

Before the  
Federal Communications Commission  
Washington, D.C. 20554

ORIGINAL  
RECEIVED

DEC 28 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

ORIGINAL  
FILE

\_\_\_\_\_  
In the Matter of )  
 )  
Administration of the )  
North American Numbering Plan )  
 )  
Notice of Inquiry )  
\_\_\_\_\_

CC Docket No. 92-237

COMMENTS OF  
MCI TELECOMMUNICATIONS CORPORATION

MCI TELECOMMUNICATIONS CORPORATION

Loretta J. Garcia  
Donald J. Elardo  
1801 Pennsylvania Ave., N.W.  
Washington, D.C. 20006  
(202) 887-2082

Its Attorneys

Dated: December 28, 1992

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

24

TABLE OF CONTENTS

	<u>Page</u>
Summary . . . . .	ii
I. Administration of the North American Numbering Plan Should Be Transferred out of Bellcore . . . . .	2
A. Bellcore Should Not Continue as Administrator of the North American Numbering Plan Because Its Performance Has Been Unsatisfactory . . . . .	2
B. The Multi-Forum Process Is Not Amendable to Fair and Equitable Public Participation . . . . .	15
C. The FCC Should Delegate the Functions of NANP Administration to Separate Entities not Affiliated with Any Industry Group . . . . .	19
II. The Commission Should Initiate a Rulemaking To Examine Numbering Issues . . . . .	24
A. The Numbering Rulemaking Should Consider Alternative Numbering Arrangements . . . . .	25
B. The Rulemaking Should Consider Allocation of Non-Geographic Numbering Plan Area Code . . . . .	27
C. The Rulemaking Should Consider Local Number Portability . . . . .	28
D. International Issues Should Be Considered in the Numbering Rulemaking . . . . .	29
E. The Costs of NANP Administration Should Be Shared Among all Participants in the Process . . . . .	29
III. The Commission Should Consider Both Near-Term and Long-Term Alternatives for Personal Communications Services . . . . .	30
IV. The Commission Should Approve the Industry's Negotiated Solution for Expansion of Carrier Identification Codes . . . . .	32
Conclusion . . . . .	34

## SUMMARY

MCI favors replacing Bellcore as Administrator of the North American Numbering Plan (NANP) with a neutral NANP Council and a neutral Registrar. Bellcore should not continue to administer the NANP because of the many deficiencies in its past performance. MCI and others have previously cited examples of Bellcore's discriminatory assignment priorities, its unwillingness to assign service codes for uses other than those of its owners, the RBOCs, and its delay in initiating resolution of pressing policy issues.

The new structure proposed by MCI which separates policymaking from administration, would correct the deficiencies that exist in the Bellcore/NANPA system. The centerpiece of MCI's proposed new structure would be an entity -- the "NANP Council" -- which would oversee the industry's discussions on numbering issues. The Council itself would not decide policy but, rather, would facilitate the industry's ability to reach consensus resolutions through the committee system. A separate entity -- called the NANP "Registrar" to distinguish it from the current NANP "Administrator" -- would perform the strictly ministerial functions such as assigning numbers and keeping records of number assignments.

The Commission's role in the revised number administration system would include establishment of guidelines and procedures to facilitate the policy/business decisionmaking process. The Commission also would place consensus resolutions on an expedited

public comment cycle, it would resolve any remaining issues, and it would interact with its equivalent agencies in Canada and the Caribbean.

MCI urges the Commission to initiate a rulemaking proceeding so that the industry may address the options for revising the numbering system. MCI's proposals contained in these comments could be further refined in such a rulemaking. MCI concurs that many of the issues raised by NARUC should be discussed in a rulemaking proceeding. The rulemaking proceeding should also address alternative numbering schemes, number portability, international issues related to the NANP, and numbering schemes for Personal Communications Services. Finally, MCI urges the Commission to approve the CIC expansion plan adopted by the industry in forum discussions.

RECEIVED

Before the  
Federal Communications Commission  
Washington, D.C. 20554

DEC 28 1992

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

\_\_\_\_\_  
In the Matter of )  
 )  
Administration of the )  
North American Numbering Plan )  
 )  
Notice of Inquiry )  
\_\_\_\_\_ )

CC Docket No. 92-237

**COMMENTS OF  
MCI TELECOMMUNICATIONS CORPORATION**

MCI Telecommunications Corporation (MCI) hereby responds to the request for comments issued by the Federal Communications Commission (Commission) in the docket captioned above.<sup>1</sup> MCI applauds the Commission's initiation of this proceeding, focusing on ways to ensure the fair administration of numbering resources and equitable future policies for numbering plans.

As discussed in more detail below, MCI favors phasing out Bell Communications Research Corporation (Bellcore) as Administrator of the North American Numbering Plan (NANP) and replacing Bellcore with a neutral NANP Council and a neutral Registrar. The NANP Council would facilitate the industry's issue resolution process and discussions in support of policy decisionmaking, under guidelines issued by the Commission. The Registrar would serve in a ministerial capacity confined to such functions as assigning numbers and keeping records of assignments. Any unresolved disputes would be resolved through

<sup>1</sup> Administration of the North American Numbering Plan, Notice of Inquiry, CC Docket No. 92-237, FCC 92-470, released Oct. 29, 1992 (Notice).

the Commission's rulemaking and enforcement processes.<sup>2</sup> The Commission should institute a proceeding to examine the restructuring of number administration. That rulemaking should also consider long-range numbering arrangements, local number portability, and international issues.

It is imperative that this Commission assume a pro-active posture in these processes. MCI believes the current methods and practices used by NANPA and the industry do not facilitate such involvement by the Commission. MCI's proposal, offered herein, provides a greater opportunity for Commission involvement. MCI demonstrates below the inadequacy of the current structure and then describes a new approach which should result in fair, equitable, and unbiased administration of the NANP resources.

**I. Administration of the North American Numbering Plan Should Be Transferred out of Bellcore**

**A. Bellcore Should Not Continue as Administrator of the North American Numbering Plan Because Its Performance Has Been Unsatisfactory**

Bellcore should not continue to administer the NANP because of the many deficiencies in its past performance. MCI has previously cited examples of Bellcore's discriminatory assignment priorities, its unwillingness to assign service codes for uses other than those of its owners, the RBOCs, and its delay in

---

<sup>2</sup> The Commission has asserted its considerable policy influence with respect to numbering issues. For example, in connection with cellular telephone services, the Commission determined that it had the authority to regulate the rights of cellular carriers to obtain and use NXX codes. The Need To Promote Competition and Efficient Use of Spectrum for Radio Common Carrier Services, Declaratory Ruling, 2 FCC Rcd. 2910, 2912 (1987).

initiating resolution of pressing policy issues.<sup>3</sup>

There is an inherent conflict of interest in allowing number administration to be conducted by Bellcore, an entity wholly-owned by the RBOCs.<sup>4</sup> Bellcore has shown a propensity to favor its owners when contention arises over these limited numbering resources. Bellcore's bias toward the RBOCs is evidenced in its handling of the process for expansion of the Carrier Identification Codes (CICs); in development of a long range numbering plan; and in number planning for Integrated Services Digital Network (ISDN) and data services.

With respect to CIC administration and resource expansion, Bellcore's NANP Administrator (NANPA) has repeatedly conducted itself in a manner clearly biased to the needs of Bellcore's owners and not the industry as a whole. In 1988, the industry, in conjunction with NANPA, developed and agreed to a plan for the expansion of the CIC resource from three digits to four digits. Expansion was scheduled to coincide with the projected exhaust of

---

<sup>3</sup> See MCI Communications Corporation, Comments [in Response to the NARUC Petition for an Inquiry into NANP Administration], Undocketed, Dec. 20, 1991; MCI Communications Corporation, Reply Comments, Undocketed, Jan. 17, 1992.

<sup>4</sup> Attached as Attachment A is an affidavit, prepared under oath by Richard L. Taylor -- formerly employed as a member of Bellcore's technical staff -- which clearly explains Bellcore's conflict of interest. Motion To Intervene in the Public Interest and Affidavit of Richard L. Taylor, Pro Se, United States of America v. Western Electric Co., and American Telephone & Telegraph Co., D.D.C., Civil Action 82-0192, filed Nov. 23, 1992 ("Bellcore is, upon knowledge and belief, a cartel owned and directed by seven telecommunications holding companies, known as the Regional Bell Operating Companies ("RBOCs") which own, control, and derive their principal revenues from, the twenty two Bell Operating Companies.").

this three-digit resource. It was proposed, and agreed by the Industry Carriers Compatibility Forum (ICCF), that Feature Group B and Feature Group D CICs would be expanded in the first quarter of 1991 and fourth quarter of 1993, respectively.

Bellcore, on behalf of its owners, provided its expertise in developing the plan and subsequently developed the specifications that switch vendors would use in implementing the expansion. The NANPA played a leading role in the discussions and planning associated with this activity and then fully adopted the proposal.

Subsequent to these events, this Commission adopted the price cap form of regulation for the local exchange carriers (LECs) and determined that CIC expansion was to be treated as an endogenous cost.<sup>5</sup> As a result, CIC expansion costs would be borne by the LECs, as would any other cost of network upgrade.<sup>6</sup> Regardless of the promises the RBOCs made to the Commission and their access customers, the RBOCs -- through Bellcore -- reneged on the industry's plan because they did not see a way to gain exogenous treatment for the costs of keeping their networks modern and capable of handling additional access customers' requests for access services.

---

<sup>5</sup> Policy and Rules Concerning Rates for Dominant Carriers, Second Report and Order, CC Docket No. 87-313, 5 FCC Rcd. 6787 (1990), reconsidered 6 FCC Rcd. 2637 (1991).

<sup>6</sup> The RBOCs' distress over cost recovery under price caps is evidenced in their attempt to reopen price caps endogenous cost issues in this docket. See Petition of Pacific Bell and Nevada Bell (Pactel) at 3-6, filed Nov. 21, 1990; Ameritech Opposition at 23, filed Dec. 21, 1990.

Promptly after the Commission's decision, in 1991, NANPA championed a reopening of the CIC expansion issue in the ICCF. NANPA recommended delay of CIC expansion, even at the risk of exhausting the industry's CIC resource before expansion could be achieved. Indeed, only one month after recommending that expansion be delayed until 1993 for FGB service and until 1995 for FGD service, the NANPA wrote to this Commission seeking approval to force carriers to return CICs, which were legitimately acquired and held by entities.<sup>7</sup> NANPA's request was based on the potential for exhaust of the resource prior to the dates which the NANPA itself was proposing in the industry forum.

It is difficult to interpret these actions as anything but bias favoring the needs of Bellcore's owners. The NANPA supported the original 1988 plan proposed by its owners. The NANPA later pushed for re-examination of the plan after price cap regulation was adopted and CIC expansion was not treated as favorably for its owners as had been anticipated. The NANPA then recommended a delay in implementing CIC expansion, thereby allowing its owners to defer costs which would be generated in implementation. And, finally, NANPA sought to impose hardships on access purchasers by attempting to force them to return CIC resources which they legitimately held, since even the NANPA recognized the risk of CIC exhaust. MCI urges the Commission to approve the industry's plan for expansion of CIC codes in spite

---

<sup>7</sup> See Letter from T.A. Saunders, Bellcore, to Richard M.

of Bellcore's and the RBOCs' objections (See Section IV., below).

The NANPA has also demonstrated its bias in favor of the RBOCs in its proposed Long-Range Numbering Plan (Long-Range Plan).<sup>8</sup> Preliminarily, MCI notes that the proposed long-term numbering plan is not really a long-term plan but merely an allocation of Interchangeable Number Plan Area codes (INPAs) among various categories of services. To achieve a long-term numbering plan which truly represents the needs of the industry, NANPA should have held open industry discussions prior to drafting the plan to establish principles reflecting a competitive telecommunications environment. Instead, NANPA relied on input from selected industry representatives and developed a draft plan which was blatantly biased in favor of the needs of the RBOCs. In development of this plan, NANPA interviewed over a dozen representatives that were associated with the local exchange carrier segment of the U.S. telecommunications industry but only two interexchange carrier representatives.

Consequently, the proposed Long-Range Plan supports the RBOCs' continued monopoly of NPA codes by dividing the resource disproportionately in favor of the RBOCs, thereby creating an artificial shortage and increasing the need to conserve codes. Bellcore provided no justification for dividing up and reserving new NPA codes. It left only the boldfaced result of ensuring

---

<sup>8</sup> Bellcore, North American Numbering Plan Administrator's Proposal on the Future of Numbering in World Zone 1, Letter No. IL-92/01-013, Jan. 6, 1992.

that an inordinate number of NPAs are reserved only for traditional LEC uses. This over-segmentation of the resource would not result in an efficient use of the 640 new INPAs (6.40 billion new line numbers). A more equitable and efficient alternative, which MCI proposed in comments filed in response to the NANPA's plan,<sup>9</sup> would be to place all unassigned NPA codes in a single resource pool and to assign them as legitimate needs are identified by the industry.

Further bias is evidenced in the Long-Range Plan as numbering resources for ISDN services and data services have not been accommodated. In this planning process, MCI highlighted the need to accommodate emerging data service, but Bellcore chose to postpone action in this area. Meanwhile the RBOCs are constructing their own version of switched multimegabit data service (SMDS) numbering which will place their services in an advantaged position in this market.

Bellcore's plan states that "no portion of the 10-digits will be assigned for the primary purpose of identifying telecommunication entities or carrier networks."<sup>10</sup> This statement echoes the RBOC's stated positions and runs counter to the needs of both data and ISDN service providers, which need carrier/network identification within the number string to

---

<sup>9</sup> Letter from Robert W. Traylor, Jr., MCI Telecommunications Corp., to Fred Gaechter, Bellcore NANP Administration, dated Apr. 29, 1992.

<sup>10</sup> See Bellcore's Long-Range NANP Proposal, Letter No. IL-92/01-013, at Section 3.4.2, p. 11, Jan. 6, 1992.

operate their services efficiently. By not including numbering resources for services which require carrier/network identification within the number, Bellcore has supported the RBOCs' opposition to assigning NANP resources to non-LECs. It is worth noting that the International Telegraph and Telephone Consultative Committee (CCITT) recognizes the need for carrier/network identification and supports the assignment of identification within the international numbering plan.<sup>11</sup> Although a Bellcore representative led the work at the CCITT on this recommendation, the Bellcore NANPA's Long-Range Plan ignores these identification needs.

Recent industry activity in development of NXX assignment guidelines for shared use of an N00 code similarly illustrates how the current process led by Bellcore in the role of NANPA frequently malfunctions. Specifically, AT&T requested allocation of an N00 Service Access Code (SAC) for shared use in provision of Personal Communications Service (PCS). NANPA introduced an issue to the ICCF regarding the need for assignment guidelines for the shared N00 SAC for PCS purposes. With no public policy guidance as to what type of PCS services would qualify for assignments from this resource, the NANPA prepared a strawman proposal for guidelines which was consistent with the RBOCs' position, and which excluded various industry segments (e.g., cellular carriers) from access to these resources. It was

---

<sup>11</sup> CCITT, Recommendation E.164, Numbering Plan for the ISDN Era, CCITT COM.II-R23-E, dated March, 1991.

totally inappropriate for NANPA to proceed based solely on its own determination of what public policy should be in this area. This action resulted in unnecessary delay in development of assignment guidelines and introduction of new services.

Another example of bias just occurred in PCS numbering discussions at a sub-working group of Committee T1 Telecommunications. The NANPA representative who chairs this sub-working group addressing PCS numbering made a "consensus" ruling which favored the RBOCs' stated position, despite strong objections from all the U.S. interexchange carriers present. MCI believes that there was no probability that consensus could be reached. Already approximately a year and a half of disagreements have delayed PCS numbering plan development.<sup>12</sup> This decision by the Bellcore NANPA representative did not foster industry consensus building, nor was it consistent with the standards consensus process which is the foundation of the T1 standards process. The decision further undermines the claims

---

<sup>12</sup> The following statement was placed into the minutes of the T1P1.3 Working Group Meeting Report on October 30, 1992:

AT&T Communications, MCI and Sprint LDD believe that consensus was not reached in the T1P1.3 Numbering, Addressing, and Routing Sub-Working Group to proceed on the PCS Numbering technical reports in their present direction, as significant majority of the IXCs present in the sub-working group objected to the Technical Reports. In addition, because of the present Regulatory and Industry Forum activities, we believe that PCS numbering issues should not be discussed in T1P1 and that work should stop on all PCS Numbering Technical Reports.

made by Bellcore that the NANPA operates independent of influence from Bellcore's owners. NANPA representatives are trained by the RBOCs, paid indirectly by the RBOCs, and in some cases will rotate back to the positions within an RBOC from which they came after serving Bellcore. Thus, a natural bias by NANPA personnel toward RBOC positions is inevitable.

Apart from bias toward the RBOCs, Bellcore has delayed convening discussions on significant issues, to the detriment of the industry. For example, Bellcore's issuance of the proposed Long-Range Plan has generated a significant number of industry comments, to which Bellcore has not yet responded. In fact, it has delayed any industry discussion on the comments for more than six months beyond the previously-announced target date, and will not conduct industry discussion again until March 1993. This delay in discussions favors the RBOCs since assignment of INPAs will be more difficult prior to these industry discussions. The deliberations and eventual decisions with respect to this proposed Long-Range Plan may take years, judging from past forum processes of this nature. In the meantime, number assignment for most of the industry will not go forward. The RBOCs, however, will continue to obtain the numbering resources they require without interruption.

NANPA has similarly delayed resolving the issue of NPA depletion. The exhaustion of NPA codes threatens the ability of carriers to provide universal service. In fact, this situation is so acute that Bellcore has acknowledged the possibility that

the supply of NPAs may be exhausted before interchangeable codes are made available.<sup>13</sup> Moreover, despite the critical nature of this resource, Bellcore has inappropriately left assignment of Central Office (CO)/NXX codes to the RBOCs, with no guidance to assure consistent and efficient allocation of these resources. It was only after this Commission pointed out the impropriety of Bellcore's failure to administer these resources<sup>14</sup> that NANPA initiated industry activity to develop CO/NXX Assignment Guidelines. The absence of such guidelines may have contributed to the current jeopardy situation in which the industry finds itself. Indeed, the RBOCs have been able to assign NXX codes as they wish with no assurances to the industry that they are being used in an efficient manner or assigned to applicants, including themselves, on an equitable basis. While giving the RBOCs a free rein in assigning NXXs, Bellcore has inconvenienced other industry segments in seeking the return or exchange of previously assigned NPA codes.

It is not surprising that the performance and conduct noted above has occurred, given the relationship between the RBOCs and Bellcore as the NANPA. Under today's Bellcore system, the RBOCs have frequent contact with Bellcore and, therefore, can raise issues more easily than other carriers. In addition, the RBOCs

---

<sup>13</sup> Statement by Ronald R. Conners, Bellcore, to Telestrategies Conference, "North American Numbering Plan Crisis," Washington, D.C., Oct. 29, 1992.

<sup>14</sup> See Letter from Richard Firestone, Federal Communications Commission, to Thomas A. Saunders, Bellcore, dated June 21, 1991.

have greater influence on Bellcore's decisions because of their entrenched relationships with Bellcore's staffs. This access reinforces Bellcore's bias in favor of the RBOCs when resolving numbering issues. No other carrier has contact with Bellcore that approaches the contact of the RBOCs in frequency or in intimacy. Bellcore and the RBOCs should no longer be allowed to operate in a pre-divestiture, anti-competitive model.

In addition to the NANPA function residing at Bellcore, it is important to note that Bellcore also supports an additional organization dedicated to numbering. This second organization provides technical support to the RBOCs, as well as to NANPA itself. Often, NANPA relies upon the "expertise" of these Bellcore "numbering experts." Consequently, NANPA develops its understandings and positions on issues based upon this readily available, yet biased source. Such closed-door deliberations assure the RBOCs direct, unfiltered, and unopposed input to the NANPA numbering processes.

Bellcore's unsatisfactory performance as NANP Administrator is further demonstrated by its mishandling of the issue of inbound international traffic. In 1989, some U.S. international interexchange carriers (IIXCs) requested from Bellcore the assignment of INPA codes to be used for inbound international services. While agreeing with the need for such resource assignment, Bellcore yielded to pressure from the RBOCs and did not assign an NANP numbering resource. Instead, Bellcore proposed an unworkable dialing plan (TA-NPL-001005) which was not

acceptable to the IIXCs. Subsequently, NANPA -- in response to MCI's July 10, 1992, letter renewing its request for an appropriate international network identifier -- has admitted that the dialing plan did not meet the IIXC needs.<sup>15</sup> Bellcore's refusal to provide NANP number resources to IIXCs for inbound international service has resulted in a confusing, if not chaotic, situation for international inbound services.

In the absence of an allocation by Bellcore of a specific inbound international NANP number with an embedded network identifier, AT&T appropriated Service Access Codes to initiate specific solutions in order to terminate these inbound international calls. In other words, AT&T simply adopted for use in separate countries (for instance, "400" in Spain) -- without NANPA or Commission approval -- SACs which NANPA had designated as SACs for future domestic services. AT&T is currently using several SACs for inbound international service under agreements with non-U.S. service providers. Other carriers are likely to follow AT&T's lead and adopt other codes for their exclusive use. This "vigilante approach" to number allocation has serious implications for the introduction of future services. Furthermore, it creates inconvenience and confusion among customers dialing inbound international calls and may unfairly disadvantage some players in the global marketplace. Thus, as discussed below, the Commission needs to become involved in

---

<sup>15</sup> See Letter from Alfred Gaechter, Bellcore, to Peter Guggina, MCI, dated Aug. 24, 1992.

setting numbering policy so that codes for inbound international termination will be fairly and efficiently assigned. Otherwise, the problem is likely to proliferate, resulting in continued confusion in international calling.<sup>16</sup>

The linkage between NANPA and Bellcore also introduces confusion in international fora with respect to who speaks for the U.S. telecommunications industry and where their messages come from. Bellcore's NANPA personnel are perceived as "numbering experts" -- through their representations as NANPA -- by the rest of the World. NANPA representatives participate in national and international standards arenas, speak at international and national conferences, and consult with many foreign administrations on numbering. While NANPA personnel -- who in some cases are RBOC personnel on rotational assignment with Bellcore -- profess to be unbiased, they repeatedly exhibit bias toward RBOC positions due to their background, training, and close affiliations with the Bellcore staff with whom they consult.

To ensure that NANP numbering resource issues are resolved in a fair and equitable manner, number administration must be performed in an environment free from the prejudicial influences

---

<sup>16</sup> Bellocre, in its November 12, 1992, letter from Fred Gaechter to Peter Guggina, stated "... it will assign an INPA, to be shared by WZ1 international carriers, for the purposes of inbound international carrier identification into WZ1." This response has occurred more than three years aafter MCI's original request. MCI believes that the related assignment guidelines activity will be delayed due to violent, overt opposition which was expressed by numerous non-international carriers at the November 18-19, 1992, ICCF meeting.

that exist in the current structure. It is particularly important that all decisions and judgments are made openly, in an unbiased manner, and after consideration of all relevant points of view. The new structure proposed by MCI (See Section I.C.), which separates policymaking from administration, would correct the deficiencies that exist in the Bellcore/NANPA system.

**B. The Multi-Forum Process Is Not Amenable to Fair and Equitable Public Participation**

It is important for the Commission to understand how difficult it is for an entity to participate in the numbering process under the prevailing structure. Issues are handled by any number of organizations and there is no standardized process in place for industry participation. A study addressing the industry's concerns regarding splintered numbering activities was recently prepared by a Carrier Liaison Committee (CLC) Task Force, under sponsorship of the Exchange Carriers' Standards Association.<sup>17</sup> This study identified thirty-five different numbering subject categories which are being addressed in various fora, standards bodies, and other arenas. The volume of activity occurring in numerous places with overlapping subject matters renders effective participation and expedient resolution impossible.

Numbering issues may be scheduled for discussion in any one or several of NANPA's committees or subcommittees, in the ICCF,

---

<sup>17</sup> See Draft Memorandum from Leila Gibson, US West, to Harry Miller, CLC Secretary, regarding "Output of Inventory Sub-Group; NANP Resource Management Task Force," dated Dec. 15, 1992.

in Committee T1, in the Industry Information Liaison Committee (IILC), or in other industry fora. Additionally, various governmental agencies, including the U.S. government, the state regulatory commissions, and the Canadian Department of Communications (Canadian DOC), are also involved in some aspects of numbering. It would be more efficient for both industry and governmental agencies if the process were more centralized into one forum. Most of these activities could be efficiently consolidated into a single forum structure designed to handle the multiplicity of numbering issues, as suggested in MCI's proposal.

The current multiple-forum approach clearly is not in the public interest and is unfair to those carriers attempting to participate. There are a limited number of people within any particular company with the expertise and background to effectively participate in these meetings. A company's representatives often are obligated to attend week long, multi-day, and full-day meetings which cover numerous topics in order to participate in one item on a single numbering issue. These same people, of necessity, must attend all the different meetings related to numbering. Participants must attend the working meetings, and also must be prepared to participate in the bureaucracy of the management committees and subcommittees, or to coordinate with other representatives of their companies who attend these other management meetings. These participants usually must deal with unfamiliar procedures and representatives of other companies that are more established members of that

particular forum. Moreover, if an organization does not participate throughout the entire process of a particular committee or forum, it runs the risk of having what it believed to be a consensus agreement changed by another part of the organization. An entity's numbering delegates must attend meetings in numerous random locations, nationally and sometimes internationally. It goes without saying that the complexity of the process adds to the expense and ineffectiveness of participation and may, in fact, preclude altogether the participation of smaller companies.

The existing structure has led to a tactical approach known as "forum shopping" which is employed by organizations that have the resources to force other organizations with opposing view points (usually smaller, modestly-funded organizations) to spread their representatives across the multiple fora. In this approach, an issue is sliced into smaller piece parts and discussed in numerous arenas, meeting concurrently or in series, depending on the ultimate objective. Forum shopping, thus, can be used to advance an anticompetitive objective by eliminating effective participation of others.

An illustrative example of forum shopping is found in the industry's work on numbering for ISDN. The initial discussions focused on allocation of numbering resources for use by non-local exchange carriers (non-LECs) in the provisioning of ISDN services. The LECs' representatives wanted to use the current geographic addressing scheme which relies upon existing NPAs and

NXXs. The non-LECs participants, on the other hand, preferred using new numbering resources rather than relying on those numbering resources directly managed by the LECs. The ISDN issue was first discussed by the industry in 1986 in Committee T1. When Committee T1 determined that the issue was not technical in nature, Bellcore moved the issue to a Bellcore-sponsored ISDN Numbering Forum. Not surprisingly, no resolution was achievable in the Bellcore arena either. In 1988, the Interexchange Carrier Industry Committee (ICIC) held a workshop to address ISDN issues, but this was no more successful than the previous attempts. Once again, the issue was taken back to Committee T1 where more than a year of contentious discussion subsequently took place without resolution. Ultimately, NANPA issued its ISDN plan in 1991,<sup>18</sup> adopting the RBOCs' position, ostensibly because no public policy determination or industry consensus could be reached.

Thus, the multi-forum process is inefficient and may impede resolution of important numbering issues. Too often, the clashing competitive objectives in industry numbering activities results in gridlock instead of effecting the needed change to promote the competitive communications environment. Some significant issues may never get to the table for resolution, or they may be filibustered by members who see the issues as being against their own business interests. The separate procedures in certain fora makes it nearly impossible to get results in a fair,

---

<sup>18</sup> Bellcore Information Letter No. 91/05-028, dated May 13, 1992.

equitable, consistent and timely manner. This, unfortunately, results in defaulting to the status quo favoring the RBOCs. Unless a fair and efficient process is established, the interests of many potential participants will not be reflected in numbering policies.

**C. The FCC Should Delegate the Functions of NANP Administration to Separate Entities not Affiliated with Any Industry Group**

Numbering concerns represent broad issues of policy which must be decided in an unbiased arena that is subject to regulatory oversight. As evidenced by the comments filed in this docket, many industry members believe decisions that should be under the purview of regulators are currently being handled unfairly, in an ad hoc manner, or not at all by processes under the dominance and control of the RBOCs. Future needs to accommodate new services, and growth of existing services, will put additional strains on the old framework. Thus, MCI advocates revising the administrative structure for the North American Numbering Plan.

The centerpiece of MCI's proposed new structure would be an entity -- the "NANP Council" -- which would oversee the industry's discussions on numbering issues. The Council itself would not decide policy but, rather, would facilitate the industry's ability to reach consensus resolutions through the committee system. A separate entity -- called the NANP "Registrar" to distinguish it from the current NANP "Administrator" -- would perform the strictly ministerial

functions such as assigning numbers and keeping records of number assignments. The new process is illustrated in the diagram which is attached as Attachment B.

MCI's proposed structure would efficiently handle industry support activities associated with business and policy issues<sup>19</sup> by centralizing many of the numbering activities into the single Council and its subtending committees. The Council's subtending committees would develop assignment guidelines, resolve issues, and perform planning functions. The committees would be designed to resolve issues efficiently. The Council's committees would have a six-month objective cycle in which to reach industry consensus on the issue(s) in question. The committee's consensus resolutions would be referred as recommendations to the Commission. The Commission would publish notice of the industry's decision and if no comments were filed within thirty days, the policy would be approved.

The more complicated scenarios would result when no consensus could be reached. If work operations associated with an issue were not completed within six months, the affected parties would have two alternatives for proceeding toward resolution of the issue. One alternative would be for the Council to file a progress report with the Commission, notifying all interested parties that resolution on the issue was imminent. The filing of this progress report would in effect act as a

---

<sup>19</sup> MCI's proposed process could be used to resolve assignment issues, expansion issues, new services issues, and any other numbering issues.

request for additional time to continue industry discussions. The second alternative would be for the NANP Council to request that the Commission place the matter on an expedited, 30-day public comment cycle, after which the Commission would decide the issue.

As regards matters outside the domestic U.S., the NANP Council would act as a platform to deal with the industry's numbering contributions destined for CCITT discussions via the Department of State. Contributions and outputs would be considered by the appropriate NANPA Committee for submission to the Department of State's U.S. National Committee as U.S. contributions to CCITT, in a manner similar to that used today in Committee T1. The Council, thus, would not replace the Department of State's U.S. National Committee which currently performs numbering functions.

The second major portion of MCI's proposal is a Registrar entity which would conduct the truly administrative functions performed today by the numbering staffs within Bellcore and the RBOCs. There is an identifiable group of individuals within Bellcore and the RBOCs who perform certain NANP Administration tasks.<sup>20</sup> The functions performed by these individuals could be consolidated under the Registrar. This Registrar would embody

---

<sup>20</sup> There is no apparent corporate separation of the NANPA individuals from Bellcore's organizational structure. It is MCI's understanding that the numbering staff reports through the same management structure as the rest of Bellcore's employees. The corporate executive to whom this staff reports is also responsible for other Bellcore functions, including future development for the RBOCs.