



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).

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NEWS MEDIA CONTACT:
Chelsea Fallon: (202) 418-7991

FCC INITIATES A NEW PROCEEDING TO REEXAMINE ROAMING OBLIGATIONS OF COMMERCIAL MOBILE RADIO SERVICE PROVIDERS

WASHINGTON, D.C. – In a Notice of Proposed Rulemaking (Notice) released today, the Federal Communications Commission (FCC) initiated a proceeding to examine whether its roaming requirements applicable to Commercial Mobile Radio Services (CMRS) providers should be modified, expanded, or eliminated given the current state of the CMRS market. The FCC also terminated an existing proceeding that addressed similar issues because the record had become stale.

Since 1996, the FCC has required that cellular, broadband Personal Communications Services (PCS), and certain Specialized Mobile Radio (SMR) providers permit customers of other carriers to roam manually on their networks, for example by supplying a credit card number, provided that the roamers' handsets are technically capable of accessing the roamed-on network. There is no rule requiring carriers to provide automatic roaming, which allows roaming customers to place calls as they do in their home coverage area, by simply entering a phone number and pressing "send." However, voluntary agreements to permit automatic roaming are common and widespread.

In today's Notice, the FCC seeks to develop a record with up-to-date information on the state of roaming in today's CMRS marketplace in order to determine what regulatory regime is currently appropriate for roaming services. Specifically, the FCC seeks comments on the following issues, among others:

- (1) What is the current state of manual roaming and is there a continuing need for a manual roaming rule?
- (2) What effect does the existing roaming environment have on the availability, quality, and price of services to consumers?
- (3) Should carriers be required to enter into agreements to allow automatic roaming on their networks and, if so, how should such a rule be designed, to whom should it apply, and for what period of time?
- (4) Is there evidence that national carriers are negotiating roaming agreements with small or rural carriers in an anti-competitive manner and, if so, should there be an automatic roaming rule that applies to specific markets or types of carriers?

(5) Is digital network and handset technology advanced enough that technical limitations no longer affect roaming?

In 2000, the FCC sought comments on various issues related to roaming obligations for CMRS providers. Since then, however, there have been several mergers between CMRS providers that may affect the future development and provision of roaming services. There have also been significant advancements in wireless network and handset technology that could affect the nature of roaming services. In addition, in various other FCC proceedings, small and rural wireless service providers have asserted that recent industry developments have significantly reduced their nationwide roaming options. Accordingly, the FCC terminated the existing proceeding and issued today's new Notice.

Action by the Commission on August 24, 2005, by Memorandum Opinion and Order and Notice of Proposed Rulemaking (FCC 05-160). Chairman Martin, Commissioners Abernathy, Copps, and Adelstein.

Attached are statements issued by Commissioners Copps and Adelstein.

For additional information, contact Eli Johnson at (202) 418-1395, Eli.Johnson@fcc.gov, or Won Kim at (202) 418-1368, Won.Kim@fcc.gov, Wireless Telecommunications Bureau, Spectrum and Competition Policy Division.

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