval prior to amending those agreements, (3) U.S. carriers may only accept from such foreign carriers the same accounting rate offered to their U.S. competitors, (4) U.S. carriers may only accept from such foreign carriers an accounting rate divided evenly, or symmetrically, between the U.S. and foreign carrier, so that inbound and outbound settlement rates are

identical, and (5) each U.S. carrier may only accept an amount of U.S.-inbound traffic proportionate to the U.S.-outbound traffic it sends to its foreign correspondent.[1]

Recognizing that fully competitive routes benefit consumers more than regulated relationships do, as competition developed on the foreign ends of U.S.-international routes, the FCC exempted many routes from the ISP after determining that the routes were largely free from anticompetitive practices. Until recently, for instance, the FCC exempted a route after a showing that the majority of traffic was settled at rates at least 25% below the FCC's benchmark or a showing that international private lines could be interconnected to the public switched network.

Until early 2003, the Philippines was "ISP-exempt" because the FCC had determined that the route was competitive. In March 2003, however, in response to petitions from AT&T and MCI regarding disputes with Philippine carriers over termination rates, the FCC's International Bureau reinstated the ISP on the U.S.-Philippines route in its *Stop Payment Order*, despite the fact that no U.S. carrier requested imposition of the ISP as a form of remedy.[2] Moreover, the Bureau took the unprecedented step of extending the ISP requirements, without any notice or comment, to all the Philippine carriers involved in the proceeding.

In response to the ensuing outcry over imposition of the ISP from U.S. and Philippine carriers alike, the FCC allowed carriers to continue providing service pursuant to "interim agreements" that the FCC did not require to be publicly filed.[3] Carrier letters are on the record to the effect that the Philippine carriers would not conclude agreements containing ISP-compliant, symmetric rates in 2003, after having settled traffic with U.S. carriers under asymmetric, more flexible rates for years.[4] All the carriers involved, both

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1 *See* 47 C.F.R. § 43.51; *International Settlements Policy Reform*, First Report and Order, 19 FCC Rcd 5709, 5715 (¶ 12) (2004) ("ISP Reform Order").

2 *AT&T Corp. Emergency Petition for Settlements Stop Payment Order and Request for Immediate Interim Relief and Petition of WorldCom, Inc. For Prevention of "Whipsawing" On the U.S.-Philippines Route*, Order, 18 FCC Rcd. 3519 (2003) ("Stop Payment Order").

3 Chairman Powell explained this approach in a letter to the Chairman of the Philippines regulator, the National Telecommunications Commission ("NTC"): "We understand that U.S. carriers are currently negotiating interim arrangements with Philippine carriers for payment of services. As interim arrangements are not the final agreements required to be submitted to the Commission under our rules, we do not review those agreements." Letter from Chairman Powell to NTC Chairman Borje, IB Docket No. 03-38, at 1 (dated Oct. 15, 2003) ("Powell Letter").

4 *See* Letter from Henry Goldberg, Counsel for PLDT, to Marlene Dortch, FCC Secretary, IB Docket No. 03-38 (dated Sept. 29, 2003); Letter from Henry Goldberg, Counsel for PLDT, to Marlene Dortch, FCC Secretary, IB Docket No. 03-38 (dated Oct. 7, 2003); Letter from Patricia Paoletta, Counsel for Globe, to Marlene Dortch, FCC Secretary, IB Docket No. 03-38 (dated Oct. 6, 2003).

U.S. and Philippine, had reason to believe that, by permitting "interim agreements," the FCC was permitting asymmetric, unfiled rates until it lifted the ISP[5], at which point, the agreements would be made final.

During the Fall of 2003, in advance of the October 18th meeting between President George W. Bush and President Gloria Macapagal-Arroyo,[6] various entities were attempting to facilitate a resolution of the commercial dispute and return the route to commercial normalcy. Following discussions between NTC Chairman Borje, Chairman Powell and staff on the importance of allowing carriers to continue to terminate traffic under commercial, ISP-exempt, asymmetric rates, Chairman Powell commemorated the discussions by sending an October 15th letter to Chairman Borje, in which he noted that:

> [A]ny modification of the [*Stop Payment*] Order would occur in the proceeding seeking review of that Order. I cannot make a firm commitment as to when the Commission may undertake such action, but be assured that we will move expeditiously once circuits are restored on the route.[7]

When the *Order on Review* was released in May 2004, however, it failed to lift the ISP from the U.S.-Philippines route.[8] Instead, contrary to the commitment Chairman Powell had made the previous year, the Commission instead found that the process for lifting the ISP from the Philippines route would be conducted under the ISP Reform proceeding, not during review of the *Stop Payment Order*.[9]

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5 *See* Letter from NTC Chairman Borje to Chairman Powell, IB Docket No. 03-38 (dated Nov. 20, 2003).

6 *See* http://usembassy.state.gov/posts/rp1/wwwhr136.html (Philippines President Gloria Macapagal-Arroyo welcomes President Bush to Manila during State Visit October 18, 2003).

7 Powell Letter at 1-2. By February 12, 2004, the FCC had found that each of the Philippine carriers affected by the *Stop Payment Order* had restored all circuits of impacted U.S. carriers. *See Suspension Lifted on U.S. Carrier Payments to Subic*, Public Notice, IB Docket No. 03-38, (rel. Feb. 12, 2004) ("February 2004 Notice"). In the Public Notice announcing the lifting of the payments suspension, the Commission stated "The Bureau's March 10, 2003 Order, including the requirement for application of the ISP, is subject to Applications for Review in IB Docket 03-38." *Id.*

8 *AT&T Corp. Emergency Petition for Settlements Stop Payment Order and Request for Immediate Interim Relief and Petition of WorldCom, Inc. For Prevention of "Whipsawing" On the U.S.-Philippines Route*, Order on Review, 19 FCC Rcd. 9993 (2004) ("Order on Review").

9 *Id.* at 10003 (¶ 19).

In the *ISP Reform Order*, the FCC acknowledged that the ISP often curbs competitive advances. The FCC explained that eliminating the ISP from certain routes would "simplify the . . . current regulatory regime" and "serve the purpose of expanding the opportunity for flexible, commercial arrangements . . . to the benefit of U.S. competition and U.S. customers."[10] Accordingly, the FCC announced in March 2004 – over a year ago and a year after formally and unilaterally imposing the ISP on the route – its intention to remove the ISP from a list of "benchmark-compliant" routes, including the Philippines.[11] At the same time, it invited "interested parties" to file comments with respect to these routes, noting that it would then lift the ISP on all of the routes "for which no *reasonable concerns* have been raised."[12] The FCC stated that it would "address those routes on which concerns have been raised after full review of the issues raised."[13] In other words, the FCC had articulated in March 2004 a procedure under which it would lift the ISP from the U.S.-Philippines route (and other routes) unless an interested party raised a *reasonable* concern. A *reasonable* concern, in the context of lifting the ISP – a policy designed to prevent a dominant foreign carrier from extracting supra-competitive, above-benchmark settlement rates or excluding competitive U.S. carriers from the market – would relate to above-benchmark rates or special concessions on a route.

Several carriers – including the three largest U.S. carriers active on the route (AT&T, MCI, and Sprint) – filed comments, reply comments, and letters affirming that the route is benchmark-compliant and urging the FCC to lift the ISP promptly.[14] Moreover, PLDT and BayanTel also supported removal of the ISP on the route. By contrast, only Access International, whose executives have business ties with the Philippines and who carries a small share of traffic on the route, objected.[15] Notably,

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[10] *ISP Reform Order*, 19 FCC Rcd at 5723 (¶ 27).

[11] *Id.* at 5724 (¶ 29).

[12] *Id.* (emphasis added).

[13] *Id.*

[14] *See, e.g.,* Comments of AT&T Corp., IB Docket Nos. 02-324, 96-261, at 1 (filed June 28, 2004); Letter from Douglas Schoenberger, AT&T, to Marlene H. Dortch, FCC Secretary, IB Docket Nos. 02-324, 96-261, at 1 (filed June 29, 2004); Reply Comments of MCI, Inc., IB Docket Nos. 02-324, 96-261, at 1-2 (filed July 15, 2004); Reply Comments of Sprint Corporation, IB Docket Nos. 02-324, 96-261, at 1-2 (filed July 13, 2004); Reply Comments of Bayantel, IB Docket Nos. 02-324, 96-261, at 3 (filed July 13, 2004); Reply Comments of PLDT, IB Docket Nos. 02-324, 96-261, at 7 (filed July 13, 2004).

[15] *See* Comments of International Access Inc. d/b/a Access International, IB Docket Nos. 02-324, 96-261, 03-38 (filed June 28, 2004).

however, Access failed to present arguments or information that give rise to any "reasonable concerns" about the route, as the FCC had required.[16]

Access objected on the ground that the U.S.-Philippine carriage agreements are not on file at the FCC as the ISP requires.[17] This argument is entirely self-defeating, however, as the FCC itself crafted the approach under which carriers need not file "interim" agreements.[18] The record is replete with evidence that no carrier, Philippine or U.S., expected to negotiate ISP-compliant rates. Instead, the record is clear that a precondition for getting direct traffic flowing on the route again was permitting non-ISP-compliant, "interim" agreements between the U.S. and Philippine carriers.[19] Therefore, the lack of filed, ISP-compliant agreements cannot be the basis for a "reasonable concern," as the *ISP Reform* Order requires, because it is the product of the FCC's own guidance. Indeed, the FCC has already rejected identical arguments from Access on these same grounds, explaining in the *Order on Review* that "[t]he Commission does not require carriers to file interim agreements under the ISP."[20] Following that rejection of Access's position, the FCC invited Access to raise other objections but only "[t]o the extent Access may have *more expansive competitive concerns*."[21] Access' reiteration of the same argument does not meet that heightened standard.

Access also speculated that rates on the U.S.-Philippines route may exceed the FCC's benchmarks, but it offered nothing to substantiate those allegations. To the contrary, Access conceded that it is "unable to determine whether or not the rates available . . . are non-discriminatory." In spite of this, though, it leveled charges of discrimination.[22] Such unsubstantiated allegations cannot rise to the level of a "*reasonable* concern," particularly in light of the uniform assurances of other carriers that

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16 *See* Letter from Mitchell Brecher, Counsel for Access International, Marlene H. Dortch, FCC Secretary, IB Docket Nos. 02-324, 96-261, 03-38 (dated Mar. 30, 2005); Letter from Mitchell Brecher, Counsel for Access International, to Marlene Dortch, FCC Secretary (dated May 4, 2005).

17 Access stated its position regarding the lifting of the ISP for the non-dominant Philippine carriers in a subsequent letter: "Lest there be any misunderstanding, Access has no objection to removal of the ISP with respect to those Philippine carriers which are themselves non-dominant. It continues to oppose removal of the ISP with respect to PLDT – which remains the dominant carrier in the Philippines – as well as any Philippine carriers owned by or controlled by PLDT." Letter from Mitchell F. Brecher, Counsel to Access International, to Marlene Dortch, FCC Secretary, IB Dockets 02-324 and 96-261 (July 20, 2004) at 3.

18 *See* Powell Letter.

19 *See, supra,* notes 1, 3-5.

20 *Order on Review*, 19 FCC Rcd. at 9995 (¶ 2) n.9.

21 *Id.* (emphasis added).

22 Access Comments at 6.

rates are benchmark-compliant, and the Commission's stated policy that ISP-exemption serves the public's interest in competitive, market-driven rates better than regulation.[23]

Notwithstanding Chairman Powell's earlier implication that the FCC would address lifting the ISP in the *Order on Review*, the speculative and inapposite nature of Access's objections, and the comments from the major U.S. and Philippine carriers explaining that the objections do not amount to reasonable concerns,[24] the Bureau gave Access' comments credence. In a *Public Notice* released at the end of August 2004, the Bureau lifted the ISP from nineteen countries, but left it in place with respect to the Philippines.[25] In doing so, however, the Bureau did *not* apply its standard that only "reasonable concerns" would suffice. Instead, the Bureau maintained the ISP merely because "concerns [were] raised," neglecting to indicate or assess whether they were reasonable or not.[26]

Without providing detail or explanation, the FCC proceeded in August 2004 to adopt a brand-new procedure, not previously notified, for considering the status of the U.S.-Philippines and certain other routes. Specifically, in a departure from both the October 2003 Powell Letter and the process outlined in the *ISP Reform Order*, the FCC "request[ed] that U.S. carriers certify that the current rates on the remaining routes are benchmark-compliant prior to lifting the ISP."[27]

In response to the FCC's novel request, AT&T, Sprint and MCI each certified that rates on the U.S.-Philippine route are benchmark-compliant.[28] Access also filed a letter

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23 *See ISP Reform Order*, 19 FCC Rcd. at 5723 (¶ 27) (explaining that eliminating the ISP would "serve the purpose of expanding the opportunity for flexible, commercial arrangements . . . to the benefit of U.S. competition and U.S. customers").

24 *See, e.g.,* Reply Comments of MCI, Inc., IB Docket Nos. 02-324, 96-261, at 1-2 (filed July 15, 2004); Reply Comments of Sprint Corporation, IB Docket Nos. 02-324, 96-261, at 1-2 (filed July 13, 2004); Reply Comments of Bayantel, IB Docket Nos. 02-324, 96-261, at 3 (filed July 13, 2004); Reply Comments of PLDT, IB Docket Nos. 02-324, 96-261, at 7 (filed July 13, 2004).

25 *Commission Lifts the International Settlements Policy on Certain Benchmark-Compliant Routes, Seeks Further Comment on Other Routes*, IB Docket Nos. 02-324, 96-261, at 2 (rel. Aug. 31, 2004) ("August 2004 Notice").

26 *Id* at 1.

27 *Id.*

28 *See* Letter from James J.R. Talbot, Senior Attorney, AT&T, to Marlene Dortch, FCC Secretary, IB Docket Nos. 02-324, 96-261, at 1 (filed Sept. 24, 2004); Letter from David A. Nall, General Attorney, Sprint, to Marlene Dortch, FCC Secretary, IB Docket Nos. 02-324, 96-261, at 1 (filed Sept. 28, 2004); Comments of MCI, Inc., IB Docket Nos. 02-324, 96-261, at 2 (filed Sept. 29, 2004).

in response to the *Public Notice*.[29] In addition to repeating its claims, Access argued that PLDT continues to engage in anticompetitive behavior. In support of this argument, Access produced a PLDT US calling card that, Access claimed, shows that PLDT US is *undercutting* its competitors.[30] Access did not explain how such pricing related to the issue at hand – whether PLDT maintains above-benchmark rates.

In October 2004, NTC Commisioner Solis, visited the FCC. During his visit, he repeated NTC's 2003 request that the FCC lift the ISP from the route.[31] In a letter commemorating his discussion with the FCC's International Bureau's Chief, Commissioner Solis noted that "Firstly, we thought all along that all the disputed issues related to termination rate [sic] had been put to rest when the Philippine and US carriers were able to negotiate and later concluded agreements at fair and reasonable termination rate levels which caused the resumption of services, settlements and payments on or before January 2004 and especially, the lifting by the FCC's International Bureau of its stop payment order."[32] Commissioner Solis continued "The NTC is invoking the October 2003 letter of Chairman Michael Powell to then Commissioner Borje where Mr. Powell assured the NTC that the FCC would move quickly to lift the Philippines' ISP status when reviewing the March 2003 Stop Payment Order. Unfortunately, despite said assurance, until now the US-Philippine route remains non-exempt from ISP."[33] Today, more than half a year later, and after additional, multiple carrier assurances,[34] the route remains subject to the ISP.

ISP Review in 2005

In the Commission's *Order on Review*, the Commission noted that the 2003 application of ISP on the route was "superceded" by the ISP Reform Order. The criteria under the Reform Order have since been met by the U.S. carriers' repeated assurances to the Bureau that rates to the Philippines are benchmark-compliant.

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[29] *See* Letter from Mitchell F. Brecher, Counsel for Access International, to Marlene Dortch, FCC Secretary, IB Docket Nos. 02-324, 96-261 (filed Sept. 23, 2004).

[30] *See id.* at 4-5

[31] *See* Letter from Commissioner Ronald Olivar Solis, National Telecommunications Commission, Department of Transportation and Communications, Republic of The Philippines, to Mr. Donald Abelson, Chief, International Bureau, FCC (November 4, 2004).

[32] *Id.* at 2.

[33] *Id.*

[34] *See* Letter from James J.R. Talbot, Senior Attorney, AT&T, to Marlene Dortch, FCC Secretary, IB Dockets 03-38, 02-324, 96-261 (March 23, 2005); *see also* Letter from David A. Nall, General Attorney, Sprint, to Kimberly Cook, International Bureau, IB Dockets 03-38, 02-324, 96-261 (March 22, 2005); *see also* Letter from Craig Silliman, Vice President, International Legal & Regulatory, MCI, to Marlene H. Dortch, FCC Secretary, IB Dockets 03-38, 02-324, 96-261 (March 11, 2005).

Moreover, the Bureau has been reminded that the expectation of the U.S. carriers and Philippine carriers is to continue to exchange traffic on the basis of non-ISP compliant rates. In response to February 2005 Bureau inquiries regarding the existing agreements, U.S. carriers noted on the record that once the Bureau lifts the ISP, they expect their interim agreements to become final.[35] This expectation is consistent with what they told the Bureau in the Fall of 2003. U.S. carriers also reiterated that Philippine carriers will not revert to non-commercial, inflexible, non-market based ISP agreements.[36]

Ironically, the Commission stated repeatedly in its *ISP Reform Order* that it was adopting its reform procedures to "expedite" the process by which carriers can respond to market conditions and negotiate more commercial arrangements.[37] Yet, despite its stated interest in such expedition, the Commission has subjected the Philippines route to uncertainty for over two years, including one year since the June 2004 assurance to the Commission by the U.S. carriers that Philippine termination rates are benchmark-compliant. This delay is capricious in light of the fact that the Commission acknowledged that re-imposition of the ISP may not be the most effective remedy in response to certain allegations of competitive harm and may "cause further detriment to U.S. competition and U.S. customers on a route."[38]

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[35] *See id.*

[36] *Id.*; *see, i.e..,* Letter from Craig Silliman, Vice President, International and Regulatory, MCI, to Marlene H. Dortch, FCC Secretary, IB Dockets 03-38, 02-324, 96-261 (March 11, 2005). ("For the past year, MCI's experience is that negotiations with Philippine carriers for traffic settlement have taken place on an open and competitive basis. Unfortunately, the Commission's reimposition of ISP restrictions complicates, rather than facilitates, pro-competitive settlement arrangements. Having matured, previously, to a more flexible contractual arrangement, shifting back to a strict ISP structure requires a significant and fundamental retrenchment."); *see also* Letter from James J.R. Talbot, Senior Attorney, AT&T, to Marlene Dortch, FCC Secretary, IB Docket Nos. 03-38, 02-324, 96-261, at 1 (filed Mar. 23, 2005); ("AT&T has been unable to negotiate ISP-compliant arrangements with any Philippine carrier. Notably, because commercial arrangements were well-established on this route prior to 2003, and all Philippine carriers are no doubt well aware that termination arrangements for U.S.-inbound traffic are readily available from a wide variety of third-country foreign carriers at market-based rates, AT&T has been unable to obtain any agreement by these carriers to pay symmetrical settlement rates for their U.S.-bound traffic. AT&T's interim arrangements with [PLDT] would become final if the Commission removed the ISP from the route and allowed commercial arrangements between U.S. and Philippine carriers.").

[37] *See, e.g., ISP Reform Order,* 19 FCC Rcd at 5724(¶ 28), 5728(¶ 38), 5733-5734(¶¶ 51 –52), 5731n. 116.

[38] *Id.* at 5731(¶ 47).

Justice Investigation

In January 2004, approximately a year after U.S. carriers had raised their concerns about increased rates to the FCC, and just as commercial negotiations were resulting in new, post-*Stop-Payment Order* agreements, the Justice Department served subpoenas on a number of Philippines telecom executives while they were attending an industry conference in Hawaii, the Pacific Telecom Council. In May 2005, after a year and a half investigation, Justice has closed its investigation. Yet, the FCC review of the regulatory status of the route continues, into its third year.

Conclusion

The Philippine regulator and carriers were led to believe the ISP would be lifted once traffic was flowing again between the two countries,[39] which it largely was by November 2003.[40] Despite regulator-to-regulator assurances to this effect in 2003, the International Bureau has not lifted the ISP from the U.S.-Philippines route. Instead, it has required compliance with the process set forth in the ISP Reform Order released in March 2004, under which the ISP is lifted from a route after the Bureau determines, after a public comment period, that no "reasonable concerns" have been raised about the route.[41] It then created additional regulatory hoops for carriers to jump through in the August 2004 public notice, which required written certifications from U.S. carriers that the "current ongoing rate[s]" are benchmark compliant.

Despite assurances from every major U.S. carrier active on the U.S.-Philippines route that the rates are below the FCC's benchmark and requests from these carriers to lift the ISP on the route, the Bureau has allowed the inapposite claims of a single U.S. carrier – which do not amount to "reasonable concerns" – to delay the lifting of the ISP from the route. Because all of the conditions precedent for lifting the ISP from the U.S.-Philippines route have been met, the Commission must ensure that the Bureau acts expeditiously to remove the ISP from the route, either through the *ISP Reform Order* proceeding or the *Order on Reconsideration* proceeding.

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[39] *See* Letter from NTC Chairman Borje to Chairman Powell (dated Sept. 16, 2003); *see also* Powell Letter.

[40] *See* February 2004 Notice.

[41] *See ISP Reform Order*, 19 FCC Rcd at 5724(¶ 29) (2004); *see also* August 2004 Notice.

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Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

Patricia J. Paoletta
Counsel for Globe Telecom, Inc.

cc: Sam Feder
Fred Campbell
Attachment: Timeline of ISP Treatment on Philippines Route

Timeline of ISP Treatment on Philippines Route - December 2002 – June 2005

- Late 2002 – Philippine carriers agree to increases in domestic access charges and notify foreign correspondents of increases in international termination rates.
- Jan 2003 - IB sends letter to Philippines regulator re proposed increased rates.
- Feb 2003 - IB publishes PN re enforcement proceedings on Philippine carriers.
- March 2003 – Bureau adopts Stop-Payment Order and imposes ISP, unrequested.
- April 2003 – Philippine and U.S. carriers appeal Stop-Payment Order.
- Sept – Oct 2003 – FCC and NTC discuss resolution through interim agreements; Powell states ISP will be lifted "expeditiously" after circuits are restored.
- Nov- Dec 2003 – Most U.S. and Philippine carriers conclude "interim agreements" and circuits are restored.
- January 2004 – DOJ subpoenas Philippine executives in Hawaii during PTC.
- March 2004 – Access files a Petition for Enforcement of March 2003 ISP requirement; FCC adopts ISP Reform Order and lists the Philippines as benchmark compliant; states ISP will be lifted absent "reasonable" concerns.
- May 2004 – Commission upholds Bureau Order; does not lift ISP.
- June 2004 – Access complains that PLDT is discriminating; major U.S. carriers assure the Bureau rates are benchmark compliant and urge lifting of ISP.
- August 2004 – Bureau requires U.S. carriers to certify rates within benchmark.
- Sept 2004 – U.S. carriers certify rates are within benchmark; again urge lifting.
- October 2004 – NTC Commissioner Solis visits FCC and urges lifting of ISP.
- Feb 2005 – Bureau asks major U.S. carriers about interim agreements.
- March 2005 – U.S. major carriers reply that agreements will become final when FCC lifts ISP and that ISP-compliant agreements are unobtainable.
- May 2005 – DOJ closes its investigation of the Philippine carriers; Bureau sends information request re Access claims to PLDT; PLDT responds.
- June 2005 – Globe visits Bureau and requests ISP lifting.