

ORIGINAL

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
800 Presubscription Rules for)
800 Providers and Responsible)
Organizations)
_____)

RM-_____

REPLY COMMENTS

Sprint Communications Company LP hereby respectfully submits its Reply to Comments filed on March 16, 1993 in response to Allnet's "Petition for Declaratory Ruling Or, In the Alternative, Rulemaking" regarding policies and rules governing the conduct of 800 responsible organizations (resp orgs) and 800 service providers. Comments confirm that adoption of Allnet's proposals regarding establishment of a time limit to make SMS record changes, and clarification that end user subscribers may request changes to their own SMS records, would serve the public interest. However, Allnet's proposal that SMS record changes be effected using standard written forms should not be adopted. This proposal is unduly limiting and its purpose can be more simply achieved through Commission endorsement of the minimum information standards developed by the industry.

1. Making SMS Record Changes Within Two Days

There is general support for the proposal to require that SMS record changes be made within a specified time period

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among AT&T's interexchange competitors.¹ As these parties point out, this type of rule will help to ensure that AT&T, which is the incumbent resp org for the majority of interexchange 800 accounts, and all other resp orgs perform the administrative functions associated with 800 database service (i.e., changing resp org or carrier routing information in the SMS record) in a timely manner, even when such functions may be contrary to the incumbent's financial self-interest.

AT&T, in contrast, states that the Commission need not adopt a rule relating to timing of SMS record changes "until the industry guidelines prove ineffective" (p. 4). However, it seems prudent to take preventive rather than corrective action here. There is no reason to wait until the guidelines are shown to be ineffective before taking action, especially since the industry has already agreed to the two-day time limit (at least for resp org changes). It was precisely to avoid potentially harmful situations that Allnet presented its

the new carrier to handle the subscriber's traffic. By the time the SMS record change is requested and input into the system, the new carrier should be fully prepared to accept the subscriber's traffic. In the relatively rare occasions in which the new carrier is not prepared to handle the traffic additions, the new carrier can decline to accept the change, and the resp org would be relieved of the obligation to effect the change within the specified time period. Thus, Allnet's proposal could be revised slightly to specify that a resp org must make the requested changes within two days unless the new service provider indicates that it will not accept the traffic addition.

2. SMS Record Change Requests Submitted by End Users

Most parties appear to agree that the 800 end user subscriber should be allowed to control what entity will serve as its resp org and how its traffic should be routed.² However, three parties object to Allnet's proposal to allow end user subscribers to initiate changes to their own SMS records.³ BellSouth and Pacific base their opposition on their inability as resp orgs to verify the legitimacy of such requests when the end user is not their customer of record. LDP, a reseller, would apparently prohibit its end user

²See, e.g., Sprint, pp. 4-6; AT&T, pp. 6-7; LDDS, p. 2; MCI, pp. 4-5.

³See, e.g., BellSouth, pp. 2-3; Pacific, p. 3; Long Distance Partnership (LDP), pp. 3-8.

subscribers from initiating SMS record change requests because its subscribers would be able to "circumvent contractual relationships," since the resp org "has no way of knowing what other users lease the number in question, what other carriers transport traffic, or whether the end user seeking conversion indeed has any contractual or other legal right to designate physical points of termination" (pp. 7-8).

Sprint agrees that resp orgs should be concerned about the legitimacy of SMS record changes requested by entities other than the customer of record. However, rather than refusing to accept such changes--and thereby allowing the end user subscriber to be held captive by the reseller/customer of record--parties should focus on ways to verify SMS record change requests submitted by end user subscribers. If the Commission were to endorse the principle that the end user subscriber is the entity which controls the 800 number, parties could develop verification procedures which are mutually satisfactory to the resp org/new 800 service provider, the end user subscriber, and the reseller from which the end user subscriber formerly obtained 800 service.

LDP also opposes any definition of "800 end user subscribers" which excludes resellers from the list of entities authorized to request resp org and carrier routing changes. Sprint agrees that a reseller who is the customer of record should be authorized to request SMS record changes on behalf

of all of its end user subscribers.⁴ However, as discussed in the comment round, it is unreasonable for the reseller to attempt to exert complete control over the customer's 800 number so that the end user subscriber is unable to change carriers without the reseller's permission. Such a situation is contrary to the concept of 800 number portability.

3. Standard Written Forms

Commenters point out that there is little reason to adopt Allnet's third proposal, which urged use of a standard written form to effect SMS record changes. Allnet's proposal is unduly limiting. Written authorization is only one means of effecting SMS record changes. The same procedures used for 1+ presubscription should also be applied to 800 presubscription (Sprint, pp. 6-7; MCI, pp. 6-8). 1+ presubscription verification procedures have been found to be adequate protection against unauthorized changes for outbound traffic, as well as being somewhat less burdensome for both subscribers and service providers than attempting to secure written paperwork from thousands of customers.⁵ The same logic applies with equal force to 800 service presubscription. Moreover, because

⁴See Sprint, p. 6. Sprint also noted (*id.*) that if the end user subscriber is dissatisfied with the reseller's requested changes, the end user subscriber should have the option of leaving the reseller and switching to a new 800 service provider.

⁵As MCI also notes (p. 6), requiring a standard written form "would prevent development of more efficient, automated methods of transmitting information" on SMS record changes.

service providers are already familiar with these verification methodologies, they could be readily applied to 800 presubscription as well.

Even if carriers/resp orgs choose to use written forms to effect SMS record changes, there is no need to adopt a standard form. AT&T points out (pp. 8-9) that because "service providers may require different types of information, depending on the nature and quality of the services they provide," resp orgs should develop forms "that meet the needs of their customers." The goal underlying Allnet's proposal can be more simply achieved by Commission endorsement of the minimum information requirements developed by the industry.⁶

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⁶See Sprint, p. 7; MCI, p. 7;

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Reply Comments" of Sprint Communications Co. has been sent via first-class mail, postage prepaid, on this the 26th day of March, 1993, to the below-listed parties:

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