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January 19, 2006

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TWB-204
Washington, DC 20554

Re: CG Docket No. 02-386, Rules and Regulations Implementing Minimum Customer
Account Record Exchange Obligations

Dear Ms. Dortch:

This Ex Parte supplements the Ex Parte in the above referenced proceeding that was filed on January 13, 2006. That Ex Parte documented a conference call that was held on January 12, 2006 in which the industry CARE Coalition (AT&T, Bell South, Qwest, Sprint and Verizon) discussed proposed clarifications to the Commission's Report and Order in the above referenced proceeding with David Marks, Lisa Boehley, Nancy Stevenson and Erica McMahon of the Consumer and Governmental Affairs Bureau.

The following provides additional information regarding the Coalition's proposed clarifications to Section 64.4002(g) that were discussed on the conference call. The Coalition presented two specific clarifications and the rationale for those clarifications. Specifically, the Coalition proposed clarifications inserted the words "in LEC" and removed the word "new" as indicated in the following revised language for Section 64.4002(g):

(g) Change of local service provider. When a customer changes LECs, the customer's former LEC must notify the customer's PIC(s) of the customer's change in LECs and, if known, the identity of the customer's new LEC. If the customer also makes a PIC change, the customer's former LEC must notify the customer's former PIC(s) of the change **in LEC** and the new LEC must notify the customer's **new** PIC of the customer's PIC selection. If the customer's LEC is unable to identify the customer's new LEC, the former LEC must notify the customer's PIC of a local service disconnection as described in subsection (f). The notification also must contain information, if relevant and to the extent that it is available, reflecting the fact that an account change was the result of: (1) the customer porting his number to a new LEC; (2) a local resale arrangement (customer has transferred to local reseller); or (3) the discontinuation of a local resale arrangement.

The Coalition requested that the words “**in LEC**” be inserted in order to clarify which change was being referenced. This change aligns this section of the Order with existing industry processes and definitions for the *change of local service provider* business activity. The Coalition also requested to remove the word “**new**”. In today’s PIC change process when an end user customer changes his Local Provider, the customer’s PIC may or may not change. As such, the PIC is not always a *new* PIC. It is important for the new Local Provider to notify the PIC selected regardless of whether the PIC is the same [retained] or a new PIC. The Coalition believes eliminating the word **new** removes any ambiguity as to when the PIC activity would need to be communicated to the impacted IXC(s).

The FCC staff and the Coalition discussed what information is known and not known by an old local provider in a *change local service provider* business activity. As a result of the discussion, it was understood that the old LSP does not know if the PIC is changing or being retained in conjunction with a change in local service provider. The old LSP only knows that the customer is changing their local service provider. Today, the old local service provider’s notification of a change in local service provider to the PIC(s) indicates the change in local provider may or may not also include a change in PIC. The existing industry process and definition clearly states that if the old PIC does not receive a PIC confirmation notification from the new local provider indicating they were selected as the PIC, then the old PIC should disconnect the customer as PIC. The following example illustrates these points.

Example: When an end user customer changes local providers (and retains the old PIC as PIC at the new local provider), the old local provider notifies the old PIC that the customer is changing their local provider, and the customer’s new local provider notifies the old PIC confirming the end user customer’s decision to retain the old IXC as the customer’s PIC. *As a result of the new local provider confirmation of PIC, the old PIC retains the customer as PIC.* On the other hand, when an end user customer changes local providers (and changes their PIC), the old local provider notifies the old PIC that the customer is changing local providers, and the new local provider notifies the new IXC that the customer has chosen them as their PIC. *As a result, the old PIC did not receive a confirmation notification from the new local provide. As such, the old PIC should disconnect the customer as PIC, since they were not retained as PIC at the new local provider.*

One electronic copy of this Notice is being submitted to the Secretary of the FCC in accordance with Section 1.1206 of the Commission’s rules.

Sincerely,

Mike DellCasino/PKA

cc: David Marks
Lisa Boehley
Nancy Stevenson
Erica McMahon