

108TH CONGRESS  
1ST SESSION

# S. 1221

To provide telephone number portability for wireless telephone service.

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IN THE SENATE OF THE UNITED STATES

JUNE 10, 2003

Mr. SCHUMER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To provide telephone number portability for wireless telephone service.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Wireless Telephone  
5 Number Portability Act of 2003”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

9 (1) The lack of wireless telephone number port-  
10 ability—the capacity of a consumer to retain a wire-  
11 less telephone number when changing wireless tele-

1 phone service providers—is a barrier to competition  
2 in the market for wireless telephone service. The  
3 lack of number portability acts as a disincentive for  
4 wireless telephone service providers to improve the  
5 quality of their wireless telephone service.

6 (2) The lack of wireless telephone number port-  
7 ability imposes significant costs on individual con-  
8 sumers and businesses looking to change wireless  
9 telephone service providers. More than half of busi-  
10 ness wireless telephone users report that number  
11 portability would make them more likely to change  
12 wireless telephone service providers.

13 (b) PURPOSE.—The purpose of this Act is to ensure  
14 that consumers are able to keep their phone numbers  
15 when switching telecommunications carriers.

16 **SEC. 3. TELEPHONE NUMBER PORTABILITY FOR WIRELESS**  
17 **TELEPHONE SERVICE.**

18 (a) REQUIREMENT IN LARGEST MARKETS.—Com-  
19 mencing not later than six months after the date of the  
20 enactment of this Act, or November 24, 2003, whichever  
21 is earlier, the Federal Communications Commission shall  
22 require each wireless telephone service provider offering  
23 service in one of the 100 largest Metropolitan Statistical  
24 Areas (MSA), as defined by the Bureau of the Census,  
25 to provide consumers with the option to port telephone

1 numbers between wireless telephone service providers by  
2 implementing wireless telephone number portability  
3 throughout the networks of wireless telephone service pro-  
4 viders in each of such 100 largest Metropolitan Statistical  
5 Areas.

6 (b) OTHER MARKETS.—

7 (1) REQUIREMENT.—Commencing not later  
8 than 18 months after the date of the enactment of  
9 this Act, or November 24, 2004, whichever is earlier,  
10 the Commission shall require each wireless telephone  
11 service provider in a Metropolitan Statistical Area  
12 described in paragraph (2) to provide customers  
13 with the option to port their telephone number be-  
14 tween wireless telephone service providers by imple-  
15 menting wireless telephone number portability  
16 throughout the networks of wireless telephone serv-  
17 ice providers in such Metropolitan Statistical Area.

18 (2) COVERED METROPOLITAN STATISTICAL  
19 AREAS.—A Metropolitan Statistical Area described  
20 in this paragraph is a Metropolitan Statistical Area  
21 not covered by subsection (a) in which three or more  
22 wireless telephone services providers provide wireless  
23 telephone service.

24 (c) REQUIREMENTS NOT DEPENDENT ON OTHER  
25 CARRIER REQUESTS.—The requirements in subsections

1 (a) and (b) shall be implemented in each Metropolitan Sta-  
2 tistical Area referred to in the subsection concerned with-  
3 out regard to the receipt of a request from any tele-  
4 communications carrier in such Metropolitan Statistical  
5 Area for wireless telephone number portability.

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