

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

<i>In the Matter of</i>	)	
	)	
Nationwide Number Portability	)	WC Docket No. 17-244
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	

**COMMENTS OF GENERAL COMMUNICATION, INC.**

Tim Stelzig  
GENERAL COMMUNICATION, INC.  
1900 L Street, N.W., Suite 700  
Washington, D.C. 20036  
(202) 503-2851

John T. Nakahata  
Julie A. Veach  
HARRIS, WILTSHIRE & GRANNIS LLP  
1919 M Street, N.W., 8<sup>th</sup> Floor  
Washington, D.C. 20036  
(202) 730-1300

*Counsel for General Communication, Inc.*

December 27, 2017

## Table of Contents

INTRODUCTION AND SUMMARY .....	1
I. BACKGROUND .....	2
A. GCI and UUI.....	2
B. Interexchange Services in Remote Alaska.....	2
II. THE COMMISSION SHOULD MAINTAIN “GRANDFATHERING” FOR CURRENT CUSTOMERS OF STAND-ALONE IXCS .....	5
A. The “Grandfathering” Condition Remains Necessary, Especially in Remote Alaska .....	6
B. Nationwide Number Porting Can Co-Exist with Stand-Alone Interexchange Service.....	9
C. At a Minimum, the Commission Should Not Disturb the Grandfathering of Stand-Alone IXC Customers Until Nationwide Number Porting Comes to that Customer’s Local Exchange .....	12
III. THE COMMISSION SHOULD FORBEAR FROM CLECS’ DIALING PARITY OBLIGATIONS TO THE SAME EXTENT AS ILECS’ .....	13
IV. CONCLUSION.....	15

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

<i>In the Matter of</i>	)	
	)	
Nationwide Number Portability	)	WC Docket No. 17-244
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	

**COMMENTS OF GENERAL COMMUNICATION, INC.**

**INTRODUCTION AND SUMMARY**

On behalf of itself and its affiliates, General Communication, Inc. (“GCI”) submits these comments in response to the Commission’s Notice of Proposed Rulemaking and Notice of Inquiry regarding Nationwide Number Portability.<sup>1</sup> GCI supports nationwide number portability. Allowing customers to keep their numbers wherever they move will enhance customer convenience. It will also help to level the playing field between national and regional mobile wireless carriers, promoting competition and consumer choice. At the same time, GCI urges the Commission to allow current customers of stand-alone interexchange carriers (“IXCs”) to continue to be able to use stand-alone IXCs for their long-distance calling. In remote Alaska, consumers continue to rely on stand-alone IXCs and in some cases may have no other option. The Commission does not have to choose between nationwide number portability and allowing current customers of stand-alone IXCs to continue to use that service. It is feasible to do both, and that is the best option for consumers.

---

<sup>1</sup> *Nationwide Number Portability*, WC Docket No. 17-244, *Numbering Policies for Modern Communications*, WC Docket No. 13-97, Notice of Proposed Rulemaking and Notice of Inquiry, FCC 17-133 (rel. Oct. 26, 2017) (“*NNP NPRM*”).

## **I. BACKGROUND**

### **A. GCI and UII**

GCI brings a panoramic view to the role of dialing parity and stand-alone interexchange service. GCI Communications Corp. (“GCICC”) provides competitive local exchange services in many parts of Alaska. GCICC also offers mobile wireless services in much of the state. GCI’s subsidiaries United Utilities, Inc., United-KUC, Inc., and Yukon Telephone Co., Inc. (together, “UII”) offer local exchange and exchange access services in several remote<sup>2</sup> communities in southwest and central Alaska. GCICC also provides interstate and intrastate interexchange services throughout the state under the GCI brand. GCI’s subsidiaries offer bundled local and long distance packages to their customers, and GCI also offers stand-alone interexchange services to customers of other local service providers.

As a result of its many roles, GCI brings to this discussion its experience as an ILEC, a CLEC, and an integrated and stand-alone IXC, as well as its understanding of how nationwide number portability can be implemented in Alaska in a way that does not reduce the competitiveness or availability of interexchange services.

### **B. Interexchange Services in Remote Alaska**

Interexchange service plays an outsized role in remote Alaskan communications. Outside of the three most urban areas—Anchorage, Fairbanks, and Juneau—local wireline services are often provided by small rate-of-return ILECs in communities that lack the basic infrastructure

---

<sup>2</sup> GCI uses the term “remote” here as it is defined in the Commission’s rules regarding high-cost universal service support: areas other than the urban centers of Anchorage, Fairbanks, and Juneau. *See* 47 C.F.R. § 54.307(e)(3)(i) (defining “remote areas in Alaska” as all of Alaska except the ACS-Anchorage incumbent study area, the ACS-Juneau incumbent study area, the fairbankszone1 disaggregation zone in the ACS-Fairbanks incumbent study area, and the Chugiak 1 and 2 and Eagle River 1 and 2 disaggregation zones of the Matanuska Telephone Association incumbent study area).

vital to telecommunications deployment that is taken for granted in the Lower 48, such as a highway-connected road system or an interconnected power grid. Operating in a setting very different from the Lower 48, carriers in these remote Alaskan communities typically have facilities only within their small communities or villages, and not between villages even within the same ILEC study area, resulting in small “islands” of local calling areas. To connect one island to another typically requires an IXC, even when the same ILEC serves both villages.<sup>3</sup> Consumers elsewhere might make similar calls within their local or expanded local calling areas, rather than through an IXC.

The role of connecting isolated villages to each other with interexchange service was first filled by Alascom, Inc., now AT&T Alascom, Inc. (“Alascom”)—the sole IXC authorized to provide intrastate interexchange service in Alaska until GCI was authorized in 1991.<sup>4</sup> On the federal side, the Commission limited interexchange entry in Alaska long after it ceased doing so in the Lower 48, and did not remove its final regulatory barriers to entry into Alaska interexchange services until 2003.<sup>5</sup> Some of the remote Alaska communities are so small that it is not economically feasible for more than one carrier to operate an earth station to connect that

---

<sup>3</sup> “Rural customers have limited local calling areas and are highly reliant on toll calls for basic communications.” *Reform of Intrastate Interexchange Telecommunications Market Structure and Regulations in Alaska*, Order Issuing Proposed Regulations for Comment and Establishing Filing Schedule, R-98-1, Order No. 7, at Appx. B1 (Regulatory Comm’n of Alaska 2001).

<sup>4</sup> *See Alascom, Inc. v. General Communication, Inc.*, U-86-99, Order No. 1, 7 APUC 631 at 1 (1986); Letter from Lael Henry, Law Office Assistant II, Regulatory Comm’n of Alaska, to James R. Jackson, Regulatory Attorney, General Communication Corp., Certificate of Public Convenience and Necessity No. 419, Appx. A, U-96-38 (filed Dec. 23, 2015) (stating that original certificate to provide intrastate interexchange services was issued on May 14, 1991).

<sup>5</sup> *See generally Policy for Licensing Domestic Satellite Earth Stations in the Bush Communities of Alaska*, Report and Order, 18 FCC Rcd. 16874 (2003); *see also Petition of General Communication, Inc. for a Partial Waiver of the Bush Earth Station Policy*, Memorandum Opinion and Order, 11 FCC Rcd. 2535 (Int’l Bur. 1996).

village to other communities. To the best of our knowledge, only one additional facilities-based switched interexchange services provider has entered the market—Alaska Communications Systems Long Distance, Inc. (“ACS-LD”)—and ACS-LD has not entered communities statewide on its own facilities. These three entities—ACS-LD, Alascom, and GCI are the facilities-based providers of switched interexchange services in Alaska.

Some of Alaska’s rate-of-return ILECs also offer their customers interexchange services. Typically they do so by reselling the wholesale services of one of the facilities-based IXCs. Of the 23 ILECs operating in remote Alaska, six offer facilities-based interexchange service from an affiliated IXC, eleven offer resold interexchange service, and the remaining six appear not to offer long distance at all.

In addition to having limited traditional options for long distance, Alaskans in remote areas do not have the same breadth of intermodal choices that their counterparts in most areas of the country enjoy. Although GCI has worked hard to bring modern wireless services to much of remote Alaska, there remain perhaps 50 communities comprising nearly 10,000 Alaskans that lack any mobile wireless service today.<sup>6</sup> Similarly, even where there are broadband facilities capable of supporting over-the-top voice over Internet Protocol services, some over-the-top providers appear not to offer services from remote Alaska telephone numbers, which is an important feature for Alaskans that want to be called by others within the state.

Alaska is also unique in that there is no ILEC-provided access tandem connecting IXCs to end office switches. To provide long distance service other than resold service, long distance carriers must build or lease their own interexchange facilities and provide direct trunks to each

---

<sup>6</sup> GCI bases its estimates on an analysis of Form 477 data, assuming that if the centroid of a census block lacks coverage, none of the population associated with that census block has access to mobile wireless service.

LEC end office switch, many reachable only by satellite links. GCI has built facilities to the majority of communities in Alaska. GCI is a facilities-based CLEC in fewer than 20 of these local exchanges, but is a stand-alone long distance provider in many more.

## **II. THE COMMISSION SHOULD MAINTAIN “GRANDFATHERING” FOR CURRENT CUSTOMERS OF STAND-ALONE IXCS**

GCI supports the Commission’s efforts toward nationwide number portability. As a regional provider of CMRS services, GCI has experienced the challenges of competing against the two national CMRS providers that offer facilities-based service in Alaska. As CCA and CTIA have explained, national CMRS providers have a competitive advantage over smaller providers in that they can readily accept porting-in customers that bring any telephone number associated with a geographic area in which the carrier has a facilities-based presence.<sup>7</sup> Because smaller and regional providers, by definition, do not have a ubiquitous facilities-based presence, they do not have the same ability to port in the numbers of potential new customers who wish to keep their number, if that number is associated with a geographic area in which the carrier does not have a facilitates-based presence. Nationwide number portability has the potential to eliminate this particular disadvantage, as well as increase competition and consumer convenience in the markets for fixed as well as mobile services.

At the same time, the Commission can preserve the ability of current customers of stand-alone IXCs to continue to choose this service—in some cases, the only option they may have for long distance voice communications. As explained below, preserving this option in Alaska is an

---

<sup>7</sup> Letter from Steven K. Berry, President & CEO, Competitive Carriers Association, and Meredith Attwell Baker, President and CEO, CTIA-The Wireless Association, to Tom Wheeler, Chairman, FCC (Sept. 25, 2015).

important consumer protection and does not have to result in inefficient routing patterns or unnecessarily burdensome requirements for LECs.

**A. The “Grandfathering” Condition Remains Necessary, Especially in Remote Alaska**

The Commission asks whether there is a “continuing need to preserve the choices of existing customers who are presubscribed to stand-alone long-distance services.”<sup>8</sup> As explained above, thousands of Alaskan consumers still rely on stand-alone IXC’s for interstate and intrastate calling. The majority of GCI’s long distance billing numbers do not take local service from GCI.

Intrastate interexchange service plays a particularly significant role in remote Alaska. Local calling areas tend to be small, with Extended Area Service available only in a few communities. Over 60 percent of GCI’s originating toll minutes from remote Alaska ILECs are intrastate. With only up to two or three facilities-based IXC’s (depending on the community) and limited-to-no other options for some remote Alaskans, there remains a “continuing need” to preserve the choice of these customers to subscribe to stand-alone interexchange services.

While the Commission has found that, nationwide, stand-alone long distance is a “fringe” market fast becoming irrelevant as residential consumers opt for all-distance service and bundling options, this is not the case consistently in all areas. Notwithstanding the efforts of GCI and other facilities-based providers to deploy modern mobile wireless and broadband networks throughout remote Alaska, there remain areas where the only option for voice service is the ILEC. For these consumers, the ability to subscribe to a stand-alone IXC is critical and could even be their only available option for interexchange service.

---

<sup>8</sup> *NNP NPRM* ¶ 33.



In 2015, the Commission forbore from equal access and dialing parity requirements for ILECs, but the Commission required as a condition of relief “that incumbent LECs must maintain equal access and dialing parity for existing customers presubscribed to a stand-alone long distance provider as of [December 28, 2015]”<sup>9</sup>—the “grandfathering” condition. Clearly the demand for the service persists. No Alaska ILEC has petitioned for further relief from the requirement to maintain dialing parity for these customers. GCI’s own affiliated ILECs have honored the condition and preserved the option of stand-alone interexchange service for their own customers.

Furthermore, the *NNP NPRM* does not address the slamming concerns that contributed to the Commission’s decision in 2015 to impose the grandfathering condition. Section 258(a) provides that “[n]o telecommunications carrier shall submit or execute a change in a subscriber’s selection of a provider of . . . telephone toll service except in accordance with such verification procedures as the Commission shall prescribe.”<sup>10</sup> The Commission’s verification procedures require, among other things, that the new carrier obtain the customer’s authorization to change providers and that the authorization be verified.<sup>11</sup> In the *USTelecom Forbearance Order*, the Commission noted that without the grandfathering condition, “the customers who have chosen a

---

<sup>9</sup> See *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete ILEC Legacy Regulations That Inhibit Deployment of Next-Generation Networks et al.*, Memorandum Opinion and Order, 31 FCC Rcd. 6157, 6188 ¶ 54 (2015) (“*USTelecom Forbearance Order*”), *pet. for recon. denied*, 32 FCC Rcd. 3885 (Wireline Comp. Bur. 2017) (“*Reconsideration Denial Order*”) (denying on procedural grounds GCI’s petition to reconsider the grant of forbearance from equal access and dialing parity requirements). In these comments, GCI argues that the Commission should maintain the grandfathering condition from the *USTelecom Forbearance Order*—an issue that was not raised in GCI’s previously filed petition for reconsideration.

<sup>10</sup> 47 U.S.C. § 258(a).

<sup>11</sup> 47 C.F.R. § 64.1120(a)(1).

separate long distance provider could be forced to abandon their preferred long-distance service—presumably an involuntary move from their preferred provider to the incumbent LEC.”<sup>12</sup>

The Commission adopted the grandfathering condition in part because Section 258(a) prohibits carriers from changing a consumer’s IXC except in compliance with the Commission’s anti-slamming rules, which require consumer consent and authorization. Unless the Commission decides here to forbear from Section 258(a), ILECs cannot force their customers to stop using their selected IXCs and instead take long distance from the ILEC. The *NNP NPRM* does not seek comment on whether the Commission should forbear from Section 258(a) and the anti-slamming rules.<sup>13</sup> But even if it had, the Commission should not do so. The consumers who subscribe to stand-alone IXCs in Alaska either have a choice of IXCs and have opted to use their chosen provider, or they have no choice and are using the only currently available provider. Those with a choice have likely opted for a plan that is well suited to their needs. As the Commission noted in 2015, different providers offer different plans, and if a customer is switched to the incumbent LEC’s plan, depending on the nature of that plan, the customer could “find herself subject to an unexpectedly high bill from the incumbent LEC.”<sup>14</sup> Nothing about the grandfathering condition prohibits ILECs from marketing their own long distance services. If their own offerings are less expensive or otherwise meet consumers’ needs, consumers can choose to subscribe to them. But otherwise, the Commission should not interfere with

---

<sup>12</sup> *USTelecom Forbearance Order* at 6188 ¶ 53.

<sup>13</sup> The *NNP NPRM* asks whether eliminating the toll dialing parity rules will have any effect on slamming. See *NNP NPRM* ¶ 35. As explained above, the Commission should not condone slamming by permitting ILECs to force consumers to subscribe to their own long distance offerings.

<sup>14</sup> *USTelecom Forbearance Order* at 6188 ¶ 53 n.169.

consumers' statutorily protected right to choose their own carrier, and it should not eliminate the grandfathering condition that protects Alaskan consumers.

### **B. Nationwide Number Porting Can Co-Exist with Stand-Alone Interexchange Service**

GCI supports nationwide number portability. But there is no obvious reason why nationwide number portability is inconsistent with maintaining stand-alone long distance for those customers who benefit from grandfathered status.

The Commission asks whether the ILECs serving the customers of stand-alone IXC's will be "hindered from implementing NNP if these grandfathered customers continue to fall outside of the scope of forbearance."<sup>15</sup> ILECs that remain subject to dialing parity rules can still complete calls consistent with nationwide number porting.

Today, when an ILEC customer originates a call, the ILEC typically first determines whether the called party's number is within the local calling area. If not, the ILEC routes the call to the customer's presubscribed IXC, which may be the N-1 carrier, to query the NPAC to determine which carrier and switch serve the called party's number.<sup>16</sup> As the Commission and ATIS describe, nationwide number porting could result in customers porting into a local area telephone numbers that do not appear to be local. As a result, if an ILEC customer places a call to a number that has been ported into the local area, the number will appear to be non-local but in fact needs to be routed to a local switch for termination.<sup>17</sup>

---

<sup>15</sup> *NNP NPRM* ¶ 33.

<sup>16</sup> *See id.* ¶ 14.

<sup>17</sup> *See id.* ¶ 29; Alliance for Telecomm. Indus. Sols., *ATIS Standard – ATIS-1000071, Technical Report on a Nationwide Number Portability Study, Technical Report*, at 22 (2016) ("ATIS Report"), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-340865A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-340865A1.pdf).

The Commission asks whether presubscribed IXC's can "accommodate the proposed changes without a loss of efficiency or undue cost."<sup>18</sup> Presubscribed IXC's would continue to handle calls as they do today—if the IXC receives a call from an originating carrier, and the call has not yet been checked against the NPAC to determine the LRN, the IXC will determine how to route the call, even though it may turn out that the call needs to be routed back to the local area where it originated if the number had been ported in from an outside exchange.

As the Commission and ATIS note, a call may be inefficiently routed if the originating LEC routes the call to an IXC even if the called party's number is now associated with a local switch.<sup>19</sup> The call should still terminate correctly in this situation—the IXC or another carrier further down the call path will determine to which switch the call should terminate and will route it there. Indeed, ATIS suggests that originating carriers could continue to do what they do today—route calls that look to be non-local to the IXC and allow the IXC to query the NPAC to determine how to route the call.<sup>20</sup> To the extent that inefficient routing is a concern or that the calling party could be charged a toll for making what is actually a local call, the Commission could adopt a companion to the grandfathering condition that should eliminate the inefficiency: When a grandfathered customer of a stand-alone IXC places a call, the originating ILEC is responsible to determine before sending the call to the IXC whether the called party is in fact

---

<sup>18</sup> *NNP NPRM* ¶ 29.

<sup>19</sup> *Id.* ¶ 15; ATIS Report at 23.

<sup>20</sup> See ATIS Report at 23 (describing National LRN solution); see also *id.* at 41 ("Service providers would need to conduct an assessment to determine the network impacts of either performing all queries at the point of origination or maintaining the N-1 call completion scenario with the understanding that those TNs porting outside the LATA require additional routing.").

served by a local switch.<sup>21</sup> If so, the ILEC should not hand off the call to the IXC, but should terminate it locally. GCI agrees that “a carrier being asked by a customer to originate a call to a non-geographic telephone number might benefit from being able to handle the call as it prefers, instead of abiding by the constraints of the dialing parity requirements.”<sup>22</sup> To the extent that the current dialing parity rules, NANC process flows, or other requirements are in tension with the ability of the originating carrier to determine how to route a call that appears to be non-local, the Commission should clarify the originating carrier’s obligation.

GCI does not believe that the possibility of inefficient routing or toll charges to make local calls is unique to the situation in which the customer subscribes to a stand-alone IXC. Inefficient routing could result in any situation in which the originating LEC routes a call based on the NPA-NXX rather than the LRN associated with the customer’s switch. Similarly, toll charges for numbers from NPA-NXX’s that have been ported into the local calling could result any time that the customer subscribes to any interexchange arrangement other than an all-distance plan—including toll services provided by its LEC or LEC affiliate. These issues should be addressed as part of the transition to nationwide number portability, but they are not unique to customers who prefer to use stand-alone IXCs, and they do not justify removing existing customers’ choice to maintain a subscription with a stand-alone IXC.

---

<sup>21</sup> See also *id.* at 39 (“It is strongly recommended that the N-1 query model be abandoned in favor of the originating service provider always querying calls to NPA-NXXs where an NNP port has occurred.”).

<sup>22</sup> *NNP NPRM* ¶ 18; see also ATIS Report at 22.

**C. At a Minimum, the Commission Should Not Disturb the Grandfathering of Stand-Alone IXC Customers Until Nationwide Number Porting Comes to that Customer's Local Exchange**

If the Commission decides that, notwithstanding the important and relevant role of stand-alone long distance service in Alaska, it will not preserve the grandfathered status of customers of stand-alone IXCs, GCI encourages the Commission not to take that status away before doing so is relevant to the implementation of nationwide number portability. The Commission has sought comment on different implementation approaches in the *Notice of Inquiry* attached to the *Notice of Proposed Rulemaking*. That suggests that the Commission will release a Further Notice of Proposed Rulemaking before it makes any final decision on how to implement nationwide number portability. Implementation, too, will take time as all parties make arrangements to accommodate the changes necessary to effect the decided-on approach.

If the Commission decides to end grandfathering of existing stand-alone IXC customers, GCI encourages the Commission not to do so before implementation of nationwide number portability within the relevant customer's local exchange. There is no reason to rush to disrupt these customers' long distance arrangements. Maintaining their arrangements will also give state commissions like the Regulatory Commission of Alaska time to evaluate the impact of the change on the carriers and consumers within their states. In addition, adequate time should be allowed for long distance carriers to build or buy alternate facilities to reach customers whose service will be otherwise disrupted by loss of equal access.

### III. THE COMMISSION SHOULD FORBEAR FROM CLECS' DIALING PARITY OBLIGATIONS TO THE SAME EXTENT AS ILECS'

GCI supports the Commission's proposal to forbear from interexchange dialing parity requirements for CLECs.<sup>23</sup> The same rules of the road should apply to all LECs—forbearance would “ensure a level playing field between incumbent and competitive LECs.”<sup>24</sup> In 2015, USTelecom requested forbearance on behalf of ILECs,<sup>25</sup> but the reasons the Commission gave then for granting forbearance apply equally or more forcefully to competitive providers. First, the Commission found pursuant to sections 10(a)(1) and (2) of the Communications Act “that enforcement of the remaining equal access and interexchange dialing parity requirements is no longer necessary to ensure just and reasonable mass market long distance charges and practices or to protect consumers.”<sup>26</sup> The Commission based this conclusion on national findings regarding interexchange service; specifically, the Commission found that consumers of wireline voice services have trended towards all-distance voice packages instead of subscribing to stand-alone IXC, and that consumers in general have more choices for long-distance services, including interconnected VoIP options.<sup>27</sup> As explained above, these observations do not always

---

<sup>23</sup> See *NNP NPRM* ¶¶ 27, 31.

<sup>24</sup> *Id.* ¶ 30.

<sup>25</sup> See *Petition of USTelecom for Forbearance Pursuant to 47 U.S.C. § 160(c) from Enforcement of Obsolete ILEC Legacy Regulations That Inhibit Deployment of Next-Generation Networks*, WC Docket No. 14-192, Petition for Forbearance of the United States Telecom Association, at 1 & n.2 (filed Oct. 6, 2014); see also *USTelecom Forbearance Order* at 6182 ¶ 46 (“We grant USTelecom’s request for forbearance from application to incumbent LECs of all remaining equal access and dialing parity requirements for interexchange services, including those under section 251(g) and section 251(b)(3) of the Act.” (footnote omitted)).

<sup>26</sup> *USTelecom Forbearance Order* at 6186 ¶ 50.

<sup>27</sup> See *id.* at 6184-85 ¶ 49.

reflect reality in Alaska, but it is reasonable to assume that CLECs in Alaska offer consumers an option for interexchange service. GCI offers all-distance plans in those areas where it offers competitive voice service.<sup>28</sup> GCI has always valued competition and provides tariffed Feature Group D switched access services in Alaska where it operates as a CLEC, comparable to the equal access services provided by ILECs,<sup>29</sup> thus permitting its customers to choose a different IXC if they prefer. However, GCI should not be required to provide equal access or dialing parity to a greater extent than the ILECs against which it is directly competing.

The Commission also found that forbearance from equal access and dialing parity obligations was consistent with the public interest under section 10(a)(3) and 10(b) of the Act.<sup>30</sup> The Commission found that the requirements impose costs on ILECs, disadvantaging them as compared to their competitors.<sup>31</sup> The applicable requirements likewise impose costs on CLECs, now putting them at a disadvantage as compared to the ILECs that already benefit from forbearance. There is no continuing justification for the disparity, and the Commission should grant forbearance.

Just as the Commission conditioned forbearance for ILECs on maintaining equal access and dialing parity requirements for existing customers presubscribed to a stand-alone long distance provider, the dialing parity requirements to which CLECs are subject pursuant to Section 251(b)(3) should continue to apply to CLECs *if* the Commission maintains the

---

<sup>28</sup> See No Limits Home Calling Plan, <https://www.gci.com/phone/plans> (offering local and unlimited intrastate and interstate long distance for \$19.99).

<sup>29</sup> See GCI Communication Corp., FCC Tariff No. 3, § 5.2.1(C) (Feature Group D, Interim 900 NXX Translation and SS7 Signaling) (effective Apr. 1, 2007).

<sup>30</sup> See *USTelecom Forbearance Order* at 6186 ¶ 51.

<sup>31</sup> See *id.*



grandfathering condition for ILECs. The reasons the Commission adopted the condition apply equally to CLECs as to ILECs—not wanting to force consumers “to abandon their preferred long-distance service” and not wanting to “upset[] established customer expectations.”<sup>32</sup> GCI would have no objection to providing toll dialing parity for those customers who currently presubscribe to an IXC other than GCI if the Commission continues to require the same from ILECs.

#### **IV. CONCLUSION**

Nationwide number portability presents an opportunity to improve the consumer experience and enhance competition. It can and should be implemented in a way that preserves, not reduces, consumer choice in long distance providers. GCI encourages the Commission to maintain the grandfathered status of current customers of stand-alone IXCs and to put CLECs on an equal footing by granting them the same relief from dialing parity requirements that it granted to ILECs in 2015.

Respectfully submitted,



Tim Stelzig  
GENERAL COMMUNICATION, INC.  
1900 L Street, N.W., Suite 700  
Washington, D.C. 20036  
(202) 503-2851

John T. Nakahata  
Julie A. Veach  
HARRIS, WILTSHIRE & GRANNIS LLP  
1919 M Street, N.W., 8<sup>th</sup> Floor  
Washington, D.C. 20036  
(202) 730-1300

December 27, 2017

*Counsel for General Communication, Inc.*

---

<sup>32</sup> *USTelecom Forbearance Order* at 6188 ¶¶ 53-54.