

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Telephone Number Portability

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CC Docket No. 95-116
RM 8535

COMMENTS OF THE INTERACTIVE SERVICES ASSOCIATION

The Interactive Services Association ("ISA"), by counsel and pursuant to 47 C.F.R. § 1.415, submits these comments in support of the FCC's Notice of Proposed Rulemaking ("NPRM") released July 13, 1995.

The ISA is a nonprofit organization representing the business and public policy interests of the interactive services industry. ISA members represent the full spectrum of industries providing telecommunications-based interactive services to consumers, including the advertising, broadcasting, cable television, commercial on-line, computer, financial services, interactive television, marketing, publishing, telephone, and travel industries. Moreover, several ISA members are actively involved in the interstate 900 pay-per-call industry, either as interexchange carriers, local exchange carriers, service bureaus, information providers, or third party billing entities.^{1/}

^{1/} Before its merger with the ISA last year, the National Association for Interactive Services actively participated in the FCC's proceedings concerning pay-per-call services. *See, e.g.,* Comments of the National Association for Interactive Services, *In re Policies and Rules Implementing the Telephone Disclosure and Dispute Resolution Act*, CC Docket No. 93-22 (filed Apr. 19, 1993); Comments of the National Association for Interactive Services, *In re Policies and Rules Concerning Interstate 900 Telecommunications Services*, CC Docket No. 91-65 (filed Apr. 24, 1991).

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The ISA supports adopting policies and rules to facilitate the implementation of telephone number portability generally. Portability enables consumers to make meaningful choices with respect to telecommunications services, allows greater personal mobility, and fosters competition among service providers.^{2/} The ISA also applauds the Commission for taking a leadership role in developing a national number portability policy because market forces alone are unlikely to yield similar results.^{3/} Further, the Commission's lead is consistent with pending legislation that would require LECs to provide location portability.^{4/}

The ISA was particularly pleased to learn that the Commission intends to examine the technical and economic feasibility of 900 number portability as part of this rulemaking. The ISA expressed its support for a rulemaking earlier in this proceeding to evaluate the costs and benefits of 900 number portability,^{5/} and the ISA continues to believe, as the Commission tentatively concluded, that 900 portability would benefit pay-per-call consumers.^{6/}

The Commission is well aware that the competitive importance of number portability depends primarily upon the value customers assign to the particular digits that make up their

^{2/} NPRM ¶¶ 4-5.

^{3/} The Commission has acknowledged that the technical trials and task forces currently examining this issue have been initiated only under the mandate or guidance of state commissions. *Id.* ¶ 28.

^{4/} See S. 652, 104th Cong., 1st Sess. § 8(b) (1995); H.R. 1555, 104th Cong., 1st Sess. § 101 (1995).

^{5/} See Comments of the Interactive Services Association in Support of the Petition for Rulemaking, RM No. 8535 (filed Nov. 23, 1994).

^{6/} NPRM ¶ 7.

telephone numbers.^{7/} When the Teleservices Industry Association ("TIA") filed a petition for rulemaking last fall, it argued that this fact weighed heavily in favor of 900 portability since "number identity" is a significant consideration for many 900 subscribers. According to a survey cited in the NPRM, portability is a weighty concern for non-pay-per-call consumers as well. The survey shows that 70-80% of business customers, and 40-50% of residential customers, who otherwise were willing to consider changing their local telephone company would be unlikely to consider such a change if they also had to change their telephone numbers.^{8/}

Although the TIA marshalled compelling, policy-based arguments in favor of 900 portability in its petition and reply,^{9/} the record conspicuously lacks concrete data concerning the costs and mechanics of designing, building, and operating a 900 database. Despite clear public interest benefits, the Commission cannot determine whether portability presently is economically reasonable without knowing both the costs *and* benefits of 900 number portability. Unfortunately, the ISA, like the FCC, does not possess this information. The ISA anticipates, however, that equipment vendors, LECs and other parties who have access to this information will participate in the comment phase of this proceeding. The ISA intends to examine the

^{7/} *Id.* ¶ 22. For example, a business customer that has established substantial goodwill in its telephone number may be disinclined to switch service providers if doing so would mean losing its number. A residential customer, on the other hand, may ascribe very little importance to the specific digits of its telephone number and would easily change service providers to obtain better rates or service.

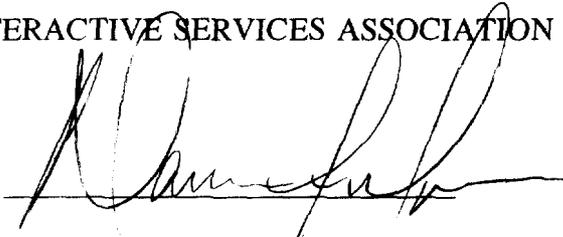
^{8/} *Id.*

^{9/} *See* Petition for Rulemaking by Teleservices Industry Association, RM No. 8535 (filed Oct. 18, 1994); Reply Comments of Teleservices Industry Association, RM No. 8535 (filed Dec. 12, 1994).

comments for reliable, concrete data, and based upon a thorough analysis of this information, respond to the Commission's questions as fully as possible in the reply phase of this proceeding.

Respectfully submitted,

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