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The FCC's Local Number Portability Rules

What Does it Mean to You?

Wireless local number portability (WLNP) allows wireless consumers to change wireless carriers within a given location while retaining the same telephone number. This process is called "Porting". The new Rules take effect November 24, 2003.

Frequently Asked Questions

** How do I request that my telephone number be ported to a new carrier?*

Your new carrier will need to know information about your existing account. So for convenience, have a copy of the bill from your existing carrier available. If you don't have a copy of your bill, know the exact details of your account, including name (for example, is it billed to "Bill" or "William" Smith), address, account number and phone number. Your new wireless carrier will need your authorization to move your wireless number from your existing carrier. This protects you from carriers switching your number without your permission.

** May a wireless carrier hold my telephone number until the customer meets the minimum contract term or pays early termination fees?*

No. While a carrier is permitted to have a contract with consumers that contain a minimum term, early termination penalty and credit worthiness provisions, the contract may not contain provisions that limit or restrict the porting of a consumers number before settling their account. Accordingly, existing contracts that purport to limit porting between telecommunication carriers are now ineffective.

While a carrier is no longer permitted to "hold" a telephone number, the FCC states that carriers may collect outstanding fees or charges from consumers pursuant to "traditional contractual remedies." In other words, the carrier may sue you to collect the outstanding bill or early termination penalty. The FCC intends to monitor the situation for abuse, and will reexamine the issue if it is warranted.

**How long should it take for a telephone number to be ported?*

The FCC encourages carriers to meet the industry guideline of 2½ hours for simple porting (generally a single telephone line within a single geographic area). Due to the infancy of the rules, the FCC did not formalize the industry guideline into a rule. However, the FCC reminded telecommunication carriers that the reasonableness standard still governs in these circumstances. The FCC will reexamine the issue should it receive numerous complaints from consumers.

Consumers wishing to port shortly after the rules take effect should expect delays, as some studies have estimated that as many as six million customers may seek to port numbers during the first week. Given that the process is new, it might be difficult at first. Thus, we recommend that, if possible, you do not seek to change carriers immediately after the new rules take effect, but rather wait until the initial rush of changing customers have been through the process.

**Do the rules apply to wireline-to-wireless ports?*

No. The new rules only apply to wireless-to-wireless porting. The FCC will release a separate order in the near future that will concern the implementation of wireline-to-wireless porting. Thus, at some point in the future you will be able to eliminate your home wireline telephone and begin using a cellular or PCS phone for all of your telephone needs, and keep the same telephone number that you've had for many years at home.

What charges may be assessed by wireless carriers to consumers for porting?

Wireless carriers are permitted to assess charges to consumers for recovering the costs associated with implementing number portability. The charge may be in any form (e.g., recurring monthly charge or a one time charge). The only limitation on porting charges is that they may not be unjust or unreasonable.

** Do the new rules apply nationally, regionally, locally?*

Wireless carriers in the Top 100 Metropolitan Statistical Areas (MSAs) must implement the new Rules as of November 24, 2003. Wireless carriers outside the Top 100 MSAs that receive a request to port a telephone number must be capable of doing so within six months after receiving such a request. If you have a question as to whether your area is within the Top 100 MSAs, please let us know.

Should you have any questions, please contact Alan Tilles at 301-231-0930 (atilles@srgpe.com) or Jason Kerben at 301-230-5240 (jkerben@srgpe.com).