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

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DEC 20 1991

Federal Communications Commission
Office of the Secretary

In the Matter of

Administration of) DA 91-1307
the North American)
Numbering Plan)

COMMENTS OF TELOCATOR

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Telocator, by its attorneys, hereby submits its comments on the above-captioned Petition for Notice of Inquiry filed by the National Association of Regulatory Utility Commissioners ("NARUC") on September 26, 1991.¹

I. SUMMARY

As the trade association for the personal communications industry, Telocator supports NARUC's request for an inquiry into administration of the North American Numbering Plan ("NANP").² There is a compelling need for such a proceeding because the current administration of the NANP does not adequately accommodate the vital and unique numbering needs of mobile service providers. This has serious ramifications for a wide range of public interest concerns. Failure to plan for and accommodate the numbering needs of emerging

¹ In the Matter of Administration of the North American Numbering Plan, DA 91-1307, filed September 26, 1991.

² Telocator represents providers of paging, cellular, and personal communications services ("PCS").

Personal Communications Services (PCS) could create an insuperable barrier to the development and delivery of these state of the art telecommunications services to the American public.

Commission policy is well established that mobile carriers are entitled to co-carrier status with respect to local exchange services.³ Nonetheless, the NANP is administered from a narrow, wireline perspective that affords mobile service providers little meaningful opportunity to have any say in the decision-making process. Yet, numbers dispensed through the NANP are essential to mobile services' growth and development.

The current, closed process has disadvantaged providers and users of wireless services in several respects:

- ° paging carriers have been denied access to additional 800-NXX codes;
- ° cellular carriers experience difficulty obtaining NXX codes on a timely and non-discriminatory basis;
- ° cellular carriers are uniquely burdened by NPA splits, yet have no say in the planning process; and,
- ° many mobile calls are inefficiently routed, causing delayed completion and increased expense.

³ The Need to Promote Competition and Efficient Use of Spectrum for Radio Common Carrier Services, 59 RR2d 1275, Appendix B (1986) ("Policy Statement"). Over eleven million paging customers and six to seven million cellular telephone customers account for 11 to 12 percent of all local access lines now in service.

To remedy these flaws, and to ensure impartial and informed resolution of other matters affecting the mobile industry -- such as the integration of personal communications services into the NANP and the advisability of mobile Service Access Codes -- the NANP administration process must be made more responsive to the needs of wireless services. Although avenues for good faith dialogue with Bellcore currently exist, including the Wireless Interconnection Forum, these do not go far enough because Bellcore retains unchecked authority to make decisions and resolve disputes. Accordingly, Telocator urges the Commission to inquire into means of transferring the NANP administration function to an independent entity that gives all affected interests a voice in the development and implementation of numbering policies.

II. THE NANP CURRENTLY IS ADMINISTERED FROM AN EXCLUSIVELY WIRELINE PERSPECTIVE THAT DISADVANTAGES MOBILE SERVICE PROVIDERS.

The current NANP administration affords mobile service providers no meaningful role in the decision-making process. Rather, issues of critical importance to the wireless industry are resolved by Bellcore and the BOCs from an exclusively wireline perspective. Not surprisingly, then, the specific needs of mobile carriers and their customers often are inadequately considered and poorly accommodated:

First, paging carriers have been denied access to additional 800-NXX codes. 800 numbers enhance the utility of wide-area paging services by enabling landline callers to contact subscribers without having to make expensive toll calls. Notwithstanding the importance of such numbers, however, Telocator's members have been inhibited from expanding their wide-area, toll-free offerings because Bellcore has declined to allocate additional 800 NXX codes for paging use.

In 1981, sixteen 800 NXX codes were reserved for paging services. However, given the rapid growth in demand for both paging and 800 services, these codes have been nearly exhausted in some areas of the country.⁴ Since 1988, Bellcore has declined to allocate additional 800 NXX codes to paging, relying on "the current and projected growth of 800 NXX code assignment requests and the need to conserve these codes for traditional 800 services offered by multiple 800 Service providers."⁵ Bellcore's reasoning reveals its perspective that wireless services are second-class and

⁴ These codes are for intrastate service and, thus, can be reused from state to state. Notwithstanding their allocation for paging services, some BOCs have refused to assign paging carriers blocks of numbers within the sixteen original 800-NXXs; others have priced the numbers so high that they cannot be used cost effectively.

⁵ Letter of P.E. White, Assistance Vice President, New Architecture and Service Concepts, Attachment, p. 2, dated August 17, 1988 (emphasis added).

underscores the need for a mobile industry role in the number assignment process.

Second, cellular carriers experience difficulty obtaining NXX codes on a timely and non-discriminatory basis.

Some BOCs, however, make it more difficult for mobile carriers to obtain NXX codes than for wireline carriers to do so, notwithstanding their co-carrier status.

For example, the BOCs generally require cellular carriers to address their NXX requests to the BOCs' marketing personnel, while BOC or independent telco requests are directed through exchange carrier relations personnel. Telocator believes that, as a result of this disparate treatment, cellular carriers must wait longer to obtain NXX codes. This delays their ability to provide service to new areas and frequently forces landline callers to make toll calls to contact cellular subscribers.

Similarly, some BOCs require cellular carriers to demonstrate a very high "fill rate" on existing codes in order to obtain a new NXX code, while assigning such codes to landline companies based on a much lower standard or without even requiring a fill rate showing. Not only is there no rational basis for this discrimination, but the very requirement that a cellular carrier disclose its fill rate to an affiliate of its chief competitor creates a significant

risk of unauthorized disclosure of competitively sensitive information.

Third, cellular carriers are uniquely burdened by NPA splits, but generally are not made part of the planning process when code exhaustion is imminent. When an NPA is split, a landline telephone company may change the NPA of its subscribers by simply revising the software in its serving offices. Mobile carriers, however, cannot always change their subscribers' NPA solely by altering MTSO software -- they often must physically recode their customers' equipment. While newer cellular telephones can usually be reprogrammed, many older models require replacement of internal electronics. In either case, the recoding requires a substantial commitment of time from the carrier and its customers, and often forces the carriers to establish temporary service centers.

Despite this unique burden, landline carriers generally plan for NPA splits without seeking input from the mobile industry or even advising mobile carriers of implementation plans for the split. This disregard for mobile needs creates undue expense and inconvenience and ignores the possibility that, in cooperation, cellular and landline carriers might be able to delay the need for a split.

Fourth, many mobile calls are inefficiently routed, yet the current NANP administration has resisted efforts to

address this problem. Under the wireline model that dominates administration of the NANP, telephone numbers correspond with specific geographic locations. This model is not well-suited to wireless services, where telephone numbers are associated with handsets that may be moved anywhere.

Currently, when a call is made to a wireless subscriber, it is automatically routed to the geographic location represented by the assigned NPA-NXX code, instead of being routed directly to the subscriber's telephone. This inefficiency causes service delays and creates needless costs for mobile carriers and their customers. While in recent years the NANP administration has begun to seek input from the wireless communications community, to date, their actions and decisions have not reflected any serious effort to incorporate that input into their NANP planning framework.⁶

III. AS WIRELESS SERVICES CONTINUE TO EXPAND AND EVOLVE, SATISFACTION OF THEIR NUMBERING NEEDS WILL BECOME EVEN MORE IMPORTANT.

Mobile industry growth and innovation will be even more dramatic over the next several years than in the last decade. However, failure to accommodate the numbering requirements of

⁶ Assignment of dedicated Service Area Codes ("SACs") for mobile carriers, as discussed below, would eliminate the inefficiencies caused by geographic routing. Repeated requests to initiate an inquiry into this approach have been rejected on the grounds that other industries would request similar assignments.

existing and new mobile services may prevent these offerings from reaching their full potential.

In particular, there are two upcoming NANP administration matters that will profoundly affect the vitality of wireless services: first, the need to accommodate new personal communications services within the NANP; and second, the need to decide whether to allocate mobile Service Access Codes. To assure informed and impartial resolution of these matters, mobile industry participation in the decision-making process is essential.

Accommodation of PCS within the NANP. With numerous advanced forms of PCS under development and a regulatory framework for PCS under consideration, the NANP administration must shortly determine how to assign telephone numbers and other NANP codes required to implement PCS. In addition, the administration will need to consider how to integrate PCS within the NANP in a broader sense: how to bring about "personal" numbering, which permits subscribers to employ the same network address no matter what underlying service they are using. This will require decisions regarding who should deploy and maintain customer location databases and how numbering assignments may be freed from the current geographic hierarchy. If left to the current, closed NANP administration process, Telocator is greatly concerned

that these decisions will be based on an incomplete record and an unduly narrow view of PCS requirements.

Mobile Service Access Codes. Bellcore has announced plans to convert to an interchangeable NPA system in 1995.⁷ To Telocator's knowledge, however, Bellcore has not developed guidelines for assigning the new codes, determined who is eligible to receive them, or decided whether they will be geographically based. These issues are of critical importance to mobile service providers because interchangeable NPAs will free up 640 new NPAs, some of which could be used for mobile Service Access Codes (SACs).

Mobile SACs could greatly reduce inefficiencies in routing mobile calls. They would alert local telephone companies that a particular call is destined for a mobile subscriber and accordingly should be processed through a mobile point of interface. That interface would connect with a customer location database that would permit call completion over the most efficient route possible -- avoiding delay and saving transmission resources. Given the considerable promise of mobile SACs, the mobile industry must be permitted to take part in decisions regarding their advisability.

⁷ Currently, NPAs (the three-digit area code numbers) are assigned with a 0/1 middle digit. Under an interchangeable NPA system, NPAs would be in NXX format, with the first digit assigned any number except 0 or 1.

IV. ADMINISTRATION OF THE NANP MUST BE OPEN TO PARTICIPATION BY MOBILE PROVIDERS.

To its credit, Bellcore recently has made efforts to solicit the views of the mobile services industry regarding numbering issues. Most notably, the Wireless Interconnection Forum, which Telocator established with Bellcore in 1990, provides an opportunity for Telocator, CTIA, and Bellcore to discuss mobile industry perspectives on numbering and related matters. Like all the other forums and working groups involving Bellcore, however, this body is voluntary. Bellcore is not required to adopt its recommendations, and Bellcore retains sole responsibility for making and carrying out NANP policy decisions.

Although Bellcore undoubtedly seeks to administer the NANP in an even-handed fashion, there is too great a risk of imprudent decision-making when an entity representing only one portion of the industry has the ultimate say on matters of such fundamental importance. Telocator accordingly recommends that the Commission initiate an inquiry into transferring administration of the NANP to a more open, public, and accountable entity. Specifically, the Commission should examine means of ensuring that all affected interests, including mobile service providers, have an opportunity to develop clear, nondiscriminatory standards and guidelines for code assignments and other NANP management functions. Such an inquiry is vital to insure that the NANP is made more

representative of the contemporary telecommunications infrastructure and does not become an obstacle to the emergency of advanced developments in wireless communications.

V. CONCLUSION

As demonstrated above, the current NANP administration process does not adequately meet the numbering needs of the mobile services industry. Accordingly, Telocator urges the Commission to grant NARUC's Petition to establish a Notice of Inquiry and to focus that inquiry on means of establishing a representative and open NANP administration process.

Respectfully submitted,

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CERTIFICATE OF SERVICE

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