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

In the Matter of)
Administration of the North)
American Numbering Plan)

CC Docket No. 92-237

**COMMENTS OF AERONAUTICAL RADIO, INC.,
AND THE AIR TRANSPORT ASSOCIATION OF AMERICA**

Aeronautical Radio, Inc. ("ARINC"), and the Air Transport Association of America ("ATA") hereby submit their comments in response to the Commission's Notice of Inquiry¹ in the above-captioned docket. ARINC and ATA strongly support efforts to promote the non-discriminatory and pro-competitive administration of the North American Numbering Plan ("NANP") for the benefit of carriers, other telecommunications service providers, and end users.

ARINC is the communications company of the air transport industry. ATA is the trade association for the nation's major air carriers. Together, ARINC and ATA frequently represent aviation interests before government forums such as the FCC.

Airlines are critically dependent upon telecommunications to facilitate the provision of their transportation services. As a result, airlines are large users of the telecommunications services provided by traditional telephone companies as well as other entities. In addition, the

¹ FCC 92-470 (released October 29, 1992)

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airlines themselves manage and operate substantial intra-corporate networks to conduct their own business and provide access for customers to their reservations systems. It follows that the issues raised in the Notice concerning the future administration of the NANP and the eligibility of various entities for the assignment of numbering codes are of great interest to the air transport industry.

ARINC and ATA submit that the Commission's future actions in this proceeding should be governed by the following two principles. First, non-discrimination in the administration of the NANP should be ensured. Second, maximum flexibility should be retained in the administration plan to accommodate the interests of all providers and users of telecommunications services. As explained in more detail below, only in this manner can the agency ensure that the public interest is served in connection with the distribution of these important and valuable resources.

With respect to the non-discrimination principle, ARINC and ATA are concerned by the continuing administration of the NANP by Bellcore, an entity with an obviously substantial competitive interest in the availability of telephone numbers. It only makes sense in this increasingly competitive telecommunications environment that such a self-interested entity not be charged with the responsibility for allocating and assigning a resource that is necessary to the

participation of every entity in the telecommunications marketplace. Moreover, the recent proliferation of non-traditional telecommunications service providers has exacerbated these competitive concerns. Accordingly, ARINC and ATA would support Commission action to transfer administration of the NANP from BellCore to a neutral administrator.²

With respect to the second principle, ARINC and ATA note that, as the Commission has frequently recognized, end users as well as carriers have valuable and protectable interests in the numbering/addressing and other aspects of their telecommunications services.³ The Commission has also consistently ruled that there should be no discrimination in the treatment of carriers and non-carriers in terms of access to telecommunications and related offerings.⁴ These fundamental policies are equally applicable to the availability of NANP-administered codes.

Only by requiring the broadest possible eligibility for NANP assignments can the FCC promote the most extensive and varied choices of services and providers for the public and

² See Notice, ¶ 28.

³ See, e.g., Provision of Access for 800 Service, 4 FCC Rcd 2824 (1989) (subseq. history omitted).

⁴ See Amendment of Sections 64.702 of the Commission's Rules and Regulations, 104 F.C.C.2d 958 (1986), recon., 2 FCC Rcd 3035 (1987), further recon., 3 FCC Rcd 1135 (1988) (subseq. history omitted).

fully preserve the opportunity for future pro-competitive developments such as, inter alia, universal number portability. ARINC and ATA therefore urge the Commission (1) to mandate that numbering schemes promulgated by the NANP administrator accommodate the interests of all classifications of potential subscribers; and (2) not to permit restrictions on the eligibility of any entity for NANP assignments.

For the foregoing reasons, ARINC and ATA commend the FCC's initiation of this inquiry into the administration of the North American Numbering Plan and submit that the implementation of the principles discussed above will promote the public interest in the use of telecommunications services.

Respectfully submitted,

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