

Mark H. Goldberg
Executive Director
Regulatory Matters -
Technology
Business: (416) 345-2695
Facsimile: (416) 345-2878

ORIGINAL
FILE

Unitel
Communications Inc.
200 Wellington Street West
Toronto, Ontario
M5V 3C7

uniteL

December 23, 1992

RECEIVED

RECEIVED

DEC 24 1992

DEC 24 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Donna Searcy
Secretary
Federal Communications Commission
1919 M Street N.W.
Washington, D.C.
U.S.A. 20554

FCC - MAIL ROOM

Dear Ms. Searcy,

Subject: Administration of the North American Numbering Plan
Notice of Inquiry (NOI) as released October 29, 1992
CC Docket No. 92-237

INTRODUCTION

Unitel Communications Inc. (Unitel) is pleased to respond to the FCC Notice of Inquiry (NOI) in the matter of Administration of the North American Numbering Plan (NANP) under CC Docket No. 92-237.

Unitel Communications Inc. is Canada's national telecommunications facilities-based carrier with digital fibre-optic and microwave networks. Interexchange long distance competition has recently been liberalized in Canada as a result of Telecom Decision CRTC 92-12 (Decision 92-12), issued by the Canadian Radio-television and Telecommunications Commission (CRTC) on June 12, 1992. Unitel is increasingly dependent on the availability and equitable allocation of numbering resources to all North American Carriers.

As noted by the NOI, the original NANP was developed in 1947. That was a time when the interests of the monopoly local carrier coincided with the interests of the monopoly interexchange carrier. Contention for numbering resources was handled as an intra-corporate arbitration, using escalation as required. Nearly half a century later, telecommunications services providers are finding themselves in an environment of constant change and competition on formerly sacred monopoly grounds. In many jurisdictions, local service competition is emerging. This, coupled with advances in technical infrastructure and new services has resulted in increasingly diverse demands for already strained numbering resources. The regulatory and policy environment must be capable of reacting to these demands through fair and efficient administration of the limited numbering spectrum. Unitel is therefore encouraged by the decision of the FCC to explore these issues.

No. of Copies rec'd
List A B C D E

0+9

PHASE ONE: OVERALL ADMINISTRATION OF THE NANP

At a recent conference, the traditional responsibilities of the NANP administrator were suggested by Bellcore to include¹:

- Administering numbering resources fairly and impartially to the mutual benefit of users and service providers through out the World Zone 1;
- Working cooperatively with standard bodies, industry forums, national and international organizations, and appropriate government agencies having an interest in numbering issues;
- Ensuring that code conservation techniques are employed in utilization and assignment of NANP resources;
- Maintaining the availability of NANP resources; and
- Adapting the NANP to the changing requirements of telecommunication industry users and service providers.

A clear definition of the role and responsibilities of the administrator of the NANP is essential. This definition should include a description of the relationship of the NANPA to the appropriate public policy and regulatory agencies within World Zone 1. In addition, industry service providers and users require points of reference within the NANP administration from which process improvements can be made.

It is of primary importance to recognize that the NANP administrator's role is a position of control conferred upon one entity. This entity has monopoly powers and control over an asset which is provided to all carriers and service providers. It must therefore operate under a collection of documented procedures, with the approval of a regulatory body. Plenary authority will remain with the respective jurisdiction of national regulatory agencies such as the FCC in the United States, and the Department of Communications (DOC) in Canada.

The assumption of neutrality of the administration may no longer be valid in an increasingly competitive environment. As a result, procedures for the administration of the NANP require consensus approval by a forum composed of all industry segments, both service providers and users. Using the example

¹

Ron Conners, Director, NANP Administration, Telestrategies Conference, October 29, 1992.

of the Canadian Steering Committee on Numbering (CSCN), the NANP Administration could likewise have a steering committee composed of representatives from industry, and users, with observers from government and regulatory agencies. A "fuse", with perhaps a 90 day expiration, would be attached to each new issue which is raised.

If resolution of the issue is not reached in that period, the matter would be escalated to the regulator. In any case, the regulator has final authority to approve or deny changes to the administrative procedures.

It is crucial that the steering committee should not be dominated by any one segment of the industry. With the current situation, Bellcore, as a company owned by the largest Local Exchange Carrier holding companies, has incentives to act in the interests of its owners. As the monopoly numbering service provider, it is imperative that a regulator ensures that Bellcore does not confer or its owners an "undue preference" or act with unjust discrimination against other applicants. In this area, there is commonality in the legislative Acts which govern the industry in both Canada and the United States. Section 340(2) of the Railway Act of Canada reads:

A company shall not, in respect of tolls or any service or facilities provided by the company as a telegraph or telephone company,

- (a) make any unjust discrimination against any person or company,
- (b) make or give any undue or unreasonable preference or advantage to or in favour of any particular person or company or any particular description of traffic, in any respect whatever, ...

and where it is shown that the company makes any discrimination or gives any preference or advantage, the burden of proving that the discrimination is not unjust or that the preference is not undue or unreasonable lies on the company.

A similar principle in the U.S. Communications Act of 1934 reads:

It shall be unlawful for any common carrier to make any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities, or services for or in connection with like communication service, directly or indirectly, by any means or device, or to make or give any undue

or unreasonable preference or advantage to any particular person, class of persons, or locality, or to subject any particular person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage. [47 U.S.C. 202(a)]

Unitel therefore recommends that the entity responsible for numbering plan administration be regulated. Further, the entity should document all its procedures and guidelines, and submit these for public review and regulatory approval.

PHASE TWO: FEATURE GROUP D ACCESS CODES

Background

Competition in the provision of public long distance voice telephone services was introduced in Canada on June 12, 1992 with Decision 92-12. As part of Decision 92-12, the CRTC has ordered the timely introduction of "equal ease of access" to competitive long distance services through 1+ and 10XXX casual dialling plans. In the interim, 1+950-0XXX dialling is to be provided for access.

According to information provided by the Canadian telephone companies, 1+ and 10XXX access can be made available within 18 months. Unitel has obtained a 3-digit Carrier Identification Code which it intends to have activated for 1+950-0XXX access in 1993 and 10XXX access in 1994.

In Phase Two of the NOI, the FCC has asked four questions concerning the proposed expansion of Feature Group D (FGD) access codes from 3 to 4 digits:

- 1) What are the costs and technical issues associated with converting FGD CIC codes to a 4-digit format?
- 2) What are the benefits of doing so and how do these benefits compare with the costs?
- 3) Are there alternative technical approaches that would allow all long distance carriers and other end users to achieve equal access?
- 4) If FGD codes are not expanded, what rules should govern the assignment, recall, transfer and use of the FGD codes that will be available?

Unitel's comments address questions 1 through 3 in the Canadian context.

Costs and Technical Issues Associated with FGD CIC Expansion

As noted by the FCC, the expansion of FGD codes is a complex issue which will require a change in dialling from 10XXX to 101XXXX. Currently, this change is scheduled for the 1995 time frame.

According to evidence submitted by Bell Canada during the proceeding leading to Decision 92-12, FGD CIC expansion is expected to cost \$3.4 million in switching software modifications. Unitel estimates that the cost of modifying the remaining Canadian telephone company switching offices would be an additional \$3 million. Not included is the additional expense of informing the public of the new casual dialling codes and procedures.

Unitel is concerned that the additional dialling requirement, coupled with the relatively limited experience with 10XXX dialling, will dissuade casual calling on its network.

Benefits of FGD CIC Expansion

There are no clear benefits for the Canadian telecommunications market of expanding the FGD CIC codes to 4 digits. It is extremely unlikely that there would be 1000 codes consumed in Canada given the smaller size of the industry. The change in dialling plan in 1995 will serve to add considerable confusion to our consumer base. The 5-digit access code will have only been in use for one year in Canada when 1995's seven digit code is introduced.

Alternatives to FGD Expansion in Canada

Unitel suggests that if FGD code expansion is required in the United States, this would not necessarily dictate that Canadian codes would need to be expanded as well. Although it would be desirable to maintain uniform dialling requirements for each of the countries within World Zone 1, the introduction of competitive long distance services and their implementation has not evolved at the same pace. Consideration of the various stages of competition is required when establishing and enforcing the related NANP guidelines. For example, for the past 8 years, there has been 10XXX dialling in the United States, which does not work in Canada. Using the same precedent, there is no reason why the dialling plans could not continue to evolve consistently, but at their own pace.

Conclusion

Unitel looks forward to further transition planning and industry wide cooperation in the pursuit of an equitably balanced NANP administration. As a competitive World Zone 1 Interexchange carrier, and founding member of the Canadian Steering Committee on Numbering, Unitel appreciates the opportunity for this forum of discussion and input into the administration of the North American Numbering Plan.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark H. Goldberg". The signature is fluid and cursive, with a prominent initial "M".

Mark H. Goldberg
Executive Director
Regulatory Matters - Technology