

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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

**COMMENTS OF CTIA**

CTIA<sup>1</sup> respectfully submits these comments in response to the Federal Communications Commission’s (Commission) *Notice of Proposed Rulemaking and Notice of Inquiry* seeking input on how best to move toward complete nationwide number portability (NNP).<sup>2</sup> As discussed in more detail below, number portability empowers consumers to benefit from the competitive mobile wireless market, and CTIA and its member companies welcome further efforts to expand the benefits of number portability nationwide. To further this expansion, the Commission should take a forward-looking approach, working to maximize the benefits that can be achieved through the incorporation of NNP in the transition of networks to Internet protocol (IP), while minimizing costs and burdens on consumers. The Commission should also await the

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<sup>1</sup> CTIA® ([www.ctia.org](http://www.ctia.org)) represents the U.S. wireless communications industry and the companies throughout the mobile ecosystem that enable Americans to lead a 21<sup>st</sup>-century connected life. The association’s members include wireless carriers, device manufacturers, suppliers as well as apps and content companies. CTIA vigorously advocates at all levels of government for policies that foster continued wireless innovation and investment. The association also coordinates the industry’s voluntary best practices, hosts educational events that promote the wireless industry, and co-produces the industry’s leading wireless tradeshow. CTIA was founded in 1984.

<sup>2</sup> *Nationwide Number Portability, Numbering Policies for Modern Communications*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 8034 (2017) (*NPRM* and *NOI*).

recommendations of the North American Numbering Council's Nationwide Number Portability Issues Working Group before taking action on the *NOI*.<sup>3</sup>

## **I. NUMBER PORTABILITY EMPOWERS CONSUMERS TO BENEFIT FROM THE COMPETITIVE MOBILE WIRELESS MARKET**

CTIA and its member companies support number portability policies that enable consumers to keep their telephone numbers when switching between voice service providers. This portability empowers consumers to take advantage of the competitive mobile wireless market.

Within the existing U.S. telephone numbering system, a consumer can port a telephone number to a wireless provider that provides service in the original geographic area of the consumer's telephone number, so that the number maintains its original rate center designation following the port.<sup>4</sup> This process is generally referred to as local number portability (LNP) as the telephone number remains assigned to its original rate center. Wireless providers, particularly national wireless providers, may appear to offer NNP when the consumer's new wireless provider has a presence in the ported telephone number's original geographic area. However, in such cases, wireless providers are engaged in LNP within the existing telephone number porting system. Thus, consumers changing locations are more likely, though not always, able to port their number from one national carrier to another, than from a national carrier to a non-national carrier.

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<sup>3</sup> See Letter from Kris Monteith, Chief, Wireline Competition Bureau, FCC to Travis Kavulla, Chair, N. Am. Numbering Council (Dec. 7, 2017).

<sup>4</sup> See generally *Telephone Number Portability – Carrier Requests for Clarification of Wireless-Wireless Porting Issues*, 18 FCC Rcd 20971, 20977-78 ¶¶ 21-23 (2003); see also *Telephone Number Portability*, Second Report & Order, 12 FCC Rcd 12281, 12324 ¶ 74 (1997).

In order to further enhance competition within the mobile wireless market, CTIA appreciates the Commission's efforts to continue evaluating solutions to enable nationwide number portability.

## **II. THE COMMISSION SHOULD TAKE A FORWARD-LOOKING APPROACH TO ACHIEVE NATIONWIDE NUMBER PORTABILITY**

### **A. NNP Should Be Implemented in a Forward-Looking, Technically Feasible, and Efficient Manner Consistent with the IP Transition**

As CTIA and the Competitive Carriers Association (CCA) previously observed,<sup>5</sup> and as the *2016 NANC Report* explained,<sup>6</sup> the IP Transition offers the best opportunity to address the limitations for NNP that currently exist within the legacy telephone system. Conversely, given the magnitude of changes that would be necessary to implement NNP in the legacy telephone system, mandates or efforts to do so raise concerns.

Indeed, as the *2016 NANC Report* observes, the Future of Numbering Working Group concluded that the implementation of any technical NNP solution “prior to the completion of the IP Transition could result in unnecessary and possibly duplicative costs in advance of the necessary network upgrades required to support the IP Transition.”<sup>7</sup> The *2016 NANC Report* further suggested that the timing of NNP implementation should be considered carefully to

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<sup>5</sup> See Letter from Meredith Atwell Baker, President and CEO, CTIA, and Steven K. Berry, President and CEO, CCA, to Tom Wheeler, Chairman, FCC, at 4 (September 25, 2015) (CTIA/CCA Letter) (“The IP Transition will do away with the traditional PSTN and result in significantly fewer points of interconnection, presenting an opportunity to contemporaneously redesign the current LNP architecture. The FCC should monitor and encourage efforts within the IP Transition to address the technical limitations of nationwide number portability under the legacy telephone system that then exist, such as the LATA and rate center issues that currently limit portability and ensuring that the NPAC or successor technology does not impede nationwide number portability.”).

<sup>6</sup> See generally N. Am. Numbering Council, *Report on Nationwide Number Portability* (May 16, 2016), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-339428A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-339428A1.pdf) (2016 NANC Report).

<sup>7</sup> *Id.* at 10.

minimize the costs that ultimately will be borne by consumers.<sup>8</sup> On the other hand, the IP Transition offers an opportunity to address the limitations for NNP within the existing legacy telephone system. Accordingly, as the *ATIS Report* rightly notes, “[i]n an all IP environment, ... routing need not be Central Office code-based and ... [Local Routing Numbers], with the associated impacts on numbering resource utilization, would no longer be required.”<sup>9</sup>

In the near term, the Commission’s recognition of commercial arrangements to allow NNP is the appropriate approach pending further progress on the IP Transition.<sup>10</sup> The Commission should not require carriers to incur unnecessary and duplicative costs to implement NNP in legacy networks as the industry is working on the IP Transition. Given the time and resources that will be necessary to implement these changes, CTIA and CCA previously described how commercial solutions can support non-national mobile wireless provider’s needs in the near term.<sup>11</sup>

**B. Implementing NNP Among Wireless Carriers First Would Be Inconsistent with Commission Precedent and Create Issues with Intermodal Porting**

The *NOI* asks whether it would be feasible and/or beneficial to implement NNP first within a subset of the users of numbering resources, such as wireless carriers.<sup>12</sup> Such an approach would be inconsistent with Commission precedent and create issues with intermodal

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<sup>8</sup> 2016 NANC Report at 10.

<sup>9</sup> Alliance for Telecomm. Indus. Sols., *ATIS Standard – ATIS-1000071, Technical Report on a Nationwide Number Portability Study, Technical Report*, at 39 (2016), [https://apps.fcc.gov/edocs\\_public/attachmatch/DOC-340865A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/DOC-340865A1.pdf) (*ATIS Report*).

<sup>10</sup> See *id.* at 40-41 (commercial agreement approach has little or no impact on existing systems).

<sup>11</sup> See CTIA/CCA Letter at 3 (detailing how “a CMRS provider may voluntarily enter contractual agreements with third parties, such as local exchange carriers (LECs), non-LEC CMRS providers, interconnected VoIP providers, and others that may have access to numbering resources to offer a CMRS provider access to the local area of the telephone number outside of its own network footprint”).

<sup>12</sup> *NOI*, 32 FCC Rcd at 8046 ¶ 39.

porting. Historically, the Commission has worked hard to ensure that NANP telephone numbers are not restricted by service or use – by, for instance requiring intermodal LNP and declining to issue service-specific numbering plan areas.<sup>13</sup> Any approach that would mandate NNP first among wireless carriers could undermine this longstanding and wise approach. Moreover, the Commission also would need to consider the impact to intermodal ports if wireless providers were to implement NNP before wireline and/or voice over Internet protocol (VoIP) providers. Even if these other types of providers were not required to provide their customers NNP, they still would have to route calls to wireless numbers that had been ported on a nationwide basis. Thus, a wireless-first approach to NNP could create more problems than it solves.

**C. NNP Implementation Would Have Positive Or Negligible Impact on Mobile Wireless 9-1-1 and Services for Persons with Disabilities**

For more than 20 years, mobile wireless providers have transmitted all wireless 9-1-1 calls without respect to their call validation process to a Public Safety Answering Point (PSAP), consistent with the Commission’s rules.<sup>14</sup> Mobile wireless providers are already routing 9-1-1 calls at the direction of local public safety officials based on the location of the cell site or base station receiving the wireless 9-1-1 call. This routing does not involve a query to the number portability database. Thus, CTIA believes that NNP implementation will have little, if any, impact on wireless provider’s ability to deliver 9-1-1 calls to PSAPs, but public safety representatives will need to confirm any impact to PSAP equipment or networks.

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<sup>13</sup> See, e.g., *Telephone Number Portability, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking*, 18 FCC Rcd 23697, 23706 ¶ 22 (2003); *Telephone Number Requirements for IP-Enabled Services Providers et al.*, Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking, 22 FCC Rcd 19531, 1935, 1940 ¶¶ 8, 16 (2007).

<sup>14</sup> See 47 C.F.R. § 20.18 *et seq.*

Similarly, CTIA is not aware of any negative impacts that NNP would have on wireless services used by people with disabilities. Mobile wireless providers already have systems capable of supporting relay, teletypewriter (TTY), real-time text and other services that utilize voice communications services that originate from a telephone number outside of its local rate center. If anything, the ability to port a number nationwide would provide greater benefits for people of different abilities. For example, an older adult or person with a cognitive disability that moved to a different location (e.g., to be closer to caregivers) would not be required to learn a new telephone number. Similarly, people with such disabilities would benefit if people within their support networks were able to retain their telephone numbers when changing service providers or re-locating. Thus, CTIA does not foresee any 9-1-1 or disabilities-access impacts for wireless consumers that will impede the transition to NNP consistent with the approach outlined in these comments.

### III. CONCLUSION

CTIA appreciates the Commission's continuing efforts to evaluate the best approach to NNP, and urges the agency to move forward in a manner consistent with these comments.

Respectfully submitted,

By: /s/ Matthew Gerst

Matthew B. Gerst  
Assistant Vice President, Regulatory Affairs

Thomas C. Power  
Senior Vice President and General Counsel

Scott K. Bergman  
Vice President, Regulatory Affairs

**CTIA**  
1400 Sixteenth Street, NW, Suite 600  
Washington, D.C. 20036  
202.785.0081  
[www.ctia.org](http://www.ctia.org)

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