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

**JUN 3 - 1996**

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In the Matter of )  
 )  
Implementation of the Local )  
Competition Provisions in the )  
Telecommunications Act of 1996 )  
\_\_\_\_\_ )

CC Docket No. 96-98

To: The Commission

**REPLY COMMENTS OF AMERITECH ON DIALING PARITY,  
NUMBER ADMINISTRATION, NOTICE OF TECHNICAL  
CHANGES, AND ACCESS TO RIGHTS-OF-WAY**

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## SUMMARY

The Comments submitted in this proceeding demonstrate that the Commission's questions regarding implementation of dialing parity, notice of technical changes, assignment of numbers and access to rights-of-way under the Telecommunications Act of 1996 (the "1996 Act") have already been resolved in other proceedings or through voluntary industry efforts. The Commission can use these proven mechanisms as the basis for implementation of the 1996 Act. Further, consistent with its general policy of promoting marketplace flexibility and efficiency, the Commission can adopt broad rules that afford sufficient flexibility to accommodate local conditions.

The Commission should reject attempts by two large interexchange carriers to evade their responsibilities as local exchange carriers ("LECs"), and to expand their rights far beyond what is authorized in the 1996 Act, or what is reasonably necessary to eliminate barriers to local competition and to promote efficient and effective interconnection. These proposals would improperly appropriate the property and information of incumbent LECs for the private benefit of competing carriers. They also would give their proponents an unwarranted competitive advantage in the local marketplace and delay additional competition in the long distance marketplace.

With respect to toll dialing parity, the Commission can specifically authorize the use of the "Full 2-PIC" methodology, but should allow sufficient flexibility to enable states to utilize other methods consistent with the 1996 Act,

as needed to respond to local conditions. If the Commission establishes a schedule for implementing toll dialing parity, it must specifically recognize that implementation of intraLATA toll dialing parity by Bell Operating Companies ("BOCs") is governed by sections 271(e)(2)(A) and (B), and will typically occur simultaneously with the BOC's exercise of in-region, interLATA authority.

The Commission's rules should specifically require that all LECs, both new and incumbent, offer nondiscriminatory access to poles, conduits and ducts owned or controlled by them. At the same time, calls to expand this duty to all facilities or "pathways" should be rejected since they far exceed the scope of the duty imposed by sections 251(b)(4) and 224. Rather, such proposals relate to collocation arrangements and, as such, are governed by section 251(c)(6). Moreover, pursuant to section 253, governmental agencies' power to manage access to rights-of-way should be recognized in the rules. The Commission should also clarify that LECs may limit access to poles and conduits based upon the lack of spare capacity and because of safety and network reliability concerns.

Regarding notice of technical changes, the Commission can authorize use of existing industry publications and procedures to provide notice of technical changes to new LECs. The Commission should reject calls to impose counter-produc-

tive time delays or require disclosure of information beyond what is necessary to establish and maintain interoperability.

Finally, the Commission can continue to require assignment of numbers under its existing guidelines while the numbering assignment responsibility is being transferred to a third party. The transfer should be made as soon as reasonably feasible.

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Ameritech submits this Reply in response to the Comments filed in the above-captioned docket addressing the Commission's implementation of dialing parity, number administration, notice of technical changes and access to rights-of-way under the Telecommunications Act of 1996 (the "1996 Act").<sup>1</sup> The Comments filed by other parties confirm that the vast majority of the Commission's questions in this phase of the Notice of Proposed Rule Making ("NPRM")<sup>2</sup> have already been

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<sup>1</sup> Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (codified as amended at 47 U.S.C. § 151).

<sup>2</sup> Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, Notice of Proposed Rulemaking, CC Dkt. No. 96-68, FCC 96-182 (Released April 19, 1996). On May 30, 1996, Ameritech submitted Reply Comments in response to the NPRM's proposals on other aspects of sections 251, 252 and 253 of the 1996 Act.

resolved by the industry or fully addressed in other proceedings.<sup>3</sup> The resulting solutions can be utilized by the Commission to implement the 1996 Act.<sup>4</sup>

**I. THE COMMISSION'S IMPLEMENTATION OF THE 1996 ACT SHOULD BUILD UPON EXISTING ARRANGEMENTS**

Most parties express strong support for the use of proven mechanisms to implement dialing parity, number administration, notice of technical changes, and access to rights-of-way as required by the 1996 Act.<sup>5</sup> These arrangements are in place, have proven effective, are easily implemented by both existing and new local exchange carriers ("LECs"), and fully satisfy the requirements of the 1996 Act. No constructive purpose would be served by re-inventing these areas now, and

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<sup>3</sup> See, e.g., Administration of the North American Numbering Plan, CC Dkt. No. 92-237, Report and Order, FCC 95-283 (Released July 13, 1995) ("NANP Order"); Expanded Interconnection with Local Telephone Company Facilities, Report and Order and Notice of Proposed Rulemaking, Memorandum Opinion and Order, 9 FCC Rcd 5154 (1994). These issues have also been addressed in various state proceedings, industry forums and private negotiations.

<sup>4</sup> Proposed rules for consideration in this regard are attached hereto as Attachment A.

<sup>5</sup> See, e.g., Public Utilities Commission of Ohio ("PUCO") Comments at 8; Michigan Public Services Commission ("MPSC") Comments at 2; United States Telephone Association ("USTA") Comments at 2.

any perceived benefit would be more than offset by the resulting delay, confusion and needless expense.<sup>6</sup>

Consistent with its general approach of promoting marketplace flexibility and efficiency, the Commission should adopt broad rules that authorize sufficient flexibility to accommodate state-specific variations necessary to respond to local conditions. An inflexible national structure would be counter-productive, since it could not possibly take into account the public interest considerations in each state.<sup>7</sup>

At the same time, the Commission should reject attempts by some carriers to evade their responsibilities as LECs under the 1996 Act. Likewise, the Commission should reject attempts by these carriers to expand their rights far beyond what Congress intended or what is necessary to eliminate barriers to competition by appropriating the property and competitive information of others. It is noteworthy that such heavy handed measures are proposed by carriers that also assert that they are not subject to their own burdensome proposals. Not surprisingly, the positions taken by AT&T Corp. ("AT&T") and MCI Telecommunications Corporation ("MCI") are

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<sup>6</sup> PUCO Comments at 8.

<sup>7</sup> MPSC Comments at 2.

particularly extreme. The onerous new obligations they propose appear to be intended to afford them a competitive advantage by delaying the Bell Operating Companies' ("BOCs") demonstration of compliance with the Competitive Checklist requirements of the 1996 Act and hence the BOCs' entry into the long distance business.<sup>8</sup> Numerous examples of this double standard are detailed below.<sup>9</sup>

## **II. TOLL DIALING PARITY SHOULD BE IMPLEMENTED THROUGH FULL 2-PIC**

The commenting parties are nearly unanimous in their support of the "Full 2-PIC" methodology of providing dialing parity.<sup>10</sup> This is not surprising since the Full 2-PIC methodology has repeatedly emerged as the presubscription method preferred by regulators, service providers and the vendor

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<sup>8</sup> See 47 U.S.C. § 271(c)(2)(B).

<sup>9</sup> Perhaps the best examples of this are AT&T's and MCI's proposals regarding access to rights-of-way. As discussed in part III below, on the one hand AT&T and MCI seek to expand incumbent LECs' duties beyond those imposed by Congress in the 1996 Act, while on the other hand they ask for an exemption from any duty as prospective new entrant LECs to afford access to their rights-of-way. In particular, the Commission should note that MCI, by its acquisition of Western Union's conduit and rights of way, owns perhaps the most extensive conduit system in the U.S.

<sup>10</sup> See, e.g., PUCO Comments at 7; MPSC Comments at 4; AT&T Comments at 4-5; MCI Comments at 4.

community. While other conceptual options (such as the so-called "smart-PIC" and "multi-PIC" methods) could eventually prove to have some desirable attributes should they become feasible and cost-effective, mandating such potential methodologies would be premature. Moreover, such a step could delay deployment of full dialing parity since it would divert resources from the numerous ongoing cooperative efforts by vendors and service providers toward realization of Full 2-PIC as implemented by many state commissions.<sup>11</sup>

Some parties argue in favor of unreasonable and unwarranted new milestones for implementation of intraLATA dialing parity.<sup>12</sup> Calls for such arbitrary deadlines should be rejected. Under the 1996 Act, except for grandfathered states, BOCs must "provide intraLATA toll dialing parity ... coincident with" their exercise of in-region, interLATA authority or by February 8, 1999, whichever occurs first.<sup>13</sup> This

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<sup>11</sup> Ameritech Comments at 15. Full 2-PIC has been implemented in Michigan, Illinois and Wisconsin within the region served by Ameritech.

<sup>12</sup> AT&T proposes full implementation of intraLATA toll dialing parity by January 1, 1997, yet it concedes that BOC implementation is governed by section 271(e)(2). AT&T Comments at 5. Sprint Corporation ("Sprint") argues for BOC implementation of such dialing parity within six months. Sprint Comments at 6.

<sup>13</sup> 47 U.S.C. §§ 271(e)(2)(A)-(B).

statutory language is clear and specific; thus, there is no need for further debate.

**III. ACCESS TO RIGHTS-OF-WAY SHOULD BE PROVIDED USING EXISTING ARRANGEMENTS**

A. LECs Are Required To Provide Reasonable Access To Their Poles, Ducts, Conduits And Rights-Of-Way.

As noted above, a few carriers seek to use this proceeding to gain an unwarranted competitive advantage not contemplated in the 1996 Act. Perhaps the clearest example of such self-interested efforts is the newly expanded definition of "rights-of-way" now advocated by the two largest interexchange carriers ("IXCs"). Despite the established, well-understood meaning of the term "rights-of-way" as the right to use land owned by another for specific public purposes,<sup>14</sup> AT&T and MCI argue that the term should "encompass the full range of LEC pathways" that "house the lines, facilities,

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<sup>14</sup> This common understanding is matched by definitions found in (1) case law, see, e.g., Wilderness Society v. Morton, 479 F.2d 842, 853 (1973) ("the right of passage over another person's land"; (2) federal statutes, see, e.g., 43 U.S.C. § 1702(f) ("an easement, lease, permit, or license to occupy, use, or traverse public lands . . ."); (3) learned treatises, see, e.g., Bruce & Ely, The Law of Easements and Licenses in Land, § 1.06(2)(a)) ("an easement for passage over a described strip of land"); and (4) the dictionary, see Black's Law Dictionary 1326 (6th ed. 1990) ("right belonging to a party to pass over land of another").

and equipment used to originate and complete telephone calls."<sup>15</sup>

Clearly, these parties are seeking to extend their rights far beyond what Congress intended by its plain and express language in the 1996 Act. The 1996 Act is very specific as to which LEC facilities are subject to a duty to provide nondiscriminatory access. Section 251(b)(4) does not refer broadly to "pathways" used to serve customers, but rather specifies that nondiscriminatory access must be provided to "poles, ducts, conduits, and rights-of-way." Had Congress intended to create a duty to provide nondiscriminatory access to a "full range" of LEC facilities or "pathways," it would have used more sweeping terms and listed additional facilities in section 251(b)(4).<sup>16</sup> Instead, Congress made an

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<sup>15</sup> AT&T Comments at 12-14; see also MCI Comments at 23; MFS Communications Company, Inc. ("MFS") Comments at 9. According to AT&T, this new range of "pathways" includes telephone closets, equipment rooms, cable vaults, controlled environment vaults ("CEVs"), risers, manholes, and "any other remote terminal" within "commercial buildings or multi-unit dwellings". Id. at 15. Other parties have even included the roofs of LEC-owned buildings. WinStar Communications, Inc. ("WinStar") Comments at 3.

<sup>16</sup> It is revealing that section 251(b)(4) essentially incorporates the definition of "pole attachment" from section 224(a)(4), which dates back to the Pole Attachment Act of 1978. When considered in this context, it is clear that the term "rights-of-way" is merely a subset of the broader

(continued. .)

affirmative decision to adopt a reasonable access requirement that applies to certain specified facilities in rights-of-way that are necessary to provide facilities-based local telecommunications services. Since the Commission's role is to implement the 1996 Act, not to rewrite it, AT&T's and MCI's transparent attempt to broaden their rights beyond the scope of section 251(b)(4) should be rejected.<sup>17</sup>

This "pathways" argument should be seen for what it is: an attempt to avoid the 1996 Act's specific limitations on collocation duties. Physical collocation of equipment in an incumbent LEC's structures, other than poles, conduits and ducts, is not governed by section 251(b)(4), but rather is authorized by section 251(c)(6). This section creates a right to collocate "equipment necessary for interconnection or access to unbundled network elements," and authorizes such collocation only "at the premises of the local exchange carrier." Moreover, interconnection or access to unbundled network

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<sup>16</sup> (...continued)  
category of pole attachments, rather than a broad reference to "pathways."

<sup>17</sup> It is a fundamental principle of statutory interpretation that the inclusion of certain requirements in a statute evidences an intent to exclude other requirements. See, e.g., O'Melveny & Myers v. FDIC, 114 S. Ct. 2048, 2054 (1994) (applying the doctrine of inclusio unius, exclusio alterius).

elements is only authorized "at any technically feasible point."<sup>18</sup> These specific reasonable conditions on collocation cannot be nullified by simply confusing collocation with access to rights-of-way, poles, conduits and ducts.

Further, although AT&T argues that facilities such as equipment closets, manholes and CEVs represent a "quintessential bottleneck,"<sup>19</sup> its claim is neither factually correct nor consistent with the parallel doctrine of "essential facilities" in antitrust law. This doctrine holds that essential facilities are those facilities which are infeasible to replicate and would require a competitor to enter a new line of business in order to compete.<sup>20</sup> Incumbent LECs certainly have no monopoly on rooftop space, nor in entrance facilities, closets or other such building space.

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<sup>18</sup> 47 U.S.C. §§ 251(c)(2)(B).

<sup>19</sup> AT&T Comments at 13.

<sup>20</sup> MCI Communications Corp. v. AT&T, 708 F.2d 1081, 1132-33 (7th Cir.), cert. denied, 464 U.S. 891 (1983). Courts have generally interpreted the essential facilities doctrine to require a showing that no practical alternatives are available, including alternatives that entail cost disadvantages. See, e.g., City of Chanute v. Williams Natural Gas Co., 955 F.2d 641, 648 (10th Cir.), cert. denied, 506 U.S. 831 (1992); Twin Labs v. Weider Health & Fitness, 900 F.2d 566, 570 (2d. Cir. 1990).

Finally, AT&T's strained new definition of rights-of-way has no support in practical experience. Many successful facilities-based entrants into the telecommunications marketplace, including cable television operators, competitive access providers ("CAPs"), shared tenant service providers, and private branch exchange ("PBX") vendors, have thrived without mandated access to the entrance facilities, risers and closets of incumbent LECs. No party has advanced a rationale to distinguish access in the context of local exchange entry from access in this historical context. AT&T and MCI are merely seeking to appropriate the facilities of other carriers for their own private use.

B. The 1996 Act Authorizes Reasonable Conditions  
On Access To Rights-of-Way.

The Commission should recognize that the 1996 Act clearly authorizes several reasonable conditions on access to rights-of-way. First, section 253(c) explicitly preserves existing state and local authority to manage the use of their rights-of-way. For example, carriers seeking access to public rights-of-way typically obtain authority from the appropriate governmental entity. Likewise, the 1996 Act does not purport to abrogate the right of private land owners to control the

use of their property. Thus, the Commission's rules should recognize these specific conditions.

Second, most commenting parties agree that a LEC's obligation to provide access to its poles, conduits and ducts is subject to reasonable conditions based upon (1) the preservation of sufficient capacity for the LEC's own existing and planned customer needs, and (2) considerations of safety, network reliability and engineering concerns.<sup>21</sup> In contrast, AT&T demands that "[i]f spare capacity is not immediately available, then LECs are required to free up or create such capacity."<sup>22</sup> AT&T apparently believes that Congress's intent in passing the 1996 Act was to reconstitute the pre-divestiture Bell System, in which the BOCs' construction programs and investment decisions were for the sole benefit and profit of AT&T. Obviously, AT&T is wrong.

The Commission should note that accepting AT&T's interpretation of section 224(f)(2) as denying LECs the ability to condition access to rights-of-way, poles, conduits and ducts upon the availability of spare capacity would also deny

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<sup>21</sup> See, e.g., PUCO Comments at 12; MFS Comments at 10-11; Sprint Comments at 17; Time Warner Communications Holdings, Inc. ("Time Warner") Comments at 14.

<sup>22</sup> AT&T Comments at 16.

LECs the ability to condition access upon safety and network reliability concerns. This absurd result would occur because the same provision that addresses capacity limitations also applies to safety and network reliability concerns. Thus, acceptance of AT&T's argument would compel the conclusion that LECs may not limit access on either of these grounds. Clearly, Congress could not have intended to create a public menace or to risk the reliability of America's telephone network.

Notwithstanding AT&T's convoluted logic, the Commission is required to implement section 224 in a "just and reasonable" manner.<sup>23</sup> Therefore, the Commission should find that it is reasonable for any LEC, subject to section 224(f)(1), to condition access upon the availability of sufficient capacity and upon safety or network reliability concerns. As stated in Ameritech's Comments, any LEC seeking to deny access for these reasons should have the burden of establishing that such a condition exists.<sup>24</sup>

Third, AT&T argues for direct access to an incumbent LEC's conduit prints and maps.<sup>25</sup> Ameritech agrees that all

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<sup>23</sup> 47 U.S.C. § 224(b)(1).

<sup>24</sup> Ameritech Comments at 36.

<sup>25</sup> AT&T Comments at 19.

LECs should be required to provide the locations of poles and conduits in specific areas of interest to a requesting carrier. It does not follow, however, that such maps or other prints must include information on conduit configuration, capacity or utilization. Ameritech does not currently maintain such information in an accessible or usable format for purposes of external distribution. Further, this information is proprietary and should be disclosed only on a need-to-know basis and then only under a nondisclosure agreement.<sup>26</sup> Thus, current practices best meet the need for accurate information while protecting proprietary information.

C. All LECs Have The Same Duty To Provide Access To Their Poles, Conduits, Ducts And Rights-Of-Way

AT&T and others argue that the LEC duty to provide access to poles, conduits, ducts and rights-of-way is an "asymmetrical set of duties" (i.e., imposed upon incumbent LECs only).<sup>27</sup> This argument is a transparent attempt by AT&T to evade its responsibilities as a LEC by transferring section

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<sup>26</sup> This concern is not mere speculation. Ameritech recently obtained a preliminary injunction to prevent AT&T from improperly using or disclosing proprietary information regarding Ameritech's customers that was obtained by AT&T under a mutual credit card honoring agreement. See Ameritech Corp. v. AT&T, No. 96 C 2961, Order (N.D. Ill. May 28, 1996).

<sup>27</sup> AT&T Comments at 12.

251(b)(4), which applies to all LECs, to section 251(c), which applies only to incumbent LECs. Had Congress intended to make access to poles and conduits solely an incumbent LEC duty, it would have done so by simply including such access obligation in section 251(c) -- as it did with several other requirements addressed in this proceeding. Thus, based on the express language of the statute, it is clear that Congress intended that all LECs, including new LECs, be subject to the same duty to provide nondiscriminatory access to their poles, conduits and ducts to the extent they own or control such facilities.<sup>28</sup>

The wisdom of Congress's decision to require new LECs to provide nondiscriminatory access to their poles and conduits is demonstrated by the Comments in this docket that discuss the importance of access to the facilities of other carriers.<sup>29</sup> This is true regardless of who controls the pole

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<sup>28</sup> New LECs, to the extent they are "utilities," are also subject to section 224. The term "utilities," as used in section 224, includes any LEC that owns or controls poles, conduits, ducts or rights-of-way used in whole or in part for any wire communications. See 47 U.S.C. § 224(a)(1). Thus, this term would include AT&T and MCI. Section 251(b)(4) clarifies that LECs are to offer access to these facilities "on rates, terms, and conditions that are consistent with section 224." This provision would not have been necessary had section 251(b)(4) applied only to incumbent LECs, since, as AT&T is quick to point out, section 224 already applies to incumbent LECs.

<sup>29</sup> See, e.g., AT&T Comments at 12

or conduit. Also, symmetrical regulations tend to force all parties to advocate reasonable positions, thereby reducing the potential for continued controversy and "gaming" of the regulatory process.

**IV. NOTICE OF TECHNICAL CHANGES REGARDING INTERCONNECTION SHOULD BE PROVIDED IN ACCORDANCE WITH EXISTING PRACTICES**

The record on this portion of the NPRM is another example of some parties' self-serving attempts to rewrite the 1996 Act. While most parties support the overall need for notice of technical changes to the network, there is divergence among the Comments on the amount and depth of information that is required. Many proposals go far beyond what is either authorized by the 1996 Act or required for interconnection. For example, some commenters would have the Commission mandate notification regarding LEC changes to "non-telecommunications" interfaces.<sup>30</sup> Further, one party demands a right to obtain any level of technical detail which it deems neces-

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<sup>30</sup> See, e.g., AT&T Comments at 23; MCI Comments at 15-16.

sary,<sup>31</sup> while another demands a detailed listing of all circuits which might be affected by any change.<sup>32</sup>

The wording of the 1996 Act is clear on this point - section 251(c)(5) requires incumbent LECs to "provide reasonable public notice of changes in the information necessary for the transmission and routing of services using that local exchange carrier's facilities or networks." This provision is aimed at codifying the decades-long cooperation among LECs to provide notice of technical changes and extending it to new service providers. There is nothing in section 251(c)(5) that can be interpreted as creating a new compliance battlefield mined with unnecessary timing and information requirements, unneeded sanctions and extensive enforcement mechanisms.<sup>33</sup> There is no need to solve a problem that does not exist.

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<sup>31</sup> Specifically, Time Warner seeks a right of access to information on "the finer details of technical changes if a competitive service provider deems this further information to be necessary." Time Warner Comments at 5.

<sup>32</sup> MFS Comments at 14. MFS also demands a count of potentially affected circuits, a listing of available alternatives, projected downtime for each affected circuit, and "any other pertinent information." Id.

<sup>33</sup> See, e.g., Comments of National Cable Television Association at 12 (seeking new financial sanctions); MFS Comments at 14 (supporting certified mail notification); Cox Comments at 11 (advocating the implementation of specific new penalties)

Several parties support the adoption of Computer III's mandatory disclosure timelines for disclosure of information regarding technical changes related to interconnection. Adoption of a Computer III-type disclosure regime with built-in time delays would needlessly postpone the implementation of efficient interconnection arrangements and serve no useful purpose. Since interconnection between LEC networks is beneficial to the customers of each LEC, there is no incentive to delay disclosure of network changes related to interconnection. Specific timeframes for disclosure, if any, should be included as part of the individual interconnection agreements and incorporated into the state approval process under section 252 of the 1996 Act.

The Commission's touchstone for defining the disclosure obligation should simply be "interoperability." Section 251(c)(5) is narrowly drawn to require reasonable notice of changes that impact interconnection, interfaces or the routing of traffic. Therefore, if an incumbent LEC discloses information permitting an interconnecting carrier or customer to maintain interoperability, such disclosure satisfies the requirements of the 1996 Act. Further, as set forth in Ameritech's Comments, the Commission should rely on existing procedures and publications to implement Section 251(c)(5)

since these industry-created practices have worked effectively for a number of years.<sup>34</sup>

**V. NUMBER ADMINISTRATION**

The vast majority of commenting parties support the Commission's timely transfer of the numbering administration function to a neutral third party.<sup>35</sup> There is also broad consensus that the Commission's current Central Office Code (NNX/NXX) administration practices and procedures are fair and adequate.<sup>36</sup> To the extent there are a few historical complaints of discriminatory treatment,<sup>37</sup> the Commission need only proceed to form the North American Numbering Council ("NANC") and choose the new administrator, as those concepts were developed in the North American Numbering Plan proceeding.<sup>38</sup>

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<sup>34</sup> Ameritech Comments at 28-29.

<sup>35</sup> See, e.g., MFS Comments at 7; Sprint Comments at 13; MCI Comments at 10; Omnipoint Communications, Inc. ("Omnipoint") Comments at 3-4; Paging Network, Inc. ("PageNet") Comments at 2.

<sup>36</sup> WinStar Comments at 15; Sprint Comments at 15.

<sup>37</sup> PageNet Comments at 3-4; Omnipoint Comments at 1-2; MFS Comments at 8.

<sup>38</sup> See NANP Order.

CONCLUSION

For the foregoing reasons, the Commission should issue broad national guidelines to implement the dialing parity, notice of technical changes, nondiscriminatory assignment of numbers, and access to rights-of-way requirements of the 1996 Act. The Commission's rules should build upon existing arrangements and afford sufficient flexibility to address local conditions.

Respectfully submitted,

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Dated: June 3, 1996

**ATTACHMENT A**

**PROPOSED FEDERAL REGULATIONS  
FOR IMPLEMENTATION OF LOCAL COMPETITION**

**SUBPART \_\_\_\_ -- Duties of All Local Exchange Carriers**

**\_\_\_\_ Dialing Parity**

(a) Each local exchange carrier has the duty to offer interconnection arrangements that permit:

(1) dialing parity to end users of competing providers of telephone exchange service and telephone toll service, with no unreasonable dialing delays; and

(2) non-discriminatory access to competing providers of telephone exchange service and telephone toll service, upon request of such competing providers, to telephone numbers, operator services, directory assistance, and directory listings, with no unreasonable dialing delays.

(b) For purposes of this section, local exchange dialing parity is the ability of end users of one local exchange carrier to place calls to end users of a competing local exchange carrier(s) without dialing access codes and without unreasonable dialing delays.

(c) For purposes of this section, toll dialing parity is the ability of end users of a local exchange carrier to route toll calls to a presubscribed toll