

05-705 GLOBAL CROSSING, INC. V. METROPHONES, INC.

DECISION BELOW:423 F3d 1056

LOWER COURT CASE NUMBER: 04-35287

QUESTIONS PRESENTED:

1. Whether 47 U.S.C. § 201(b) of the Communications Act of 1934 creates a private right of action for a provider of payphone services to sue a long distance carrier for alleged violations of the FCC's regulations concerning compensation for coinless payphone calls.
2. Whether 47 U.S.C. § 276 the Communications Act of 1934 preempts state law claims for quantum meruit and breach of implied contract based on a long distance carrier's alleged failures to compensate a payphone service provider for coinless payphone calls.

CERT. GRANTED 2/21/2006

LIMITED TO QUESTION 1 PRESENTED BY THE PETITION.