
**STATEMENT OF
COMMISSIONER KEVIN J. MARTIN**

Re: In the Matter of Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996, Policies and Rules Concerning Unauthorized Changes of Consumers' Long Distance Carriers; CC Docket No. 94-129

I am concerned that today's decision regarding the Commission's slamming rules may unduly burden small and rural carriers. Under the Commission's slamming rules, all local exchange carriers are required to obtain verification—either by a third party or by a letter of authorization— of long distance carrier changes in instances when a customer contacts a LEC directly to request the change, and seeks to change to the LEC's affiliated long distance provider.

Several small and rural carriers maintain that they currently use letters of agency ("LOAs") to verify inbound carrier change requests rather than a third party verification process. Some rural carriers state that using a sophisticated third-party verification process for in-bound customer calls may increase costs and would place rural LECs that have an affiliated IXC that uses a manual LOA process at a competitive disadvantage vis-à-vis other larger carriers that use a third-party verification process.

While I am sympathetic to their concerns, it appears that the LEC petitioners in this proceeding have failed to supply demonstrable evidence on whether it is cost prohibitive for smaller and rural carriers to use the same third-party verification process used by larger carriers.