

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

---

In the Matter of )

Nationwide Number Portability )

Numbering Policies for Modern )  
Communications )

---

WC Docket No. 17-244

WC Docket No. 13-97

**REPLY COMMENTS OF CHARTER COMMUNICATIONS, INC.**

Charter Communications, Inc. submits these reply comments in response to the Notice of Proposed Rulemaking and Notice of Inquiry issued by the Commission in the above-captioned proceeding.<sup>1</sup>

**INTRODUCTION AND SUMMARY**

Charter appreciates the Commission’s leadership in driving the evolution toward true intermodal, nationwide number portability (“NNP”). Contrary to the views of some providers,<sup>2</sup> Charter supports the Commission’s aggressive but incremental approach to NNP.<sup>3</sup> True NNP will deliver myriad public interest benefits to consumers and businesses,<sup>4</sup> and will promote further competition between service providers.<sup>5</sup> Charter’s residential and business customers

---

<sup>1</sup> *In re Nationwide Number Portability*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 8034 (2017) (“*NNP Notice*”).

<sup>2</sup> *See, e.g., In re Nationwide Number Portability*, WC Docket Nos. 17-244, 13-97, Comments of CenturyLink (Dec. 27, 2017); *In re Nationwide Number Portability*, WC Docket Nos. 17-244, 13-97, Comments of AT&T (Dec. 27, 2017).

<sup>3</sup> *See NNP Notice*, 32 FCC Rcd at 8041 ¶ 19 (explaining importance of “forging the way towards NNP” while proposing an initial “incremental approach” of eliminating specific legacy requirements).

<sup>4</sup> *Id.* at 8035 ¶ 1 (“[M]any individuals and businesses value their telephone numbers and the ability to keep them—whether changing service providers, moving from one neighborhood to another, or relocating across the country.”)

<sup>5</sup> *Id.* at 8035 ¶ 3 (noting that NNP will “promote competition between all service providers, regardless of size or type of service”); *see also generally In re Nationwide Number Portability*, WC Docket Nos. 17-244, 13-97, Comments of

alike increasingly want to keep their phone numbers, irrespective of their physical locations—for example, when a family moves across the country, or when a small- or medium-sized business changes its location. Furthermore, the ongoing transition to ubiquitous, IP-networks goes hand in hand with the evolution toward NNP.<sup>6</sup> Charter thus urges the Commission to take steps in this proceeding to ensure that these benefits are achieved as soon as practically possible.

Charter applauds the efforts of the North American Numbering Council (the “NANC”)—the Commission’s advisory committee on numbering administration matters—and the Alliance for Technical Industry Solutions (“ATIS”) to identify the obstacles to achieving NNP and to propose potential solutions to these obstacles.<sup>7</sup> These groups should continue to play a leading role in the NNP transition. Consistent with that view, Charter agrees that the Commission should establish a near-term deadline by which the NANC should prepare a list of obstacles that currently stand in the way of implementation of NNP.<sup>8</sup> The Commission similarly should assign the NANC, either simultaneously or shortly thereafter, primary responsibility for developing plans to eliminate these impediments. The NANC has both the requisite technical experience and the diverse viewpoints of its working group members to identify concerns and recommend proposals that are likely to be both comprehensive and practical.

---

Competitive Carriers Association (Dec. 27, 2017) (extolling virtues of NNP for competition generally and for rural and smaller providers).

<sup>6</sup> See *In re Nationwide Number Portability*, WC Docket Nos. 17-244, 13-97, Comments of Comcast Corp. 7 (Dec. 27, 2017) (“*Comcast Comments*”) (“[T]he fact that all voice traffic would be exchanged between IP networks via Session Initiation Protocol arrangements would eliminate the current limitation on routing calls to correct non-geographic-based NANP numbers that the legacy time-division multiplexing technology imposes.”).

<sup>7</sup> See, e.g., ATIS, *ATIS Standard – ATIS-10000071, Technical Report on a Nationwide Number Portability Study*, Technical Report (2016), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-340865A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-340865A1.pdf); NANC, Local Number Portability Admin. Selection Working Group Report (2016), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-339428A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-339428A1.pdf).

<sup>8</sup> See *Comcast Comments* at 5-6.

With respect to the specific proposals in the *NNP NPRM*, Charter agrees that the Commission should eliminate the N-1 query requirement as well as the vestigial interexchange dialing parity requirements. These legacy aspects of the Commission's telephone rules could delay the NNP evolution, or decrease the efficiency of service in an NNP world.

**I. THE COMMISSION SHOULD HAVE THE NANC IDENTIFY OBSTACLES TO NNP AND PROPOSE PRACTICAL SOLUTIONS TO THOSE OBSTACLES.**

The transition to true NNP will require the resolution of numerous technical issues, such as the rollout of next-generation 911 service, and regulatory issues, including jurisdictional issues like the imposition and collection of state taxes.<sup>9</sup> Charter believes the NNP transition will be more efficient and less disruptive if there is a single accountable entity primarily responsible for advising the Commission as it charts its path forward. At the same time, however, Charter recognizes the importance of collaboration and industry-driven solutions to number-porting issues.<sup>10</sup> Charter thus agrees that the appropriate course is to direct the NANC, by a date certain, to develop a list of the obstacles that currently impede NNP from being implemented universally, and, either simultaneously or thereafter, to develop comprehensive, practical solutions to those obstacles.<sup>11</sup>

The NANC, and especially the Nationwide Number Portability Issues Working Group, has the requisite expertise and perspective to develop a comprehensive NNP plan for the Commission. As an industry-driven, consensus-based federal advisory committee, the NANC

---

<sup>9</sup> Charter is investing in its network infrastructure to facilitate next-generation 911 services throughout its footprint and participating in industry and engineering groups focusing on NNP issues.

<sup>10</sup> See *NNP Notice*, 32 FCC Rcd at 8038 ¶ 11 (noting that “any implementation of [NNP] will require collaboration and support by all parties involved” (quotation marks and ellipsis omitted)); see also *In re Local Number Portability Porting Interval and Validation Requirements*, Report and Order and Further Notice of Proposed Rulemaking, 24 FCC Rcd 6084, 6090 ¶ 10 (2009).

<sup>11</sup> See generally *In re Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352 (1996).

reflects diverse viewpoints from telecommunications carriers, regulators, cable providers, VoIP providers, industry associations, vendors, and consumer advocates.<sup>12</sup> With a direct mandate from the Commission, the NANC should be able to draw on the collective experience of its members to identify and prioritize the obstacles that prevent the implementation of NNP, as well as to develop practical solutions to achieve NNP successfully and quickly. The NANC should be encouraged to work collaboratively with ATIS, the relevant technical planning and standards organization, which already has proposed numerous potential pathways for achieving NNP.<sup>13</sup>

Charter is agnostic as to whether the Commission establishes an iterative process for the NANC (*i.e.*, first identify obstacles, then propose solutions), or instead directs the NANC simultaneously to consider obstacles to NNP and their solutions. But in either scenario, the Commission should establish binding timetables for NANC's actions to ensure that progress toward NNP does not stall. Likewise, the Commission should avoid engaging in duplicative or unnecessary efforts, and instead should follow its past practice of adopting NANC recommendations with minimal modifications<sup>14</sup>—especially consensus recommendations and those that relate to technical and other non-policy issues. Following this approach, the Commission should be in a position quickly to initiate further proceedings in this docket to establish NNP rules.

---

<sup>12</sup> See *FCC Announces the Chair, Vice Chair and Membership of the North American Numbering Council*, Public Notice, CC Docket No. 92-237, DA 17-1110 (Nov. 14, 2017).

<sup>13</sup> See *NNP Notice*, 32 FCC Rcd at 8038 ¶ 10 & n.20.

<sup>14</sup> See *In re Local Number Portability Porting Interval and Validation Requirements*, Report and Order, 25 FCC Rcd 6953 (2010); *In re Telephone Number Portability*, Second Report and Order, 12 FCC Rcd 12,281 (1997).

## II. THE COMMISSION SHOULD ELIMINATE THE N-1 QUERY AND THE REMAINING INTEREXCHANGE TOLL DIALING PARITY REQUIREMENTS.

In the *NNP Notice*, the Commission proposed two threshold actions to comprise the “first step to accommodate the architectures of NNP proposals and to reflect the evolving marketplace.”<sup>15</sup> First, the Commission proposed to eliminate the N-1 query requirement. And second, the Commission proposed to eliminate the remaining interexchange dialing parity requirements through a combination of statutory forbearance and the elimination of associated rules.<sup>16</sup> Charter supports both proposals and agrees that eliminating these requirements will “help ensure an efficient network that provides consumers maximum flexibility in their communications choices and a competitive landscape for [all] providers.”<sup>17</sup>

As the Commission notes, the N-1 query requirement simply does not make sense in an NNP world.<sup>18</sup> The NANC originally proposed this requirement during the initial roll-out of LNP as a compromise between originating and interexchange carriers.<sup>19</sup> But with the implementation of NNP, N-1 could result in frequent inefficient and unnecessary queries and routing (*i.e.*, between an originating carrier, an interexchange carrier, and back again) that could be avoided if the originating carrier performed the query. Further, the N-1 requirement reflected the *status quo ante* with respect to LNP: it was not universal or even widespread. “Since LNP has by now been broadly and successfully adopted nationwide . . . these concerns are no longer relevant.”<sup>20</sup> Providers’ long history with LNP also suggest that imposing the obligation on originating

---

<sup>15</sup> *NNP Notice*, 32 FCC Rcd at 8041 ¶ 19.

<sup>16</sup> *See id.*

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

<sup>18</sup> *See id.* ¶ 20.

<sup>19</sup> *See id.* at 8039-40 ¶ 15.

<sup>20</sup> *See id.* at 8042 ¶ 21.

carriers to ensure that queries will be performed (either directly or by contracting with a third party) will result in minimal disruption or discriminatory burdens.<sup>21</sup>

Charter also joins the commenters who support forbearance of the remaining interexchange toll dialing party requirements under Section 251 of the Communications Act of 1934, as amended, and elimination of the Commission's associated rules.<sup>22</sup> Forbearance clearly satisfies the requirements of Section 10 of the Act. These requirements are "no longer necessary in today's all-distance market," to ensure that rates are not unjust or unreasonable or otherwise to protect consumers.<sup>23</sup> That is so because demand for stand-alone long distance service has declined from both mass-market and business customers. The Commission acknowledged as much over two years ago, when it exercised forbearance of the application of these requirements to ILECs.<sup>24</sup> The same logic holds for CLECs. Further, forbearance, and the elimination of associated regulations, is in the public interest, because it would "enable originating carriers to better choose how to route their calls, preventing inefficient network routing that might otherwise result from various NNP proposals."<sup>25</sup>

## CONCLUSION

For the foregoing reasons, Charter supports the Commission's efforts in this proceeding to expedite the NNP transition. The Commission should encourage the NANC and ATIS to

---

<sup>21</sup> See, e.g., *Comcast Comments* at 4.

<sup>22</sup> See, e.g., *id.* at 3.

<sup>23</sup> See *NNP Notice*, 32 FCC Rcd at 8043 ¶ 27.

<sup>24</sup> See *In re Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete ILEC Legacy Regulations that Inhibit Deployment of Next-Generation Networks*, Memorandum Opinion and Order, 31 FCC Rcd 6157, 6184-85 ¶ 49 (2015) (explaining that forbearance was appropriate because, among other reasons, "the stand-alone long distance market has dramatically changed in the decades since the equal access requirements were established" and "no party disputes that demand for stand-alone long distance service for mass market or business customers has declined").

<sup>25</sup> See *NNP Notice*, 32 FCC Rcd at 8044 ¶ 29.

continue their efforts quickly to identify obstacles to NNP and to develop solutions to those obstacles. Based on their technical expertise and diverse memberships, these groups are well situated to develop recommendations that can serve as a framework for Commission actions going forward. Consistent with that objective, the Commission also should specifically charge the NANC to be responsible for identifying the primary obstacles to the NNP evolution, and their solutions, by a near-term date certain. The Commission should plan to move quickly to initiate further proceedings in this docket based on those recommendations. And, in the interim, the Commission should adopt its proposals in the *NNP Notice* to eliminate the N-1 query requirement and to forbear from, and eliminate, the remaining interexchange toll dialing parity requirements for CLECs. These actions will expedite the NNP transition and thus will result in numerous public interest benefits.

Respectfully submitted,

/s/ Samuel L. Feder

Christianna Barnhart  
*Vice President, Regulatory Affairs*  
CHARTER COMMUNICATIONS, INC.  
601 Massachusetts Avenue, NW  
Suite 400W  
Washington, DC 20001  
(202) 621-1900

Samuel L. Feder  
Elliot S. Tarloff  
JENNER & BLOCK LLP  
1099 New York Avenue, NW  
Suite 900  
Washington, DC 20001  
(202) 639-6000

*Counsel for Charter Communications, Inc.*

January 26, 2018