



complete.<sup>5</sup> Most importantly, because the omitted traffic included both the rural and non-rural toll traffic originated by the affected enterprise customers, the only likely impact of the omission was that the call volumes reported on the FCC Forms 480 were understated.<sup>6</sup> Put differently, this reporting oversight is in no way related to a call completion failure.

Comcast confirmed this conclusion by retrieving all of the omitted data for July 2016 and demonstrating that (1) the overall Answer-Seizure Ratio (“ASR”) and Network Effectiveness Ratio (“NER”) metrics for that month were consistent with the data Comcast had reported in its Forms 480 from April 2015 through June 2016;<sup>7</sup> and (2) the extensive call completion safeguards that Comcast has implemented produce high and equally robust call completion rates to both rural and non-rural exchanges. Finally, Comcast explained in the Petition that, despite the omission of certain calls from its reports, the Commission still had ample, meaningful call completion data regarding the company’s rural call completion performance during the affected period.<sup>8</sup>

In short, the omission of certain non-residential call attempts from Comcast’s FCC Form 480 reports did not materially affect the accuracy of the call completion metrics submitted by the company, which is the paramount purpose of the reporting requirement. Nor did the error hamper the Commission’s ability to evaluate Comcast’s performance. Thus, there is plainly good cause for grant of the requested limited waiver of the company’s rural call completion retention and reporting obligations.

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<sup>5</sup> See *id.* at 3.

<sup>6</sup> See *id.*

<sup>7</sup> See *id.* at 3-4.

<sup>8</sup> See *id.* at 8-10.

NTCA’s comments opposing grant of the waiver ignore these fundamental facts. NTCA devotes most of its comments to statements regarding the need to ensure that calls are completed to rural exchanges.<sup>9</sup> Comcast’s consistently high call completion metrics demonstrate its agreement with NTCA regarding the importance of ensuring that calls are reliably delivered to rural and non-rural locations. NTCA’s observations, however, do not address the merits of the Petition. The only issue in question here is reporting, not call completion. As shown above and in greater detail in the Petition, Comcast unquestionably gives “serious attention” to call completion matters. In fact, Comcast’s dedicated commitment to the development and implementation of industry best practices has enabled it to achieve completion rates to rural areas that consistently are *both high and in parity with* its completion rates to non-rural areas.<sup>10</sup>

Further, NTCA’s comments overlook Comcast’s showing that its call completion practices generally meet – and in many instances exceed – the Commission’s standards for considering a request for waiver of its call completion reporting rules. Specifically, the Petition demonstrated that:

- (1) Comcast has put in place processes, such as industry best practices, to ensure that calls to rural local exchanges successfully reach their destinations;
- (2) Comcast has implemented an ongoing program to monitor and assess its call completion performance, including a weekly analysis of each intermediate carrier’s performance on an OCN-by-OCN basis, regular meetings with the carriers to review their call completion metrics, and a dedicated operations team for handling any rural call termination issues; and
- (3) All but one of Comcast’s agreements with intermediate carriers satisfy the requirements the Commission has adopted for a voice provider to be eligible for “safe harbor” treatment.

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<sup>9</sup> See NTCA Comments at 2-3.

<sup>10</sup> Petition at 5, 7.

NTCA’s comments do not dispute Comcast’s showings regarding its best practices and internal monitoring safeguards. Instead, the comments stress that one of Comcast’s intermediate carriers has not yet certified that it is eligible for the FCC’s call completion safe harbor. Comcast made clear in the Petition, however, that the carrier in question has achieved call performance metrics that have consistently met or exceeded the rigorous Comcast call completion standards that the eligible carriers also must satisfy.<sup>11</sup>

Finally, the assertion that grant of the requested relief “would undermine an essential public policy objective” is incorrect.<sup>12</sup> As explained, approval of the requested limited waiver would not impair the Commission’s ability to analyze whether Comcast’s call completion rates to rural areas were satisfactory and comparable to its completion rates for calls to non-rural exchanges, either in the past or on a going-forward basis, which is the central public policy concern underlying the reporting requirements.<sup>13</sup> Moreover, Comcast has put in place additional internal safeguards to prevent such reporting oversights from occurring in the future.<sup>14</sup>

## CONCLUSION

As shown in the Petition and above, grant of the requested waiver would be consistent with the public interest. We have demonstrated that Comcast’s commitment to best practices and adoption of extensive internal safeguards have led to consistently high and equally robust call completion rates to both rural and non-rural exchanges. Comcast shares NTCA’s concern about the impact of dropped or blocked calls to rural exchanges on consumers, but those concerns are not raised by the Petition. Rather, Comcast’s reporting oversight was in no way

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<sup>11</sup> *Id.* at 6.

<sup>12</sup> NTCA Comments at 6.

<sup>13</sup> Petition at 8-10.

<sup>14</sup> *Id.* at 7-8.

related to a call completion failure. Accordingly, Comcast respectfully urges the Commission to grant the requested limited *nunc pro tunc* waiver of its rural call completion retention and reporting obligations for all Form 480 reports filed for the period up to and including June 30, 2016.

Respectfully submitted,

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