



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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DA 97-942

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Released: May 5, 1997

PETITION FOR RULEMAKING FILED

File No. CCB/CPD 97-19

Pleading Cycle Established

(RM-9085)

COMMENTS: June 4, 1997

REPLY COMMENTS: June 19, 1997

On March 18, 1997, MCI Telecommunications Corporation (MCI) filed a petition for rulemaking pursuant to Section 1.401 of the Commission's Rules, 47 C.F.R. §1.401. In its petition, MCI requests that the Commission institute a rulemaking to regulate the solicitation, by any local exchange carrier or its agent, of primary interexchange carrier (PIC) "freezes" or other carrier restrictions on a consumer's ability to switch its choice of interexchange (interLATA and intraLATA toll) and local exchange carrier.

MCI defines a "PIC freeze" as a "product or service offered by a local exchange carrier [LEC] to its customers, whereby the LEC promises not to change or modify the customer's service without direct instruction from the customer himself." The typical method of executing customer switches of interexchange service, as described by MCI, includes the long-distance carrier: making the sale to the customer; obtaining the customer's verbal or written authorization to switch the service; verifying the sale through third party verification; and acting as the agent of the customer and carrying out the authorization by carrier-to-carrier electronic feed to the LEC to accomplish the switch. According to MCI, a PIC freeze requires the customer to contact the LEC directly, either orally or in writing, to switch its choice of interexchange carrier (IXC), and therefore prohibits an IXC from acting as the agent of a customer. MCI maintains that, although the LECs claim that they offer this service to prevent "slamming" (i.e., the unauthorized change of a customer's preferred IXC), PIC freezes are a strategic tool to impede effective competition by shielding a particular LEC's customer

base from competitors.

Pursuant to Section 1.405 of the Commission's Rules, 47 C.F.R. § 1.405, interested parties may file a statement in support of, or in opposition to, this petition not later than June 4, 1997. Replies must be filed by June 19, 1997. When filing comments and/or replies, please refer to the following internal file number: **CCB/CPD 97-19**.

An original and four copies of all comments and replies must be filed in accordance with Section 1.51(c) of the Commission's Rules, 47 C.F.R. § 1.51(c). In addition, one copy of each pleading must be filed with International Transcription Services (ITS), the Commission's duplicating contractor, at 2100 M Street, N.W., Suite 140, Washington, D.C. 20037, and one copy with the Chief, Competitive Pricing Division, Common Carrier Bureau, Room 518, 1919 M Street, N.W., Washington, D.C. 20554.

For further information, contact William Bailey, Competitive Pricing Division, Common Carrier Bureau, (202) 418-1530.

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