

John Muleta:

Hello. I'm John Muleta, Chief of the FCC's Wireless Telecommunications Bureau. I want to share with you some important information about the process called local number portability, or LNP. One of the FCC's chief goals is to promote competition among, and within, the various sectors of the telecommunications marketplace. History has shown us that better service, lower prices, and innovation are the key characteristics of a competitive market. To facilitate greater competition in the telecom industry, the FCC allows consumers to keep their phone number when switching wireless carriers or when switching from a landline to a wireless phone, a process called local number portability or LNP. Since November, 2003, wireless customers in the 100 largest markets have been able to take advantage of number portability and sign up for service with a new carrier without having to notify friends, family, and co-workers that they have a new number. Wireless local number portability allows wireless customers to take full advantage of the healthy level of competition that has developed in the wireless industry over the past several years. Currently, 235 million people, or 83% of the US population live in areas with at least five wireless carriers. LNP gives wireless customers greater freedom and flexibility to choose the carrier that best meets their needs without having to lose a significant investment they have made in the wireless phone number. LNP also enables consumers to cut the cord and transfer their landline number to a wireless phone. Beginning May 24, 2004, wireless consumers in the rest of the country will also be able to take advantage of wireless number portability.

The LNP rules do have some parameters that consumers need to be aware of. Three experts: Cindi Schieber, David Furth, Lauren Patrich, all from the Wireless Bureau, are here to provide an overview of wireless LNP and these issues.

Cindi:

Thank you, John. I have here today David Furth and Lauren Patrich. David, if you could start with a brief summary of wireless LNP.

David:

Sure. Congress required landline carriers to provide local number portability as part of the 1996 Telecommunications Act, which focused on making local telephone markets more competitive. But the FCC decided that number portability rules should apply to wireless carriers as well. As a result, LNP applies to wireless as well as wireline numbers. Under the FCC's rules, a consumer can port his or her wireless number when switching to another wireless carrier. The same consumer can also port his or her landline number, either to another landline carrier or to a wireless carrier.

Cindi:

When did the LNP requirement begin for wireless carriers?

David:

The FCC has phased in portability requirements for wireless carriers. In the 100 largest markets in the US, wireless carriers were required to begin porting numbers on

November 24, 2003. Outside the top 100 markets, these same rules go into effect on May 24, 2004, or six months after the carrier receives its first request to port, whichever is later. In most of those markets, carriers received porting requests early enough last year to make May 24 the deadline, but there may be a few smaller carriers that have not yet received any requests to port numbers. In those markets, if a customer wants to port his or her number, it could take several months while the carrier makes the technical upgrades necessary for porting.

Cindi: Are there any other exceptions to the porting requirements?

Lauren:

The FCC has the authority to grant waivers of the LNP rules under very limited circumstances, but as of now, it has not done so.

However, some small rural landline carriers may not be required to port numbers to wireless carriers because they have obtained waivers from their state utility commission, as the law allows. As a result, customers of these carriers who want to transfer a landline number to a wireless carrier, what we call "cutting the cord," may not be able to do so. If you're a landline customer, and your carrier tells you that you can't port your number to a wireless carrier, contact your state utility commission to find out whether the carrier has been granted a waiver. We are also working to post this information on the FCC's website.

Cindi:

Does LNP apply to pagers?

Lauren:

No. The ability to port your number applies only to mobile phones and landline phones. Telephone numbers assigned to pagers are not portable.

Cindi:

Does LNP allow consumers to move across the country and still keep the same phone number?

David:

No. The L in 'LNP' stands for 'local,' which means that wireless subscribers are not entitled to move from, say, New York to San Francisco, or even New York to Philadelphia and keep the same phone number. The LNP rules apply only to keeping a phone number when switching providers within the same metropolitan area.

Cindi:

Are wireless carriers allowed to charge their customers for number portability?

David:

Yes. Carriers are allowed to charge general fees to their customers to recover their system costs of providing wireless LNP. Carriers may include line item fees for LNP on their customers' monthly bills, or add the cost into the customer's monthly rate. Because the wireless market is very competitive, the FCC does not regulate the amount of wireless carriers' fees, but both federal law and the FCC's rules require that such fees be just and reasonable. We have found that carriers' fees for LNP typically range from a few cents to a little over a dollar per month.

In addition, some carriers charge a one-time fee to the outgoing customer at the time a number is ported. However, a carrier cannot refuse to port a number just because the customer has not yet paid the porting fee. In addition, there is nothing to prevent a customer's new carrier from offering to pay the old carrier's porting costs for the benefit of the customer. We recommend that consumers check with their new carrier to see whether it has a policy of paying or reimbursing such charges.

Cindi:

Thank you. And now, if I keep my wireless phone number, does that mean I can keep my same wireless phone as well?

David:

Probably not. Wireless carriers don't all use the same technology in their networks, so your old phone may not work on the new carrier's network. Even if your phone could be reprogrammed to work on a new network, carriers usually don't allow this. So if you're switching carriers, you will probably have to buy a new phone when you switch carriers, even if you keep your phone number. Be sure to know what your options are before you make a decision to switch. After all, one of the benefits of switching carriers may be that you can get a new phone with better features for a lower price.

Cindi:

What about long-term contracts that many consumers have with their existing wireless carriers? Are these affected by LNP?

Lauren:

Consumers may switch carriers at any time, but they are still obligated on any long-term service contract they may have with their current carrier. Often this means paying an early-termination fee to leave the carrier before the contract expires. We recommend that consumers interested in switching providers review their existing contract to determine what fees or charges would apply. If you have a one- or two-year contract, you may want to wait until the contract expires to switch to avoid paying fees. But the FCC rules are very clear that once a customer requests service from a new carrier, the old carrier may not delay or refuse to port the customer's number even if that customer owes money for an outstanding balance or termination fee.

Cindi:

So what steps should consumers take when they decide to port a number to a new carrier?

Lauren:

The first thing is to be familiar with your existing contract and any fees you may incur for switching carriers. Then, if you're ready to switch carriers, contact the new carrier you want, who will begin the porting process by sending a porting request to the old carrier. Do not terminate service with your old carrier. If you do, you may lose your number altogether. When you contact the new carrier, be sure to have a copy of your most recent bill that you can provide to the new carrier. This will make the porting process go much faster because it allows the new carrier to confirm your name and address with the old carrier. Otherwise, the information may not match up when the new carrier asks the old carrier to release your phone number, and this is likely to cause a delay. The new carrier may also ask for your written authorization to port the number to ensure that it is not being switched without your permission.

One other thing to keep in mind is that if you are switching from a landline to a wireless phone, your long distance carrier will not move with you. Wireless carriers typically provide long distance as part of their service, and unlike landline carriers, they are not required to permit customers to choose a different long distance carrier for wireless service.

Cindi:

How long does it take to port a number?

David:

That depends on whether you're porting from one wireless carrier to another, or porting from a landline to a wireless carrier. For a wireless-to-wireless transfer, the industry standard is that porting should take about two-and-a-half hours from the time the porting request is made. A landline to wireless port will probably take longer to complete and could take up to several days. In either case, if you've decided to port your number, be sure to ask the new carrier ahead of time how long the process will take.

Cindi:

Will number portability cause any problems with dialing 911?

Lauren:

During the time the number is being ported from the old carrier to the new carrier, there may be a period when 911 service is affected. If you call 911 from your old phone during this period, the call should go through. However, the 911 operator may not be able to read your phone number or receive automated information regarding your location. This means that the operator probably won't be able to call you back if your 911 call gets disconnected. As soon as the port is completed, however, you will be able to dial 911 from your new phone and full 911 service will be restored.

John Muleta:

Thank you. As the Wireless Bureau staff has just discussed, wireless local number portability will be available in all parts of the country beginning May 24, 2004. In order to start the process of switching carriers and keeping their existing phone number, consumers should contact their new carrier first. Keep in mind that the carrier can charge for the porting process. Contract early termination fees may apply if consumers switch carriers before the end of a contract. And it is unlikely that consumers will be able to use their existing phone on their new carrier's network.

Since the rollout of LNP began, the FCC has been monitoring wireless carriers' progress in implementing number portability. While there were a few technical bumps in the road during the initial stages of the rollout, carriers have resolved most of these issues and we expect the remainder of the implementation process to go smoothly. If consumers find that their wireless or landline carrier is uncooperative, they can file a complaint with the FCC's Consumer and Governmental Affairs Bureau by calling 1-888-call-fcc. Complaints also may be filed via the FCC's website, or by fax. Go to www.fcc.gov for details. We have assembled a task force that reviews complaints to assure that the benefits of number portability reach all Americans in a timely manner.