

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
The Use of N11 Codes and Other)
Abbreviated Dialing Arrangements)

CC Docket No. 92-105
FCC MAIL BRANCH

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JUN 22 1992

REPLY COMMENTS OF LO/AD COMMUNICATIONS TO
NOTICE OF PROPOSED RULEMAKING

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

LO/AD Communications ("LO/AD") hereby files its reply
comments to certain comments filed herein on the issues and
proposals addressed in the Commission's May 4, 1992 Notice of
Proposed Rulemaking and the attached Appendix (the "Notice").

Reply Comments

LO/AD submits that the comments which have been filed herein
against the making available of N11 codes for local access are
outweighed by the Commission's reasons and tentative conclusions
stated in the Notice for making available N11 codes for local
access. Concerns that the public may be confused and that
enforcement issues may arise are not sufficient reasons to
prevent or delay this action which is in the public interest.

LO/AD comments more specifically in the following areas:

Commission Plenary Jurisdiction Over Numbering Plan

Issues. A concern exists as to the role of Bellcore in numbering
decisions and references have been made to evidence that Bellcore's
administration of the NANP is potentially partial to its owners.¹

In light of the contemplated broader numbering issues such as

¹ See, e.g., MCI Telecommunications Corporation Comments at p. 5
and Cox Enterprises, Inc. Comments at pp. 25-30.

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those raised in connection with the NARUC petition in a separate proceeding,³ LO/AD supports the position that: the Commission, rather than Bellcore, should consider whether current reservations of numbers should be maintained and whether any future limitations should be allowed; and it would be inappropriate for the Commission at this time to promulgate rules which strengthen the delegation of broad authority to Bellcore. The Commission should retain oversight responsibility for allocating N11 codes.

National Applications. LO/AD disagrees to an extent with those comments which advocate that national applications be given priority over regional or purely local applications.² LO/AD agrees that national applications using N11 codes may be desirable. No one could argue that 911, for example, has not been effective because, in part, people have learned that it is used for emergency services in virtually every part of the country. But the issues relating to national applications are much more broad and complex and would certainly delay for months the freeing up of N11 codes for local applications. The use of N11 codes for national applications should be addressed in a separate proceeding or a separate forum. One such forum may be the Information Industry Liaison Committee. It may be that, after the issue of national applications is addressed and resolved, some or all local applications may, upon notice of not less than six (6) months, have to cease and give priority to national applications. Considering the time necessary to resolve the variety of issues involved, however, the N11 codes should be made available for local use now without delay.

²See, e.g., MCI Telecommunications Corporation Comments at p. 3.

³Notice at p. 4.

Gateway Applications. LO/AD agrees that gateway applications may be of value in that hundreds or even thousands of information providers may be accessed through one N11 code.⁴ Like national applications, however, this matter should be studied and time invested to explore all of the issues involved as well as the state and time frame of emerging technology. This review process should not, however, delay the immediate freeing up of N11 codes for local use.

Presubscription. LO/AD disagrees with suggestions relating to presubscription and how it would be implemented.⁵ Presubscription has a "chilling effect" on services and especially information services where the call is often made on impulse and/or in response to "news" and where also a variety of information services are sought.

Billing and Collection Issues. LO/AD reiterates its concern that billing and collection be handled in a fair and non-discriminatory manner and that the local exchange carriers recognize the "right" and "rights" of information providers as to these support services. A reasonable, non-discriminatory "bill of rights" for billing and collection agreements which will both protect the public and foster competition needs to be established.

Content Issues. LO/AD disagrees with any thought that N11 codes are not appropriate for "information" type services and that N11 codes should be reserved for still yet unthought of applications or functions.⁶ LO/AD has already suggested a

⁴ See, e.g., Bell Atlantic Telephone Companies Comments at p. 2.

⁵ See, e.g., Ad Hoc Telecommunications Users Committee Comments at p. 9.

⁶ See, e.g., Ad Hoc Telecommunications Users Committee Comments at pp. 11-12.

procedure and standards as to program content.⁷ LO/AD refers the Commission to the Code of Responsibility of the National Association for Information Services (NAIS) which provides guidelines related to costs, sponsor identification, clear and fair advertising, value for price, legal and ethical content, and the protection of minors. LO/AD expresses the concern that other additional subjective standards may be imposed by the local exchange carrier on services which it feels in its sole discretion are "harmful to their reputation or which may pose a financial nuisance to their customers."⁸ Requirements and standards which are subject to unilateral change without notice do not allow business and industries to grow and prosper. Agreements to carry traffic and agreements to bill and collect for that traffic should recognize and acknowledge the "right to" and "rights of" information providers to these services.

Blocking Issues. LO/AD expresses concern over the suggestion that blocking be available.⁹ The need for blocking greatly diminishes when there are standards in place such as those promulgated by the National Association for Information Services (NAIS). To allow blocking for a new access arrangement needs to be studied and debated both as to the technical limitations and area-wide limitations this imposes as well as the need to have it versus the benefits to be gained. This study, along with issues such as national applications, should continue on a separate track and not be allowed to slow down the introduction

⁷LO/AD Comments at p. 3.

⁸See, e.g., Ameritech Operating Companies Comments at pp. 18-19.

⁹See, e.g., Ameritech Operating Companies Comments at p. 18.

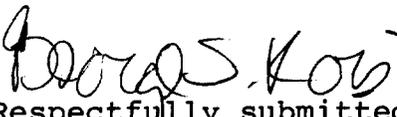
of N11 codes for local use or retard usage unnecessarily by imposing unneeded restrictions which could hamper (perhaps unintentionally) the growth of these new access services.

Transfer of Numbers. LO/AD believes that N11 codes should be returned to the issuing body when no longer used and not freely transferred or sold except in connection with mergers and acquisitions.¹⁰

LEC Use of 411 Codes. LO/AD disagrees with the position advanced that LECs should be able to use 411 codes for any directory information service, regardless of whether the service would be classified as basic or enhanced. This is especially of concern when the same LEC is opposing making any N11 codes available to others.¹¹

Conclusion

LO/AD submits that the Commission should release the N11 codes in an expeditious manner, as suggested in our initial Comments to the Notice.


Respectfully submitted,
LO/AD COMMUNICATIONS

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¹⁰See, e.g., Cox Enterprises, Inc. Comments at p. 19 and BellSouth Corporation Comments at p. 7.

¹¹See, e.g., Central Telephone Company Comments at pp. 6-7.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Reply
Comments of LO/AD Communications to Notice of Proposed
Rulemaking" was served this 20th day of June, 1992, by sending
it by Express Mail, postage prepaid, to:

Office of the Secretary
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and to all other parties on the attached list by first class
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