

FCC Rules That Verizon Retention Marketing Program Violates Section 222(b) of the Communications Act

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Kelley Drye's [Communications](#) practice group has prepared a Client Advisory discussing the Federal Communications Commission's June 23 release of a Memorandum Opinion and Order ("MO&O") in a Section 208 complaint matter initiated by Bright House Networks, Comcast Corporation, and Time Warner Cable Inc., ("Complainants") ordering numerous Verizon incumbent local exchange carriers ("LECs") to cease and desist from engaging in customer retention marketing activities that used unique disconnection information from carrier-initiated port requests ("Local Service Requests" or "LSRs"). On June 24, 2008 Verizon requested a stay of the MO&O pending judicial review.

The MO&O sheds light on retention marketing campaigns that use carrier to carrier information required to implement local number portability requests. It also illuminates factors that may be considered in any examination of other marketing campaigns.