



**Notice of *Ex Parte* Presentation
(47 C.F.R. § 1.1206)**

February 17, 2006

Ms. Marlene H. Dortch
Federal Communications Commission
445 12th Street, SW
Room TW B204
Washington, DC 20554

Re: *In re: Truth-in-Billing Format, Second Further Notice of Proposed Rulemaking, CC Docket No. 98-170, CG Docket No. 04-208.*

Dear Ms. Dortsch:

On February 16, 2006, representatives of the National Association of State Utility Consumer Advocates (“NASUCA”) met with Chairman Kevin J. Martin and Dan Gonzalez, Chief of Staff. NASUCA representatives were its President, John R. Perkins, Consumer Advocate, Iowa Office of Consumer Advocate, and Kathleen F. O’Reilly, Counsel to NASUCA.

The meeting included a discussion of NASUCA’s ongoing efforts regarding arrangements for the upcoming annual *NASUCA Capitol Hill Conference* in which Commissioners and Bureau Chiefs have traditionally participated. Also discussed was where consumers most frequently direct complaints related to the unauthorized disclosure of sensitive customer information held by telecommunications companies.

With respect to this year’s upcoming NASUCA Capitol Hill Conference, NASUCA members in attendance would welcome the opportunity to engage in a dialogue with Commission representatives as to the Commission’s methodology for data collection related to telecommunications-related consumer complaints, including the processing, analysis, and periodic reporting on such data.

In the meeting Mr. Perkins described his recent Senate testimony in which preemption was discussed. He described NASUCA’s policy regarding the importance of maintaining the practical and legitimate regulatory role of the states, including the basis and examples that support such policy. Preemption was also discussed in the context of the above-captioned proceeding. NASUCA representatives emphasized that ongoing complaint levels confirm that consumers continue to experience a wide range of problems both with wireless (despite the industry’s voluntary Code of Conduct) and other providers including long distance. As described by NASUCA representatives, the number of states with regulatory authority over wireless has in fact been shrinking. Claims of burdensome state regulations are variously

exaggerated or based, for example, on an alleged state requirement that apparently does not exist, i.e., the requirement of a specific font size.

Very truly yours,

/s/ David C. Bergmann
David C. Bergmann
Assistant Consumers' Counsel
Chair, NASUCA Telecommunications Committee
Office of the Ohio Consumers' Counsel
10 West Broad Street, Suite 1800
Columbus, OH 43215-3485
Telephone: 614-466-8574
Facsimile: 614-466-9475

NASUCA
8380 Colesville Road, Suite 101
Silver Spring, MD 20910
Phone (301) 589-6313
Fax (301) 589-6380