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June 13, 2008

Mr. Brent Greenfield
Federal Communications Commission
Washington, DC 20554

Dear Mr. Greenfield:

During my testimony at the Commission's June 12, 2008 *en banc* hearing on wireless early termination fees, I referred to a brochure that I had obtained from a Sprint PCS retail store in Boston, and indicated that I would provide the brochure, entitled "Service Plans & Rates For Sprint and Nextel Phones," for the record. At the conclusion of the hearing, I gave you the brochure, along with a Spanish version thereof, for inclusion in the record.

The Sprint brochure refutes claims made by Sprint that its customers are offered the ability to choose between comparable contract and non-contract (i.e., month-to-month) calling plans. The brochure describes a number of contract plans, but refers to only one (1) Month-to-Month Plan in relatively small type at the lower right-hand corner of the front side of the brochure. The text reads as follows:

Month-to-Month Plan

Available to Sprint Phones only

For an additional \$10/month, you may select the Sprint Basic Plan without a term commitment with roaming charges of 69¢/min, plus 25¢/min roaming for long distance. No roaming charges may be added to this option for an additional \$5/month.

The "Sprint Basic Plan" being referred to here offers 200 Anytime Minutes for \$29.99 per month plus 45 cents per minute for usage in excess of 200 minutes. The plan includes No Roaming Charges, Unlimited Night & Weekend calling starting at 9PM, and Nationwide Long Distance. Importantly, the brochure makes no reference to any month-to-month non-contract offerings that

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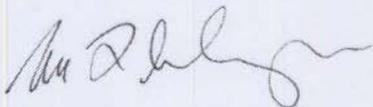
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would be comparable to the Sprint Power Pack Plans, which offer larger blocks of Anytime Minutes (from 450 to Unlimited), and Night/Weekend calling starting at 7PM instead of 9PM. Similarly, there is no mention in the brochure of any month-to-month offering comparable to the Sprint Free Incoming Plans or the Sprint Power Pack Family Plans. With respect to all of these offerings, the brochure states: "Two-year subscriber agreement required with all plans."

The Sprint brochure demonstrates that customers are *not* being offered true choices as between otherwise comparable contract and month-to-month plans, since all but the lowest-use, highest price-per-minute plan are being offered solely on a contract basis. The fact that the vast majority of Sprint customers have selected contract plans rather than month-to-month plans cannot support any inference that customers "prefer" contract plans. The only inference that can be drawn is that, given that the average usage of wireless services in the US is in the 800 minutes-per-month range, the only plans that offer customers advantageous pricing for usage at this level are available solely under term contracts.

Thank you for the opportunity to supplement the record with this additional material.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee L. Selwyn", written in a cursive style.

Lee L. Selwyn



Service Plans & Rates
For Sprint® and Nextel® Phones

Referral Program

Refer a friend and you both get a \$25 Visa debit card. Get up to \$300 per year to spend wherever Visa is accepted. Ask a store associate or go to sprint.com/referralprogram for details.

CALL 800-Sprint-1

CLICK sprint.com

GO to the nearest Sprint or Nextel Store



The Nextel National Network reaches over 274 million people. The Nationwide Sprint Network reaches over 262 million people. The Sprint Mobile Broadband Network reaches over 200 million people. © 2008 Sprint. All rights reserved. SPRINT, the Sprint logo, and other trademarks are trademarks of Sprint Nextel. All other product or service names are property of their respective owners. All rights reserved.

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*Your plan.
Your way.*

Get What You Want in 3 Easy Steps

1 Stylize

Choose a style of phone with the features and capabilities you want.

2 Customize

Begin customizing your phone by selecting a service plan with the minutes you need.

3 Optimize

Purchase add-ons to enable the features on your phone. Check with a sales representative to make sure your phone capabilities match up with your selections.

Enjoy life at SprintSpeed[®]

*With Sprint, you can send messages instantly, quickly send pics, access weather and more on the go. Plus, you can rest assured you'll get exactly what you want with our 30-day guarantee.**

Know where you're covered.

Before you buy, find out where you're covered at sprint.com/coverage.

Change your plan at any time.

Our Sprint Right Plan Promise allows you to change your plan at any time without extending your contract so if your needs change, so can your plan.

Get the latest phones.

Keep up with the latest phone technology and enjoy incredible savings with the Sprint New For You Upgrade™ Program. Learn more at sprint.com/upgrades.

* To qualify, you must within 30 days of activation: (1) return your complete, undamaged phone with the original retailer's proof of purchase to where you purchased the phone; and (2) request that we deactivate your service. In all instances, you are responsible for all charges based on actual usage (partial monthly service charges, taxes and Sprint Fees). If you purchase your phone through a Sprint authorized dealer, additional dealer fees may apply.

2 CUSTOMIZE

Begin customizing your phone by selecting a service plan with the minutes you need.

All Power Pack plans include:

• Unlimited Night Calling Starting At 7 PM

- No Roaming Charges
- Nationwide Long Distance
- Unlimited Night & Weekend Minutes
- Unlimited Sprint Mobile to Mobile (Sprint phones only)
- Unlimited Nextel Direct Connect[®] (Nextel phones only)

Sprint Power Pack Plans Start nights earlier.

Anytime Minutes with nights starting at 7 PM	Monthly Rate*	Additional Anytime Minutes	Power Pack Add-ons	
			Unlimited Night Calling at 6 PM	Unlimited Text Messages
450	\$39.99	45¢/min.		
900	\$59.99	40¢/min.		
1350	\$79.99	35¢/min.		
2000	\$99.99	25¢/min.	\$5/mo.	\$10/mo.
4000	\$149.99	25¢/min.		
Unlimited	\$199.99	N/A		

Two-year subscriber agreement required with all plans.

Sprint Power Pack Family Plans Share your minutes.

Shared Anytime Minutes for Two Phones with nights starting at 7 PM	Monthly Rate*	Additional Anytime Minutes	Power Pack Family Add-ons	
			Unlimited Night Calling at 6 PM	Unlimited Text Messages
550 for Sprint phones only	\$59.99	45¢/min.	\$20/mo. all lines	\$15/mo. per line
700	\$69.99	45¢/min.		
1400	\$89.99	40¢/min.		
2100	\$109.99	35¢/min.	\$10/mo. all lines	\$20/mo. all lines
3000	\$149.99	25¢/min.		

Sprint Add-a-Phone each additional line \$9.99/mo. (lines 3-5) • Nextel Add-a-Phone each additional line \$20/mo. (lines 3-5)

Two-year subscriber agreement for each phone required with all plans. Plans available for sharing between Sprint or Nextel phones.

* Monthly charges exclude taxes, Sprint Surcharges [incl. USF charge of up to 11.4% (varies quarterly), Administrative Charge (\$0.75/line/mo.), Regulatory Charge (\$0.20/line/mo.) & state/local fees by area.] Sprint Surcharges are not taxes or gov't-required charges and are subject to change. Details: Sprint.com/taxesandfees.

Free Incoming Plans include:

- **Unlimited Night Calling Starting At 9 PM**
- No Roaming Charges
- Nationwide Long Distance
- Unlimited Night & Weekend Minutes
- Unlimited Sprint Mobile to Mobile (Sprint phones only)
- Unlimited Nextel Direct Connect® (Nextel phones only)

Sprint Free Incoming Plans Pick up all the calls you want.

Anytime Minutes with nights starting at 9 PM		Monthly Rate*	Additional Anytime Minutes
Incoming	Outgoing		
Free	300	\$49.99	
Free	500	\$59.99	
Free	800	\$79.99	45¢/min.
Free	1000	\$99.99	

Two-year subscriber agreement required with all plans.

Sprint Basic Plan

200 Anytime minutes for \$29.99/month* and additional minutes for 45¢/minute. Includes: No Roaming Charges, Unlimited Night and Weekends with Nights starting at 9PM and Nationwide Long Distance. Requires a two-year subscriber agreement. Pay-As-You-Go Nextel Direct Connect® use is 15¢/minute per participant. Unlimited Nextel Direct Connect® can be added for an additional \$5/month.

Month-to-Month Plan

Available to Sprint Phones only

For an additional \$10/month; you may select the Sprint Basic Plan without a term commitment with roaming charges of 69¢/min., plus 25¢/min roaming for long-distance. No roaming charges may be added to this option for an additional \$5/month.

Add-ons for Night Calling

Starting at 7 PM	\$5/mo.
Starting at 6 PM	\$10/mo.

All plans include:

- Numeric Paging
- Three-Way calling
- Caller ID
- Voicemail
- Call Waiting
- Call Forwarding (20¢/min.)

while on the Nationwide Sprint Network
or the Nextel National Network.

3 OPTIMIZE

Purchase add-ons to enable the features on your phone. Check with a sales representative to make sure your phone capabilities match up with your selections.

Packed with Entertainment¹

■ Bundled add-ons for your Power Vision phone to keep you entertained, in touch and on track		ESSENTIALS ACCESS PACK \$15/mo.	MUSIC PACK \$20/mo.	TV PACK \$20/mo.	NAV \$
	MUSIC - plus 99¢ music downloads 10 radio channels including music, and exclusive videos and concerts	✓	✓	✓	
	TV CNN, FOX Sports, Disney Channel, The Weather Channel, E!, NFL Network and more	✓	✓	✓	
	WEB & E-MAIL Unlimited data, web browsing, e-mail, picture mail, NFL Mobile, news and more	✓	✓	✓	
	MUSIC PREMIER 50 commercial-free radio channels, 95 local stations and full-length music videos		✓		
	TV PREMIER 20+ additional channels including full-length CBS and ABC shows			✓	
	NAVIGATION² Unlimited driving directions for select GPS-enabled phones				

Functionality may vary by device. For more information see www.sprint.com or other in-store materials for details.

Individual Add-ons

■ ▲ Texting For domestic messages sent or received

Unlimited Messages	\$15/mo.
1000 Messages	\$10/mo.
300 Messages	\$5/mo.

Additional messages & Pay-As-You-Go messages are 20¢/msg. International messages

GPS Services^{1,2,3} Requires a data plan.

■ Sprint Navigation

Get unlimited driving directions, dodge traffic, find the nearest restaurants or lowest gas prices. See your progress on a moving map with spoken turn-by-turn driving directions.

\$9.99/mo.
or pay per use
\$2.99/day

■ ▲ Sprint Family Locator

Locate your child quickly and easily, anytime day or night. Display your child's location within a map on your PC or mobile phone (select devices). Service includes locating

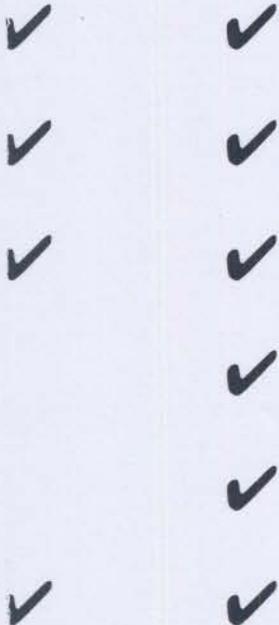
\$9.99/mo.

■ For Sprint Phones

▲ For Nextel Phones

Packed with Productivity¹

**ULTIMATE
PACK**
\$25/mo.



■ Bundled add-ons for your PDA or Power Vision phone so you don't miss a beat



WEB & E-MAIL



UNLIMITED TEXTING

For Domestic messages sent or received



NAVIGATION²



MUSIC



TV

PRO PACK
\$30/mo.



**BLACKBERRY
PACK**
\$30/mo.



**Blackberry Devices: Blackberry Internet Services (BIS) - Set up to 10 imap/pop3 e-mail accounts and surf the web.
Windows Mobile/Palm PDA devices: Receive your company e-mail instantly with DirectPush technology via ActiveSync.

Access to corporate e-mail accounts may require additional servers access, license fees or other restrictions.
Functionality may vary by device. For more information see www.sprint.com or other in-store materials for details.

▲ Nextel Add-ons

Unlimited International Direct Connect[®]

Connect in under a second with other Nextel subscribers in Canada, Mexico, Peru, Argentina, Chile and Brazil.

\$10/mo.

International Direct Connect[®] usage also uses any local or Nationwide Nextel Direct Connect[®] minutes in your plan. Pay-As-You-Go International Direct Connect is 20¢/min. per participant.

Mobile Broadband Plans

Flexible 40MB Connection Plan³

for use with Mobile Broadband Cards and USB modems. Additional data usage is \$.001/KB (Maximum monthly charge \$99.99 on the 40MB plan).

\$39.99/mo.*

Unlimited Data Connection Plan³

for use with Mobile Broadband Cards and USB modems.

\$79.99/mo.*

▲ Voice Services

Sprint 411 Directory beyond just a phone number.	\$1.79/call (airtime charges apply)
Sprint International Long Distance Use your service plan minutes and save on international calls made from the U.S. Mobile termination fees apply. For additional information and rates included with these and other calling options visit www.sprint.com/internationalrates .	\$4/mo.
Mexico Long Distance Call landlines in select Mexican border cities from the U.S. for 0¢ a minute. Plus call any other city in Mexico from the U.S. for just 5¢ a minute. Free Mexico Long Distance: See below for available dial-codes. Mobile termination fees apply. For additional information and rates included with these and other calling options visit www.sprint.com/internationalrates .	\$5/mo.
Unlimited Sprint Mobile to Mobile Make or receive unlimited calls directly to or from over 46 million Sprint subscribers on the Nationwide Sprint Network or the Nextel National Network without using your service plan minutes.	\$5/mo.
Sprint to Home Make and receive calls between your wireless phone and home phone without using your wireless service plan minutes.	\$5/mo.

- 1 Data usage without a pack is 3¢/KB. International Data roaming may include additional charges.
 2 Available on select GPS-enabled devices.
 3 Unless a voice plan is added to the above data services: 20¢/min. for voice calls plus 25¢/min. for long-distance calls. A one-year subscriber agreement is required. Domestic off-network roaming calls are 89¢/min. with an additional 25¢/min. for long-distance calls. Data usage without a pack is 3¢/KB. International Data roaming may include additional charges.

Night & Weekend Hours:

9PM	7PM	6PM
9PM-7AM Mon. - Thurs.	7PM-7AM Mon. - Thurs.	6PM-7AM Mon. - Thurs.
9PM Fri. - 7AM Mon.	7PM Fri. - 7AM Mon.	6PM Fri. - 7AM Mon.

*Monthly charges exclude taxes, Sprint Surcharges [incl. USF charge of up to 11.4% (varies quarterly), Administrative Charge (\$0.75/line/mo.), Regulatory Charge (\$0.20/line/mo.) & state/local fees by area.] Sprint Surcharges are not taxes or gov't-required charges and are subject to change. Details: Sprint.com/taxesandfees.

TERMS OF SERVICE -- Subscriber Agreement: The agreement is provided to you at activation and includes any documents you are asked to sign, the detailed service terms (in this guide & other relevant materials) and a specific Terms and Conditions document for the services selected. **General Terms:** If you agree to maintain service for a minimum Term, the Term begins when you accept the Subscriber Agreement (e.g., signature, activate service, use phone, etc.). You may terminate any line of service before its Term ends by calling us, however you will be responsible for an **EARLY TERMINATION FEE** of up to \$200 ("Fee") for each line/number terminated early -- except for terminations consistent with our return policy. Payment of the Fee does not satisfy other obligations owed to us, including Term commitments with other lines or service/equipment charges. All offers, including plans and customizable/upgrade options are available from 1/13/08 to 4/12/08 -- we reserve the right to cancel offers early or extend offers without notice. Offers are subject to credit approval. An account spending limit may apply -- ask for specific amount. In certain areas, a \$4.99 per month account spending limit fee will apply per line. Monthly service plan charges accrue even if your service is turned off for exceeding your spending limit or non-payment. Offers may not be available everywhere or combinable with other promotions/options. Coverage is not available everywhere and varies by service -- see mapping brochures or visit www.sprint.com for details. Monthly charges exclude taxes, Sprint Surcharges

may apply.

▲ TeleNav™ GPS Navigator

Unlimited visual and turn-by-turn driving directions from select GPS-enabled phones.

\$10/mo.

Protection Services

■ Total Equipment Protection

Total Equipment Protection gives you the combined coverage offered by the Equipment Service and Repair Program and the Equipment Replacement Program in one complete package. Your phone or smart device is insured against loss, theft, physical damage, as well as covered for mechanical and electrical failure, routine maintenance, and failure from normal wear and tear.

\$50 non-refundable deductible applies per replacement for lost, stolen or physically damaged devices including liquid corrosion under Equipment Replacement Program. Replacement equipment may be reconditioned or a different model.

For immediate protection, enroll when you upgrade or activate your phone or smart device. To enroll after activation, call 1.800.584.3666 within 30 days of activation. Total Equipment Protection is your best equipment protection value. However, you may sign up separately for the Equipment Service and Repair Program for \$4/mo. or the Equipment Replacement Program for \$4/mo.

\$7/mo.

■ Roadside Rescue

Get roadside assistance 24 hours a day, 7 days a week, anywhere in the U.S., Puerto Rico, the U.S. Virgin Islands and Canada. Sprint phone must be present.

\$4/mo.

[incl. USF charge (varies quarterly), cost recovery and administrative fees (up to \$1.55/line/mo.), & state/local fees by area (e.g., in some areas up to 16% but in most areas less than 3%).] Sprint Surcharges are not taxes or gov't-required charges and are subject to change. Up to a \$36 phone activation fee applies to new activations, certain service plan changes or upgrades of phones or devices ("phones"). A \$25 reconnect fee may apply to reestablish service on all accounts that have been disconnected for nonpayment. A deposit, in most instances between \$50 and \$750 (but sometimes up to \$1000), may be required per line to establish service. In certain areas, a \$1.99 per month infrastructure fee will apply per account. Our services will only work with our phones -- not all services are available with all phones. Monthly service charges are not refunded or prorated if service is terminated or modified before your billing cycle ends. All phone usage, including incoming/outgoing calls, incurs charges unless specified otherwise. Except where specified, included plan minutes are not good for off-network roaming calls. International roaming rates for voice and data services are additional and will vary. On calls that cross time periods, minutes are generally deducted or charged based on the call start time. Unused monthly plan minutes do not carry forward. Partial minutes of use are rounded up to the next whole minute.

PROMOTIONS, OPTIONS AND OTHER PROVISIONS

Text Messaging: Unused monthly plan messages do not carry forward. Certain messages, including those to 3rd parties to participate in a promotion or other program, will result in additional charges. International messaging rates may vary. **Mobile-to-Mobile:** Only available for calls directly between Sprint phones and/or most Nextel phones (not through Voicemail, 411 or other indirect methods). Not available where a Sprint phone is roaming/off the Nationwide Sprint Network. **GPS Services:** Environment may limit GPS location information. **Total Equipment Protection:** Equipment Replacement Program is insurance underwritten by Continental Casualty Company, a CNA company (CNA) and administered by Asurion Protection Services, LLC, a licensed agent of CNA (Asurion Protection Services Insurance Agency, LLC CA Lic. #OD63161). Please see the Total Equipment Protection brochure available at any participating retail location or visit www.sprint.com for complete terms and conditions of coverage. Terms and conditions are subject to change. May not be available in all states. Eligibility varies by device. **Sprint to Home:** Monthly

Instantly connect to a group of up to 20 Nextel Subscribers. Group Connect® usage also uses any local or Nationwide Nextel Direct Connect® minutes in your plan. Pay-As-You-Go Group Connect is 10¢/min. per participant.	\$10/mo.
NextMail Use the Nextel Direct Connect® minutes in your plan to record and send voice messages to any e-mail address. Even if the recipient is not a Nextel user. (Direct Connect usage rates may apply.)	\$7.50/mo.
Nextel Data Pack¹ Unlimited web browsing, e-mail, picture mail, and NFL Mobile.	\$10/mo.
Web Plan Add to your voice plan and get access to over 80 of the top wireless Internet sites for news, weather, sports, entertainment, travel and more.	\$5/mo.
My Nextel Address Book Store and manage your contacts online and access them from your phone.	\$5/mo.
Mobile Email Enhanced Access your calendar, contacts and e-mail all from your phone with a Nextel Data Pack.	\$15/mo.
Mobile Pics View, share and print photos online from your image/audio messaging-enabled phone. Without a data pack, Image/Audio messages sent or received are 25¢/message.	\$3/mo.

Unlimited Data Connection Plan³ for use with Mobile Broadband Cards and USB modems. 2-year subscriber agreement required. No additional discounts apply. For a limited time.	Special \$59.99/mo.*
■ Flexible 40MB Phone as Modem³ Additional data usage is \$.001/KB (Maximum monthly charge \$69.99 on the 40MB plan).	\$39.99/mo.*
■ Unlimited Phone as Modem³	\$49.99/mo.*
■ Unlimited Phone as Modem³ with a voice plan and a 2-year subscriber agreement on the same device. No additional discounts apply. For a limited time.	Special \$39.99/mo.*

■ Data Add-on	
Vision Pack Make the most of your Sprint Vision phone with unlimited data, web browsing, e-mail, picture mail, NFL Mobile and more.	\$15/mo.

charge is invoiced to Sprint wireless account. **Add-a-Phone:** Requires a minimum two-year Term agreement for each line added ("Secondary Line"). The first phone activated on the service plan ("Primary Line") and Secondary Lines may have different Term end dates. If the Primary Line on the account is terminated prior to the expiration of the Term of any Secondary Line, a Secondary Line will become the Primary Line. **E-mail:** Connection to certain accounts, generally corporate or employee may require add'l servers, access or provisioning.

SPRINT PHONE SPECIFIC SERVICES

Vision/Power Vision: Services are not available with all Sprint phones. Usage is calculated on a per kilobyte basis and is rounded up to the next whole kilobyte. Rounding occurs at the end of each session or each clock hour and, at which time we deduct accumulated usage from your plan, or assess overage or casual usage charges. You are responsible for all data activity from and to your phone, regardless of who initiates the activity. Estimates of data usage will vary from actual use. Your invoice will not separately identify the number of kilobytes attributable to your use of specific sites, sessions or services used. Premium content (games, ringtones, etc.) priced separately. Services are not available for use in connection with server devices or host computer applications, other systems that drive continuous heavy traffic or data sessions, or as substitutes for private lines or frame relay connections. Except with phone-as-modem plans, you may not use a phone (including a Bluetooth phone) on a plan with unlimited Vision/Power Vision as a modem in connection with a computer, PDA, or similar device. We reserve the right to deny or terminate service without notice for any misuse. Availability of downloadable or streaming content is subject to change. **Roaming-Included Plans:** Not available with single-band phones, or to customers residing outside an area covered by the Sprint National Network. Sprint may terminate service if (1) more than 800 minutes, (2) a majority of minutes or (3) a majority of data kilobytes in a given month are used while roaming. International calling, including in Canada and Mexico, is not included in roaming-included plans. Roaming usage may be invoiced after 30-60 days. Vision/Power Vision services and certain calling features (Voicemail, Caller ID, Call Waiting, etc.) may not be available in all roaming areas. **Roadside Rescue:** Must be with vehicle and have your Sprint Phone with you at the time of service. Limit 4 calls per program year (starts when service is added to your account). Allow

approximately 72 hours to provision service to your account. Covers light passenger cars & trucks. Excludes RVs, motorcycles, boats, trailers, limousines, taxis and commercial or heavy-duty vehicles. This is not a reimbursement service and is not valid when operating vehicle off-road. Services are provided by AAA, AAA clubs, CAA clubs and in California, the National Automobile Club and Auto Partners Motor Club, Inc. Sprint is not a motor club. **International Long Distance:** Phones must be activated for international service in order to make international long-distance calls. For verification purposes, you may be required to provide additional information and activation of plan may take approximately 1 to 3 days. Rates, mobile termination fees, and available countries at www.sprint.com/internationalrates are subject to change. **Mexico Long Distance:** Included Dial Codes: Agua Prieta (633), Alter (637), Ciudad Acuña (877), Ciudad Juárez (656), Ensenada (646), Matamoros (868), Mexicali (686), Naco (633), Nogales (631), Nuevo Laredo (867), Ojinaga (626), Piedras Negras (878), Puerto Palomas (656), Reynosa (899), Rosarito (661), San Luis Río Colorado (653), Sonoma (651) Tecate (665), & Tijuana (664).

NEXTEL PHONE SPECIFIC SERVICES

International Direct Connect® access: International Direct Connect® calls use Direct Connect minutes included in your plan. (20¢/min.) times # of participants pay-as-you-go charge for services not included in your rate plan or option. International Direct Connect® access available in and between the US and Canada, Mexico, Brazil, Peru, Chile and Argentina. **One Way Messaging Alerts:** Alerts are 15¢ per message received by the customer. **Data Services:** Data-capable phone required for Nextel Data Service Packs, Nextel Text Messaging, Web Plan, My Nextel Address Book, Mobile Email Enhanced and MobilePics. Pricing for Nextel Data Services Pack is for Private IP addresses only. We reserve the right to restrict usage if it adversely affects network performance. If user is not subscribed to a "DATA ACCESS FOR YOUR PC" Plan, a Data Access Pay-As-You-Go charge is incurred when using network-aware applications such as GPS services and Java-enabled games and services. **NextMail:** Usage rates still apply during promotional period. Recording outside the U.S. will incur International Direct Connect® charges.