

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

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

COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION

Competitive Carriers Association (“CCA”)¹ submits these comments in response to the Federal Communications Commission’s (“FCC” or “Commission”) Notice of Proposed Rulemaking (“NPRM”) and Notice of Inquiry (“NOI”) (collectively, the “NPRM/NOI”) seeking comment on ways to achieve nationwide number portability (“NNP”).² NNP allows consumers to retain their mobile telephone number regardless of whether they move geographically or switch service providers, making it a critical competitive issue for the modern mobile market. For the benefit of consumers in all areas of the United States, CCA supports the FCC’s efforts to identify innovative solutions to facilitate NNP and promote competition between providers.

I. NNP WILL FACILITATE INNOVATION, CONSUMER CHOICE, AND COMPETITION.

As the Commission and Congress have recognized, consumers overwhelmingly prefer to retain their telephone numbers; however, this capability depends on whether a service provider

¹ CCA is the nation’s leading association for competitive wireless providers and stakeholders across the United States. CCA’s membership includes nearly 100 competitive wireless providers ranging from small, rural carriers serving fewer than 5,000 customers to regional and national providers serving millions of customers. CCA also represents associate members including vendors and suppliers that provide products and services throughout the mobile communications ecosystem.

² *Nationwide Number Portability*, Notice of Proposed Rulemaking and Notice of Inquiry, WC Docket No. 17-244 & WC Docket No. 13-97 (rel. Oct. 26, 2017) (“NPRM,” “NOI,” or “NPRM/NOI”).

has a nationwide presence,³ which “not only confuses and inconveniences consumers, [but also] harms the ability of small or regional carriers to compete, undermining a core principle of number portability – competition.”⁴ Indeed, the House Energy & Commerce Committee’s July 9, 2015 bipartisan letter to the Commission emphasizes the importance of NNP for the “more than 100,000 individuals and businesses in America [that expect to] switch their phone carriers but keep their old number” every day, but lack the ability as a result of the Commission’s existing rules.⁵ CCA therefore agrees with Congress’s vision to ameliorate this competitive disadvantage, and Chairman Pai’s observation that furthering NNP “will help everyone benefit from competition,” especially consumers living in rural and remote areas of the country.⁶

NNP also will further competition among wireless providers; indeed, “smaller rural and regional carriers are at a disadvantage versus their nationwide competitors” because “[w]ireless-to-wireless porting is only possible if the ported-to wireless carrier has a facilities-based presence in the porting customer’s original geographic location, placing smaller, non-nationwide carriers at a disadvantage.”⁷ As Commissioner Clyburn and Commissioner Carr have astutely recognized, this stifles competition and restricts a consumer’s ability to leave an existing and

³ See, letter from Fred Upton, Chairman, H. Comm. on Energy & Commerce, to Tom Wheeler, Chairman, FCC at 1 (July 9, 2015).

⁴ NPRM/NOI ¶ 2.

⁵ Bipartisan E&C Letter at 1.

⁶ Statement of Chairman Ajit Pai, *Nationwide Number Portability*, WC Docket No. 17-244 & WC Docket No. 13-97 (rel. Oct. 26, 2017). The item also highlights CCA’s prior advocacy in the proceeding, emphasizing that “[c]ompetitive carriers continue to be disadvantaged by unnecessary geographic constraints on number portability.” NPRM/NOI ¶ 14, *citing* letter from Rebecca Murphy Thompson, General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC at 1 (July 14, 2015) (“2015 CCA Letter”); Competitive Carriers Association Comments, WC Docket No. 07-149, WC Docket No. 09-109, CC Docket No. 95-116 at 2 (filed May 21, 2015).

⁷ NPRM/NOI ¶ 5.

undesired carrier in favor of competitive options that could provide better quality, lower-cost, and more innovative services in a particular area.⁸

CCA therefore applauds the FCC's efforts to ameliorate this competition-stifling policy that restricts consumer choice. The FCC has previously granted temporary waivers of its numbering rules to allow carriers in certain areas, and the numbering administrators that support them, to port telephone numbers geographically outside of rate centers during a specified period. Most recently, on August 29, 2017, in the wake of Hurricane Harvey, the FCC granted temporary authority to providers in portions of Louisiana and Texas to port customers' numbers to remote locations, on a temporary basis.⁹ The FCC explained that "due to the substantial damage to telecommunications systems caused by Hurricane Harvey in Texas, and the [] impact in Louisiana, carriers may need to port numbers to destinations outside the affected rate centers,"¹⁰ and therefore waived its rules prohibiting this practice. The FCC similarly relaxed its number porting rules after Hurricane Katrina,¹¹ allowing consumers to choose the most efficient service provider to restore the benefits of modern daily life in the wake of the natural disaster.

CCA likewise applauds industry's ongoing collaboration to further NNP, including the North American Numbering Council's initial Report published on May 16, 2016 ("NANC Report"),¹² and the Alliance for Technical Industry Solutions' ("ATIS") subsequent "Technical

⁸ See, Statement of Commissioner Mignon Clyburn, *Nationwide Number Portability*, WC Docket No. 17-244 & WC Docket No. 13-97 (rel. Oct. 26, 2017); and Statement of Commissioner Brendan Carr, *Nationwide Number Portability*, WC Docket No. 17-244 & WC Docket No. 13-97 (rel. Oct. 26, 2017).

⁹ Telephone Number Portability, Order, CC Docket No. 95-116 (rel. Aug. 29, 2017) ("Hurricane Harvey Order").

¹⁰ *Id.* ¶ 2.

¹¹ Telephone Number Portability, Order, CC Docket No. 95-116 (rel. Sept. 1, 2005) ("Hurricane Katrina Order").

¹² N. Am. Numbering Council, Local Number Portability Admin. Selection Working Group Report, (May 16, 2016) ("NANC Report"), https://apps.fcc.gov/edocs_public/attachmatch/DOC-339428A1.pdf.

Report on a Nationwide Number Portability Study” (“Technical Report”) released on June 20, 2016.¹³ Together, the NANC Report and ATIS Technical Report recommend that industry stakeholders collaborate to find a suitable solution to NNP, and the FCC’s NOI seeks comment on ATIS’s four potential solutions for achieving NNP: (1) nationwide implementation of local routing numbers (“LRNs”); (2) non-Geographic LRNs; (3) commercial agreements; and (4) iconectiv’s GR-2982-CORE specification. CCA applauds the FCC’s efforts to build upon the NANC’s and ATIS’s initial recommendations through the NPRM and NOI, and offers tailored comments on ways to achieve these solutions.

II. THE NPRM AND NOI REPRESENT A SIGNIFICANT STEP TOWARD ACHIEVING NNP.

As noted, CCA applauds the Commission’s dual goal of allowing wireless customers to retain their numbers when porting to other wireless carriers that lack a nationwide service area, while implementing useful reforms of the numbering system to further innovation and competition. Specifically, CCA continues to agree with the FCC that commercial agreements represent a near-term solution to NNP, which can be immediately supported today without a porting impact,¹⁴ but would note that this solution does not work for all. As previously explained by CCA and CTIA in a joint letter to the FCC (“CCA/CTIA joint letter”), commercial arrangements are a practical, near-term solution “that offer[] wireless providers the opportunity

¹³ Alliance for Telecomm. Indus. Sols., Technical Report on a Nationwide Number Portability Study, Technical Report (2016) (“ATIS Report”), https://apps.fcc.gov/edocs_public/attachmatch/DOC-340865A1.pdf.

¹⁴ NPRM/NOI ¶ 14.

to work within the existing number system and rules to access number resources in a manner that enables them to serve consumers seeking to port in their telephone numbers.”¹⁵

Indeed, CCA members continue to explore commercial arrangements with third-party affiliates and providers to access telephone numbers outside their network footprints. For example, CCA member Syniverse provides a commercial solution that acts like a database “clearinghouse” to offer a central numbering plan and porting information for subscribers.¹⁶ Similarly, Oracle’s EAGLE program “integrates advanced database management and signaling functions onto a single platform” to provide seamless NNP service to its customers.¹⁷ Together, these commercial arrangements offer immediate, near-term solutions to NNP.

But to truly achieve NNP, the FCC and industry must identify longer-term, nationwide solutions to further consumer choice and competition in the market. Indeed, the FCC recognizes that “NNP will level the playing field for many rural and regional carriers, who are disadvantaged by the difficulty or outright inability of consumers to port in to their networks.”¹⁸ CCA therefore applauds the NANC’s work to facilitate NNP in tandem with the Commission’s current rulemaking, and looks forward to co-chairing the NANC’s Nationwide Number

¹⁵ See, Letter from Steven K. Berry, President & CEO, Competitive Carriers Association, and Meredith Atwell Baker, President and CEO, CTIA—The Wireless Association, to Tom Wheeler, Chairman, FCC, at 3 (Sept. 25, 2015) (“CCA/CTIA Joint Letter”).

¹⁶ Syniverse, Global Number Portability, *available at* <https://www.syniverse.com/products-services/product/global-number-portability-services>.

¹⁷ Oracle, Oracle Communications EAGLE: Local Number Portability and Mobile Number Portability Solutions, *available at* <http://www.oracle.com/us/industries/communications/solution-number-portability-ss-2101036.pdf>.

¹⁸ NPRM ¶ 19.

Portability Issues Working Group to further industry conversations about potential solutions to achieving NNP.¹⁹

CCA also supports exploration of iconectiv's GR-2982-CORE specification which details another NNP system called Portability Outside the Rate Center ("PORC"). The PORC would divide the country into non-overlapping geographic blocks called Geographic Unit Building Blocks ("GUBBs") that are each represented by a telephone number-like identifier, and acts as the vehicle for the recipient switch to identify the geographic location of the end user receiving the call.²⁰ While CCA agrees that removing certain technical barriers could represent a significant step forward to achieving NNP, the Commission also must be mindful of costs associated with reorganizing the numbering system, including potential costs borne by rural and regional carriers. As the Commission explains, certain solutions "may require carriers' [] to handle more numbering plan areas,"²¹ which could increase costs and constrain resources in certain service footprints.

Finally, CCA echoes the Commission's assessment that intermodal NNP efforts (e.g., wireline-to-wireless ports) could benefit consumers and competition as a whole.²² As previously noted in the record by CCA and CTIA, a long-term comprehensive solution to NNP will necessitate changes to wireless *and* wireline call routing procedures.²³ Together, these efforts can pave the way to ensure that consumers can continue to maintain their telephone number, regardless of their choice of wireless provider or location in the United States.

¹⁹ FCC Announces the Chair, Vice Chair, and Membership of the North American Numbering Council, CC Docket No. 92-237 (rel. Nov. 14, 2017).

²⁰ NOI ¶ 58.

²¹ *Id.* ¶¶ 42, 58.

²² NOI ¶ 37.

²³ CCA/CTIA Joint Letter at 1.

III. CONCLUSION.

In today's mobile ecosystem, many consumers consider their wireless number a part of their identity, and believe they can port this number to any provider at any location. For this reason, the FCC should further competitive policies like NNP, rather than forcing a consumer to contract with a carrier that fails to best serve its communications needs. CCA therefore appreciates the FCC's efforts to explore innovative solutions to achieving NNP through its NPRM/NOI. CCA looks forward to continued work with industry stakeholders to soon make NNP a reality for consumers in all areas of the United States.

Respectfully submitted,

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