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FEDERAL COMMUNICATIONS COMMISSION
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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of)
)
Administration Of The) CC Docket No. 92-237
North American Numbering Plan)

**REPLY COMMENTS OF
SOUTHWESTERN BELL CORPORATION ON PHASE ONE**

Southwestern Bell Corporation ("SBC"), on behalf of its operating subsidiaries and affiliates, submits these Reply Comments in Phase One of the Inquiry herein (which concerns issues related to the overall administration of the North American Numbering Plan, or NANP), in accordance with the Commission's *Order* of January 8, 1993.

Because of the length and diversity of the comments filed initially, SBC will not reiterate its previous position except where necessary to explain exception taken to other commentors' positions. Because SBC limits its comments to the most significant commentor positions which require reply, the Commission should not assume that SBC concurs in the comments of any party not specifically rebutted.

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I. THE FCC SHOULD DELINEATE DISPUTE RESOLUTION, FORUM ACTIVITIES, AND NANP PLANNING FUNCTIONS.

The initial comments expressed general agreement concerning the need for broad industry participation in the numbering process through a single industry forum. The commentators are split, however, as to whether the forum should assume all phases of numbering plan administration and development, including broad view planning, and whether it should also be the entity which has ultimate responsibility for dispute resolution prior to resort to the FCC. See, e.g., *Comments of AT&T* at pp. 5-7; *Comments of McCaw*, at pp. 10-12; and *Comments of MCI* at pp. 19-24.

Regardless of the name or constitution of the entity assigned responsibility for administration of daily numbering plan details, SBC vigorously contends that the new process should include a dispute resolution process separate from the daily numbering plan administration and the proposed single numbering forum. The dispute resolution process, whether embodied in an advisory council or in some other entity, should be founded on the principle that industry participants are ultimately responsible for numbering decisions. Thus, the design of the dispute resolution process must be such that its decisions will be accepted by all industry members without automatic resort to the FCC for final determination.

A single numbering forum is clearly necessary to assume responsibility for developing industry guidelines and

standardized assignment procedures, providing input into the NANP's evolution and recognizing crucial numbering issues. Due to the forum's all-inclusive nature and its sheer size, it may be impossible for this forum to reach the consensus on broader issues which is essential to carry out the planning function adequately. The NANP can be staffed, however, such that it would have the vision and diversity necessary to develop a numbering plan which adequately serves the interests of all segments of the industry. An administrator which embodies the attributes discussed in SBC's Initial Comments at pages 2 through 3 could have the necessary expertise to perform the planning administration functions required for treatment of future numbering resources.¹

The industry's perception of a need for change in the current administration of the numbering plan is largely based on increased demands by new industry entrants, each with different needs and interests, for input into numbering plan development. The NANP Administrator must be perceived to be completely impartial by all industry segments. SBC, therefore, agrees with BellSouth (see initial comments of BellSouth at p. 6) that full cooperation of the industry

¹Essential attributes include a clear understanding of day-to-day business issues, detailed familiarity with the network, both as currently constituted and as it evolves, and an ability to establish strong liaisons with other regulatory bodies, including those abroad, and adequate resources to handle day-to-day management of numbering resources.

will be necessary in order for an NANP Administrator to perform its responsibilities efficiently and effectively. Obviously, such cooperation cannot occur if any industry segment perceives bias or partiality in the administrator, whether such partiality is perceived in administrative actions or in the constituency of the administrative body. While perception is a great part of reality, SBC continues to believe that an administrator which embodies the attributes outlined in its initial comments can satisfy the industry's need for impartiality while maintaining the necessary confidences required to perform the responsibilities of the administrator. As the FCC noted, Bellcore administration of the NANP, and AT&T's previous administration, have provided a system which to date has not been surpassed by any other country or association.²

II. THE NANP AND NANP ADMINISTRATION SHOULD BE FUNDED BY ALL RESOURCE RECIPIENTS AND BENEFICIARIES EQUITABLY.

Teleport recommends on page 6 of its initial comments that "funding for the new administrative body should be borne by all carriers in proportion to the numbering resources each individual carrier is directly assigned." While funding should be shared by all user entities who benefit from planning, implementation, and administration of numbering resources, the Teleport proposal would not distribute such responsibility equitably. Rather,

²NOI, paras. 23 and 24.

Teleport would assess an overwhelming portion of the funding costs to the Regional Bell Operating Companies, since they historically have had and will likely continue to have the greatest need for numbering resources. It is likely that a significant portion of the costs for revising the numbering plan in the future will be caused not by such traditional uses of numbering resources as are made by the RBOCs and other local exchange companies in the provision of common carrier services, but by new industry participants in uses previously not contemplated. Thus, if Teleport's proposal is adopted, the local exchange companies would bear most of the cost while other providers would cause the lion's share.

Further, the Teleport funding proposal could perpetuate the misperception among industry participants that the local exchange companies control the numbering process. The most significant reason for change in administration of the numbering process is the perception, not any proof, evidence or fact, that numbering plan administration is skewed in favor of the RBOCs because they jointly own Bellcore, the administrator. In order for this misperception to be dispelled and for the industry to universally support the administrator, such structural implications must be avoided in devising the future funding of the NANP.

NANP administration today is extremely complex and will only become more so in the future as innovative uses of

numbering resources are proposed. Indeed, Teleport's recommendation only takes into account administration of NPA, CO, and N11 codes. However, there are numerous other codes (e.g., CIC codes, SS7 point codes) which are administered by the NANP as well. Recovery of costs associated with the administration of all these codes must also be developed on an equitable basis. In short, funding of any NANP administration will require considerable analysis to ensure that it is implemented fairly and equitably.³ In any event, fairness and equity includes an industry recognition that funding does not equal control over administration. Regardless of the solution ultimately adopted by the FCC, this perceived link must be broken.

III. A DECISION ON LOCAL EXCHANGE NUMBER PORTABILITY SHOULD NOT BE MADE AT THIS TIME.

In its initial comments, SBC urged the Commission to decline to require local number portability at this time, in part because a need for such portability could not be justified when weighed against the substantial network changes and implementation requirements it would create. See *SBC Initial Comments* at page 14. Review of other initial comments, however, makes this point even more clearly, however, for few of the commentators even agreed on a definition for local number portability. For example, Bell

³See *SBC Comments* at p. 7. Notwithstanding this need, the costs to those who currently fund NANP administration should not increase without a showing of added value to those participants.

Canada at p. 6 of its initial comments defines local number portability as "the ubiquitous ability of a user to change service provider and/or physical location without changing their telephone number." SBC's view of local number portability, however, is service provider portability only, i.e., a local number might be taken by the consumer of one service provider in a local area and transferred to another service provider in that same area. Even such limited portability brings with it all the network changes and implementation costs referenced in SBC's initial comments. Expanding the definition of local number portability to geographic portability, as does Bell Canada, would be more burdensome and thus more costly to implement. Obviously, the industry must define local number portability before any action can be taken by the FCC.

IV. CONCLUSION.

SBC agrees with most commentators that change in the constituency and membership of the administration of the NANP may be necessary to achieve greater industry support of the process. SBC urges the Commission, however, to address the functions of dispute resolution, administrative guidance development, and the planning and administration of the numbering plan. If and when a change in the numbering administration is ordered, SBC suggests that the Commission develop a funding mechanism for the plan which considers the complex issues which will be presented to it for future

resolution. Finally, SBC recommends that the Commission request the industry to define local number portability.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Paula J. Fulks, hereby certify that copies of the foregoing Reply Comments of Southwestern Bell Corporation on Phase One of CC Docket 92-237 have been served by First Class United States mail, postage prepaid, on the parties listed on the attached.


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