

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Nationwide Number Portability	)	WC Docket No. 17-244
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	

**REPLY COMMENTS  
OF  
NTCA–THE RURAL BROADBAND ASSOCIATION**

NTCA–The Rural Broadband Association (“NTCA”)<sup>1</sup> hereby submits these reply comments in response to comments filed on the Notice of Proposed Rulemaking and Notice of Inquiry (“*NPRM*” or “*NOI*”)<sup>2</sup> adopted by the Federal Communications Commission (“Commission”) in the above-captioned proceeding. The *NPRM* and *NOI* seek comment on methods by which the Commission can enable more widespread adoption of nationwide number portability (“NNP”) functionality. NTCA is a member of the North American Numbering Council (“NANC”) and, as a representative of small, rural carriers with both wireline and wireless operations, has a unique perspective on NNP.

The record in this proceeding supports the use of commercial agreements as the path forward to enable implementation of NNP functionality pending a comprehensive consideration of other alternatives by industry experts. This approach not only offers the Commission—and

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<sup>1</sup> NTCA represents nearly 850 small rural incumbent local exchange carriers (“RLECs”). All of NTCA’s members provide quality voice and broadband services, and many of its members provide wireless, cable, satellite, and long distance and other advanced communications services to their rural communities.

<sup>2</sup> *Nationwide Number Portability*, WC Docket No. 17-244, *Numbering Policies for Modern Communications*, WC Docket No. 13-97, Notice of Proposed Rulemaking and Notice of Inquiry, FCC 17-133 (rel. Oct. 26, 2017) (“*NPRM*” or “*NOI*”).

carriers interested in offering NNP—a method by which to implement this service in the near-term, it also offers a way to do so with minimal disruption or confusion to all parties involved.

If done thoughtfully and with an eye toward avoiding unnecessary disruption that can harm consumers, NNP functionality can provide benefits. NTCA is engaged in this proceeding, however, because moving forward carefully on this issue is important to protect consumers from confusion or misrouted or even dropped calls that frustrate them or potentially threaten public safety. Relative operator responsibility is an important consideration here as well, as the foisting of costs and operating burdens on carriers that have no relationship or privity with either the carrier providing NNP capability or that carrier’s customer would be highly problematic.

A number of parties commenting on the *NPRM* and *NOI* join NTCA in pointing to commercial agreements as the best near-term option available to carriers interested in fulfilling consumer demand for NNP functionality.<sup>3</sup> CenturyLink notes that “[c]ommercial agreements are available today and...would enable regional wireless carriers to establish points of presence in rate centers outside of their territory to enable porting or permanent roaming and help level the competitive playing field between them and their nationwide peers.”<sup>4</sup> For its part, CCA notes that its “members continue to explore commercial arrangements with third-party affiliates and providers to access telephone numbers outside their network footprints.”<sup>5</sup> CCA further points to options available to its members for such arrangements<sup>6</sup> and goes on to state that “these

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<sup>3</sup> Comments of Verizon, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), pp. 6-11; Comments of CenturyLink, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), pp. 9-10; Comments of US Telecom, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), p. 6.

<sup>4</sup> CenturyLink, p. 9.

<sup>5</sup> Comments of CCA, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), p. 5.

<sup>6</sup> *Id.* (“For example, CCA member Syniverse provides a commercial solution that acts like a database “clearinghouse” to offer a central numbering plan and porting information for subscribers. Similarly, Oracle’s

commercial arrangements offer immediate, near-term solutions to NNP.”<sup>7</sup> Verizon as well notes that “[w]ireline providers and smaller wireless providers can, for example, use third party entities (such as CLECs with a nationwide presence) to route interLATA calls to ported numbers under existing technical standards using the existing LRN method.”<sup>8</sup>

While commercial arrangements offer an expeditious option for enabling NNP without substantial regulatory intervention or significant consumer confusion, other proposals in the NPRM are far more problematic. Like NTCA, Cincinnati Bell recognizes the potential problems with eliminating the N-1 requirement absent additional safeguards, stating that “[i]f there are no rules of the road regarding which carrier is responsible for conducting the queries, inefficiencies will occur if calls are sent unqueried.”<sup>9</sup> As Cincinnati Bell goes on to state, “[e]ither way the public would ultimately pay the price as carriers incur increased costs of inefficient routing or more calls fail to complete.”<sup>10</sup> ITTA and CenturyLink note, as did NTCA in initial comments, that elimination of the N-1 query requirement could push additional costs on to originating providers.<sup>11</sup>

Additional considerations were raised in initial comments with respect to the proposed elimination of the N-1 provision. More specifically, AT&T states that elimination of the N-1 query would require originating providers to query calls they heretofore had not—that is, calls to

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EAGLE program integrates advanced database management and signaling functions onto a single platform to provide seamless NNP service to its customers.”) (Internal quotations and citations omitted).

<sup>7</sup> *Id.*

<sup>8</sup> Verizon, p. 9.

<sup>9</sup> Comments of Cincinnati Bell, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), p. 3.

<sup>10</sup> *Id.*, pp. 3-4.

<sup>11</sup> Comments of ITTA, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), pp. 7-8; CenturyLink, p. 4.

areas codes where they have no network presence.<sup>12</sup> As AT&T notes, some originating carriers' existing switches may lack the capability to perform such queries.<sup>13</sup> Moreover, as iconectiv<sup>14</sup> and AT&T<sup>15</sup> both discuss, elimination of the N-1 requirement would require small and regional providers to query every National Portability Administration Center ("NPAC") regional database, a change that could result in new connection and transport costs as well as changes to carriers' systems and the NPAC itself. ATIS also points to the necessity of changes to "carrier systems and processes"<sup>16</sup> and, while supportive of elimination of the N-1 rule as step that will simplify implementation of NNP, nevertheless states that elimination of the requirement is "best done when an industry agreed to NNP solution is implemented."<sup>17</sup>

To be clear, the discussion here is not intended to argue for retention of the N-1 query requirement in perpetuity. Yet is clear from the record that elimination of the rule now is problematic on several fronts and is, as ATIS notes, a step that should be taken as part of an industry-led migration to NNP.<sup>18</sup> The best approach here is a holistic review of the ramifications (pro and con) of the alternatives identified in the *NOI*—and discussed further below—by industry experts such as the NANC and its working group on NNP as well as ATIS. Each alternative should be properly vetted by those experts and the industry and other affected stakeholders to ensure that any issues that may lead to misrouted or dropped calls or that affect

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<sup>12</sup> Comments of AT&T, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), p. 3.

<sup>13</sup> *Id.*

<sup>14</sup> Comments of iconectiv, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), p. 6.

<sup>15</sup> AT&T, p. 3

<sup>16</sup> Comments of ATIS, WC Docket Nos. 17-244, 13-97 (fil. Dec. 27, 2017), p. 4.

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

consumers, public safety and the proper apportionment of costs are resolved. Those experts can, as well—as ATIS recommends in their comments—consider whether and how to eliminate the N-1 query as part of that more comprehensive, industry-led migration once that occurs.

Finally, in terms of alternatives set forth in the *NOI* to potentially enable NNP on an industry-wide basis—such as the use of National Location Routing Numbers (“National LRNs”) or Non-Geographic LRNs (“NGLRNs”)—NTCA noted in initial comments that industry-wide adoption of these proposals will require, among other things: (1) switch upgrades by carriers of all sizes, (2) changes to carriers’ call routing practices in use today, (3) changes to tariffs, (4) changes to toll-free database processing, (5) changes to subscriber billing, and (6) changes to caller ID practices. Moreover, in the case of NGLRNs, the Commission would need to establish and oversee “an industry-led body to create a certification process”<sup>19</sup> for non-geographic gateways to route calls to the appropriate end point. Indeed, an *ATIS Report* on NNP cited in the *NOI* confirmed the complexity and potentially costly nature of undertaking NNP implementation via those alternatives.<sup>20</sup>

With respect to these issues, the record compiled in response to the *NOI* is at best incomplete, with most parties pointing to the substantial costs each could impose on carriers and the need for further consideration by the Commission and expert industry-bodies.<sup>21</sup> In response to the *NOI*, ATIS once again points to the many issues that require further industry deliberation with respect to these alternatives. As one example (and in an area of concern from NTCA’s perspective), ATIS points to “general call completion issues due to switch limitations and back

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<sup>19</sup> *NOI*, ¶ 52.

<sup>20</sup> Alliance for Telecomm. Indus. Sols., *ATIS Standard – ATIS-1000071, Technical Report on a Nationwide Number Portability Study, Technical Report* (2016) (“*ATIS Report*”).

<sup>21</sup> See Verizon, pp. 9-11; AT&T, pp. 5-8.

office systems”<sup>22</sup> that could potentially arise from migration to National LRNs. As NTCA stated in initial comments, resolution of these issues—and then a transition period to enable the industry to adapt to the use of National LRNs or NGLRNs—may take several years and create significant transaction costs for all involved.

Fortunately, the fact is that NNP functionality can be achieved today without invasive or intrusive disruption of existing industry practices while industry discussions about potentially better ways of implementing alternative methods for NNP in the long run continue. While that critical work takes place, the “commercial agreements” option minimizes risk of disruption or confusion for consumers or the industry and offers those carriers interested in offering NNP as a service a method by which to do so *right now*, without the need for substantial changes to Commission rules.

Respectfully submitted,



By: /s/ Michael R. Romano  
Michael R. Romano  
Senior Vice President –  
Industry Affairs & Business Development  
[mromano@ntca.org](mailto:mromano@ntca.org)

By: /s/ Brian J. Ford  
Brian J. Ford  
Senior Regulatory Counsel  
[bford@ntca.org](mailto:bford@ntca.org)

4121 Wilson Boulevard, Suite 1000  
Arlington, VA 22203  
703-351-2000 (Tel)

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<sup>22</sup> ATIS, p. 14.