

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

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Federal Communications Commission  
Office of the Secretary

In the Matter of )

The Use of N11 Codes and )  
Other Abbreviated Dialing )  
Arrangements )

CC Docket No. 92-105

ORIGINAL  
FILE

REPLY COMMENTS

GTE Service Corporation, on behalf of its affiliated domestic telephone and cellular companies ("GTE"), submits its Reply Comments on the Commission's Notice of Proposed Rulemaking ("Notice") in the proceeding captioned above.<sup>1</sup> As discussed below, the comments filed in this proceeding to date generally support the position GTE advanced in its Comments: that the use of N11 numbers as abbreviated dialing codes for enhanced and other competitively-provided services does not serve the public interest.

DISCUSSION

Most of the commentors agree that the use of N11 numbers as abbreviated dialing codes for competitively-provided services does not serve the public interest.

By and large, the majority of the commentors in this proceeding agree that the use of N11 numbers as abbreviated dialing codes would be a misguided effort. Of the LECs who submitted comments, only Bell South Corporation ("Bell South"), whose petition for rulemaking initiated this proceeding, supported the Commission's proposal as written.<sup>2</sup> Virtually all of the LECs echoed GTE's belief that the N11 codes should be

<sup>1</sup> FCC 92-203, released May 6, 1992.

<sup>2</sup> While the comments of the Municipality of Anchorage, doing business as Anchorage Telephone Utility ("ATU"), could be construed as supporting the

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retained for public access services and that the use of N11 numbers as abbreviated dialing codes for competitively provided services would create severe problems for the carriers and the Commission.<sup>3</sup>

Several LECs raised key concerns that the Commission did not discuss in the Notice but that will have to be addressed if the Commission adopts its proposal. For example, the Ameritech Operating Companies ("Ameritech") and the Puerto Rico Telephone Company ("PRTC") noted that the conversion of N11 numbers into abbreviated dialing codes for enhanced services could result in the use of these numbers for pay-per-call type services subject to the per line blocking requirements of Section 223(c)(1) of the Communications Act ("the Act").<sup>4</sup> Yet as PRTC observed, many switches are currently incapable of selectively blocking calls made with N11 codes without substantial modifications.<sup>5</sup> Other LECs noted that the use of N11 numbers as dialing codes presents a real possibility of considerable litigation, either in the allocation or recall of the codes.<sup>6</sup> GTE strongly agrees that if the Commission adopts its proposal, the allocation and revocation procedures for N11 codes must be absolutely clear from the outset so that there is no question as to the rights and obligations of all parties involved. Finally, several LECs stated in their comments that

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Commission's proposal, such support must be considered limited at best, in light of the concerns ATU raises regarding jurisdictional issues and the like. The Bell Atlantic telephone companies ("Bell Atlantic") state that "the use of N11 codes for dialing enhanced service providers could serve the public interest," but Bell Atlantic's support is clearly premised on its proposal that two N11 codes be set aside for nationwide gateways or other similar arrangements. Comments of Bell Atlantic at 1.

<sup>3</sup> See, e.g., Comments of Central Telephone Company at 2; Comments of the NYNEX Telephone Companies at 2; Comments of Pacific Bell and Nevada Bell at 1; Comments of U S West Communications, Inc. at 1.

<sup>4</sup> Comments of Ameritech at 18; Comments of PRTC at 4.

<sup>5</sup> Comments of PRTC at 4.

<sup>6</sup> See Comments of Ameritech at 2-3; Comments of Rochester Telephone Corporation at 3; Comments of the Southern New England Telephone Corporation at 5.

they have already received, like GTE, one or more requests for N11 assignments.<sup>7</sup> Clearly, the stampede for N11 numbers has already begun.

Of greater significance is the reaction of ESPs, interexchange carriers ("IXCs"), and user groups to the Commission's proposal. Many of these entities found fault with at least one major aspect of the Commission's proposal, despite the fact that these entities stand to benefit the most from the change in policy. Neither of the major trade associations representing the ESPs support the conversion of N11 numbers to abbreviated dialing codes for competitive services. The Information Industry Association ("IIA") objects to the use of N11 numbers as abbreviated dialing codes because of the limited availability of N11 numbers.<sup>8</sup> The Information Technology Association of America ("ITAA") described the Commission's proposal as a "quick-fix" and stated that the rapid "churning" that would result from the conversion of N11 numbers into abbreviated dialing codes and then to NPAs would "hardly [be] the best way to encourage and maintain consumer demand for easily accessible information services."<sup>9</sup> Other ESPs found the Commission's proposal to be objectionable for similar reasons.<sup>10</sup>

Of the IXCs, only MCI Telecommunications Corporation ("MCI") appears to support the use of N11 numbers as abbreviated dialing codes. This fact is not surprising since MCI has already requested assignment of an N11 code from GTE and presumably from other LECs.<sup>11</sup> Sprint takes the opposite view, arguing that "there are

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<sup>7</sup> See Comments of Ameritech at 2, n.2; Comments of Bell Atlantic at 2; Comments of Sprint Corporation ("Sprint") at 3, n.4.

<sup>8</sup> Comments of IIA at 1.

<sup>9</sup> Comments of ITAA at 4-5.

<sup>10</sup> See, e.g., Comments of BT North America Inc.

<sup>11</sup> While American Telephone and Telegraph Company ("AT&T") did not openly oppose the Commission's proposal, neither did it openly support it. Further, AT&T expressed considerable concern about the fair and efficient use of the codes and the need to allocate the codes "in a manner that maximizes their use by the greatest number of carriers and customers," which AT&T implicitly

far too few available N11 codes, and there is sufficiently great potential for customer confusion and for access charge arbitrage, to allow these codes to be used for abbreviated dialing."<sup>12</sup> Finally, the Ad Hoc Telecommunications Users Committee ("the Committee") found considerable fault with the assignment of N11 codes to specific service providers. The Committee argued that local assignment of N11 codes would result in customer confusion and that nationwide assignment would give a substantial competitive advantage to those few service providers who hold the codes.<sup>13</sup>

The arguments of those commentators who support the use of N11 numbers as abbreviated dialing codes for competitive services are not persuasive and ignore reality.

None of the parties who support the use of N11 numbers as abbreviated dialing codes provide any convincing reasons why the Commission's proposal should be adopted. The support of some commentators - e.g., AT&T and ATU - is lukewarm at best, or depends upon substantial revisions to the Commission's proposal (e.g., Bell Atlantic). The Alternative Weekly Newspapers appear to favor the use of N11 numbers as abbreviated dialing codes only because of their concern about the continued availability of 976 numbers.<sup>14</sup> Others who support the Commission's proposal undoubtedly do so because they have already requested N11 assignments.<sup>15</sup>

More importantly, none of the parties who support the conversion of N11 numbers into abbreviated dialing codes advances any definitive reasons why such a policy would serve the public interest. Some commentators ignore the issue altogether and simply comment on issues associated with implementation of the Commission's

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recognized is not possible if the codes are allocated to single service providers as proposed in the Notice. Comments of AT&T at 3.

<sup>12</sup> Comments of Sprint at 1.

<sup>13</sup> Comments of the Committee at 2-3.

<sup>14</sup> Comments of the Alternative Weekly Newspapers at 2-3.

<sup>15</sup> See, e.g., Comments of Mobile Telecommunications Technologies Corporation ("Mtel").

proposal.<sup>16</sup> Others who address the issue are simply not persuasive. Bell South argues that "the availability of local abbreviated dialing service arrangements will facilitate the development and introduction of information services to the public."<sup>17</sup> Similarly, Mtel contends that N11 codes, when identified with particular services, "can be powerful marketing tools, increase subscribership to innovative and advanced offerings, and significantly benefit users by permitting faster, more efficient access."<sup>18</sup> But both Bell South and Mtel ignore the fact that there is a extremely limited number of N11 codes available. Certainly an N11 number, used as an abbreviated dialing arrangement, would be a "powerful marketing tool," but only for a handful of competitive service providers. It is hard to see under these circumstances how the use of N11 numbers as abbreviated dialing codes will facilitate the development and introduction of new information services to any great extent.

Mobile Connections, Inc. ("Mobile"), an ESP, takes a different tack. Mobile contends that it has not been able to commence offering its proposed enhanced service because a three-digit dialing code is unavailable. However, this claim must be viewed with some skepticism. Elsewhere in its comments, Mobile states that a three-digit dialing code is merely "preferable." Further, Mobile does not explain why it cannot launch its proposed service offering using one of the existing dialing schemes that is available to all ESPs.<sup>19</sup>

The comments filed by those who support the use of N11 codes as abbreviated dialing schemes vividly illustrate the potential for controversy and the problems that must be resolved if the Commission proceeds to adopt its proposal. Different commentators promote different allocation schemes. Some commentators such as MCI

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<sup>16</sup> See Comments of MCI; Comments of LO/AD Communications ("LO/AD"); Comments of Datatrex.

<sup>17</sup> Comments of Bell South at Summary, p. i.

<sup>18</sup> Comments of Mtel at 2-3.

<sup>19</sup> Comments of Mobile at 2.

and Cox Enterprises, Inc. ("Cox") insist that N11 numbers must be allocated on a first come, first serve basis.<sup>20</sup> In contrast, LO/AD argues in essence for comparative hearings in which applicants would be ranked on a number of factors.<sup>21</sup> The comments of Datatrex confirm the potential for serious problems in the recall of N11 codes. Citing "the research and development costs as well as other costs associated with the offering of information services on a national basis," Datatrex insists that N11 codes "not be recallable unless all other viable options have been exhausted and only after a minimum six-month notification."<sup>22</sup> Datatrex's comments point out yet another area of disagreement among the parties supporting the Commission's proposal, namely the assignment of N11 codes on a nationwide or local basis. Cox contends that N11 codes must be assigned on a local basis, since nationwide use "would restrict the availability of abbreviated dialing to only four users and would require reprogramming or re-engineering every switch in the United States."<sup>23</sup> In sharp contrast, MCI insists that nationwide applications be given priority over regional or local applications "to assure that the value of N11 numbers is retained."<sup>24</sup>

Several of the parties who support the Commission's proposal give short shrift to the costs associated with the conversion of N11 codes into abbreviated dialing schemes. For example, both LO/AD and Mobile state, without explanation, that the use of N11 numbers as abbreviated dialing codes will result in no confusion among customers.<sup>25</sup> Since the public has associated N11 numbers with public access services

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<sup>20</sup> Comments of MCI at 2; Comments of Cox at 11.

<sup>21</sup> Comments of LO/AD at 2-3. Taking yet another viewpoint is Mobile, who contends that "the assignment of three-digit codes should be limited to enhanced service providers, who provide emergency services and unique types of information service offerings (such as 911 and 411)." Comments of Mobile at 4.

<sup>22</sup> Comments of Datatrex at 2.

<sup>23</sup> Comments of Cox at 5; see also Comments of the Alternative Weekly Newspapers.

<sup>24</sup> Comments of MCI at 1; see also Comments of Mtel at 6.

<sup>25</sup> Comments of LO/AD at 3; Comments of Mobile at 5.

for years, it is hard to see how the use of N11 codes for competitive services would not result in considerable customer confusion for some period of time, particularly if those numbers are then converted to NPA codes soon after. LO/AD argues that if the LECs are required to make N11 codes available for competitive services, they should be required to provide billing and collection services at the same time, since "the making available of N11 codes in and of itself is of limited benefit if support services do not accompany it."<sup>26</sup> But as GTE noted in its Comments, the majority of GTE's end offices are not equipped to record end user dialed N11 numbers. All of GTE's end offices, both common control and electromechanical, would have to be equipped with local measured service capability in order to provide recording and billing functions to enhanced and other such service providers. Finally, LO/AD and Mobile suggest that current 611 and 811 code use by the LECs is not an efficient use of a limited resource.<sup>27</sup> These parties do not explain why the use of these codes for services that may have limited public appeal is any more efficient. But more importantly, LO/AD and Mobile ignore the fact that the public has for years associated 611 and 811 with repair services and that converting these services to 7-digit access will be costly for the carriers and confusing for customers.

The use of N11 codes as gateways  
to access information services  
is a possibility, but not today.

Recognizing the limited availability of N11 numbers, several commentors suggest an alternative to the Commission's proposal to assign N11 codes to individual service providers. These commentors suggest that one or more N11 codes be used as a "gateway" to provide access to enhanced or other information services.<sup>28</sup>

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<sup>26</sup> Comments of LO/AD at 4.

<sup>27</sup> Comments of LO/AD at 2; Comments of Mobile at 3.

<sup>28</sup> Comments of Bell Atlantic at 1-2; Comments of IIA at 3.

GTE understands the desires of ESPs for abbreviated dialing schemes. However, GTE has considerable problem with the use of N11 codes in this manner. As Bell Atlantic observes in its comments, such use requires advanced intelligent network ("AIN") technology. While Bell Atlantic may be sufficiently far along in its implementation of AIN technology to permit such dialing schemes in the near future, GTE's efforts in this regard are not as advanced. Accordingly, it would not be possible for GTE to offer an N11 gateway or the like on its network in the timeframe envisioned. GTE believes that its situation is typical for most of the independent LECs. The comments of the United States Telephone Association ("USTA") suggest this to be the case.<sup>29</sup>

But apart from this fact, GTE continues to believe that the best possible use of N11 numbers is to provide access to services that facilitate the public's use of the underlying network. The public associates N11 codes with these services; such services benefit the public at large; and they cost little or nothing for the individual subscriber to use. As GTE stated in its Comments, GTE sees no valid reason why this should change.

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<sup>29</sup> Comments of USTA at 13.

**CONCLUSION**

The comments filed in this proceeding to date confirm the conclusion GTE reached in its Comments: that adoption of the Commission's proposal to convert N11 numbers into abbreviated dialing codes will not serve the public interest. Making N11 numbers available for competitively provided services is a costly, possibly short-lived undertaking that benefits only a few service providers and affords no new and otherwise unavailable services for the public. Accordingly, the Commission should refrain from adopting its proposed rules.

Respectfully Submitted,

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July 13, 1992

## Certificate of Service

I, Jennifer R. McCain, hereby certify that copies of the foregoing "Reply Comments Of GTE" have been mailed by first class United States mail, postage prepaid, on the 13th day of July, 1992 to the parties on the attached list:

  
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