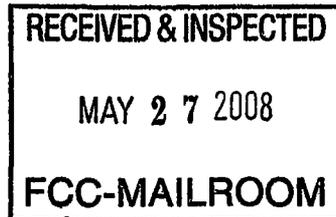




N A R U C  
National Association of Regulatory Utility Commissioners

May 21, 2008

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



Re: NARUC Request for Modification of *Ex Parte* Rules in

Bright House Networks et al. v. Verizon, File No. EB-08-MD-002  
Local Number Portability, WC Docket Nos. 07-243, 07-244

Dear Ms. Dortch:

The National Association of Regulatory Utility Commissioners (NARUC) is writing to request the Federal Communications Commission (FCC) modify the *Ex Parte* Rules in the above-captioned proceeding from restricted to a permit-but-disclose proceeding.

NARUC is a quasi-governmental nonprofit organization founded in 1889. NARUC's members include those governmental bodies of the fifty States, the District of Columbia, Puerto Rico, and the Virgin Islands, that engage in the regulation of carriers and utilities. NARUC's members are charged with the duty of regulating the telecommunications common carriers within their respective borders.

The April 11, 2008 Recommended Decision<sup>1</sup> could have a broad impact on both federal, and potentially State, retention marketing practices. It also relies on interpretations of the relevant statutory text that could impact policy other issues. Unfortunately, the classification of the proceeding restricts others impacted by any final Commission action from effectively voicing their concerns.

While NARUC itself does not at this time have a specific policy resolution addressing the instant case, NARUC does have an interest in a procedure that allows its members to fully participate in relevant matters before the FCC. At least six NARUC member States have either already filed in this docket asking the FCC to revise the status of this proceeding to "permit-but-disclose" or have indicated to the undersigned they are actively considering doing so. Indeed, one NARUC member that has already filed has already specified they expect to both submit

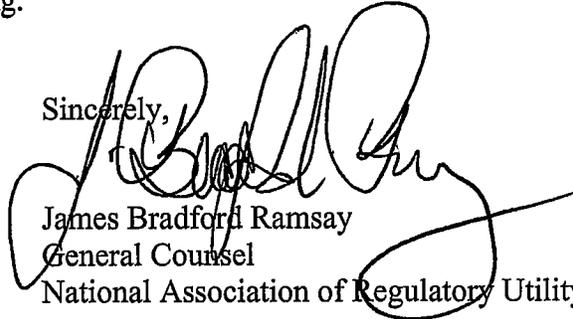
<sup>1</sup> *In the Matter of Bright House Networks, LLC, et al. v. Verizon California, Inc.*, File No. EB-08-MD-002 (rel. Apr. 11, 2008) (Recommended Decision).

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written comments on the merits of the Bureau recommendation and "engage in ex parte discussions" if the FCC changes the status of the proceeding.<sup>2</sup>

In light of the foregoing, NARUC respectfully requests that the FCC modify this docket to a permit-but-disclose proceeding.

Sincerely,



James Bradford Ramsay  
General Counsel  
National Association of Regulatory Utility Commissioners

cc: Chairman Kevin Martin  
Commissioner Michael Copps  
Commissioner Jonathan Adelstein  
Commissioner Deborah Taylor Tate  
Commissioner Robert McDowell

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<sup>2</sup> *May 9, 2008 Letter to Ms. Marlene H. Dortch from Sharon E. Gillett, Commissioner, Massachusetts Department of Telecommunications and Cable, Filed in EB-08-MD-002, at 2.*

**CERTIFICATE OF SERVICE**

I, James Bradford Ramsay, do hereby certify that on May 21, 2008, I served a true copy of the foregoing letter in the accelerated docket proceeding of *Bright House Networks, LLC, Comcast Corporation and Time Warner Cable Inc. v. Various Verizon Companies*, File No. EB-08-MD-002, via first class mail postage prepaid and electronic mail upon the following:

**Verizon Communications, Inc.\***

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\* Also served by messenger

\*\* The Enforcement Bureau received seven copies of the foregoing document.

