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UPDATE
May 15, 2009

FCC Shortens Telephone Number “Porting” Interval

On May 13, 2009, the FCC adopted an Order that reduces the “porting” interval for the transfer of consumers’ landline telephone numbers from four business days to one business day.

The shorter porting interval applies to all entities subject to the FCC’s local number portability (“LNP”) rules, including interconnected VoIP providers and their numbering partners. With the exception of small providers, all providers must implement the new number porting interval within nine months after the FCC receives input from the North American Numbering Council (“NANC”), which is due 90 days after the effective date of the Order.

Small providers have 15 months after the NANC recommendation to implement the new porting interval. The FCC defines “small providers” as those providers with fewer than 2 percent of the nation’s subscriber lines installed in the aggregate nationwide.

Recognizing that some providers may find the new porting interval requirement to be unduly burdensome even with the extended implementation period, the FCC indicated that it would consider requests to waive the one business day porting interval on a case-by-case basis.

If you have any questions about the FCC’s new number portability requirements, please call Jeremy Kissel at (202) 609-7793.

**FCC Expands Consumer Protections for
Customers of Interconnected VoIP Providers**

On May 13, 2009, the FCC adopted an Order that requires interconnected VoIP providers to notify customers before they discontinue, reduce, or impair service in a service area.

Under the Order, an interconnected VoIP provider seeking to discontinue, reduce, or impair service in a community must provide all affected customers with written notice that includes the provider’s name and address; the date of the planned service discontinuance, reduction, or impairment; the geographic areas where service will be affected; a brief description of the affected service; and specific language informing customers that they can object to the planned change in service.

Additionally, on or after the date it provides notice to its customers, the interconnected VoIP provider must file an application of the planned discontinuance with the FCC. Such application must identify that the provider is an interconnected VoIP provider seeking to discontinue, reduce, or impair interconnected VoIP services, and shall include, in addition to the information in the customer notice, a caption, a brief description of the dates and methods of notice to all affected customers, and any other information that the FCC may require.

An interconnected VoIP provider must also submit a copy of its application to the public utility commission and to the Governor of the State or States in which it proposes to discontinue, reduce, or impair service, as well as the Secretary of Defense.

If you have any questions about the FCC's expanded consumer protections for customers of interconnected VoIP providers, please call Jeremy Kissel at (202) 609-7793.

FY 2009 Cable Regulatory Fees

The Commission has released its proposed Fiscal Year 2009 Regulatory Fees:

- **2009 cable regulatory fee:** \$0.88 per subscriber, a \$0.08 increase from 2008.
- **CARS licenses and permits:** \$260.00, a \$55 increase from 2008.
- **Interconnected VoIP regulatory fee:** \$0.00342 for each dollar of interstate and international telecommunications revenue that a provider reports on its Form 499-A.

Later this summer, the FCC will finalize the fees for FY 2009. We will let you know when the FCC releases the order. If you have any questions about regulatory fee payments, please call Scott Friedman at (312) 372-3930.

Please visit our website at [www.cinnamonmueller.com](#) to learn more about our lawyers and practice. You can reach Cinnamon Mueller at 312-372-3930. This update is provided by the law firm of Cinnamon Mueller. The document is intended for informational purposes only as a service to clients of Cinnamon Mueller and to the members of the American Cable Association. It is not intended to provide specific legal advice or to substitute obtaining appropriate legal counsel. We encourage you to consult with counsel to address special compliance issues and for assistance in negotiating or handling any such matter referred to in the update.