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AUG 23 1996

Federal Communications Commission
Office of Secretary

August 23,1996

Ms. Regina Keeney
Chief, Common Carrier Bureau
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

Re: Ex Parte, Telephone Number Portability, CC Docket No. 95-116

Dear Ms. Keeney,

AT&T submits this response to the ex parte letter provided to the Common Carrier Bureau by U S West Communications, Inc. ("U S West") on August 5, 1996 addressing the relative merits of Query on Release ("QOR") and other methods of implementing local number portability.

In its July 2, 1996 Order in this docket ("Order"), the Commission established mandatory criteria for number portability solutions to be adopted by the states. In its Order, the Commission expressly and correctly found that QOR would satisfy neither the requirements of the Telecommunications Act nor the Commission's criteria for portability solutions. Specifically, the Commission found that QOR would require carriers to rely on the networks of their competitors in order to route calls, and would treat calls to ported numbers diffently than calls to non-ported numbers. The Commission thus concluded that QOR would disadvantage new entrants.

U S West's letter simply repeats arguments that were raised either by it or other parties in this docket and properly rejected by the Commission. U S West provides no new facts or arguments. For example, U S West claims that QOR would require fewer switch replacements than other solutions -- such as Location Routing Number ("LRN") that, in contrast to QOR, do comply with the Commission's criteria -- and would thus be less costly.[1] Wholly apart from the

[1] As noted by the Commission in its Order, LRN has been adopted by state commissions as the permanent number portability solution in Colorado, Georgia, Illinois, Maryland, New York, and Ohio. In Michigan, the state commission has ordered the implementation of permanent number portability to begin at the same time as in Illinois. Subsequent to the Order, the California PUC ordered the implementation of LRN.

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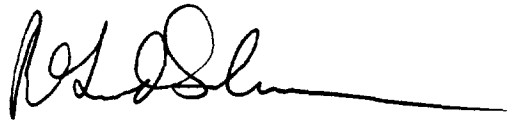
fact that U S West has failed to provide any support for this conclusory assertion, the Commission explicitly considered and rejected it, finding that any alleged cost savings generated by QOR would be far outweighed by its competitive disadvantages.

U S West's arguments about its financial ability to deploy any portability solution other than QOR are unfounded, and in all events, provide no basis to reconsider the Commission's Order. U S West's claim --again unsupported -- is that it will have to "replace more end office switches" in deploying LRN than QOR. But U S West concedes that it would have to replace those switches anyway in the ordinary course of upgrading its network. More fundamentally, as noted above, the Commission has already rejected arguments based on QOR's alleged cost savings. In all events, the Commission will have a further opportunity to consider cost recovery issues in its order resolving issues raised in its Further Notice. In this regard, it appears that U S West's estimate of the costs of implementing LRN include the costs of switch upgrades and other measures that will enable it to provide a wide variety of services unrelated or in addition to number portability. As the Commission has tentatively concluded in the Further Notice, such carrier-specific costs are not properly attributable to number portability, and should be borne by the individual carrier.

Finally, U S West's claims that QOR will place "less stress" on the SS7 network, and that placing "too much stress" raises "reliability concerns," are disingenuous at best. U S West fails even to assert, much less demonstrate, that the additional queries required by solutions other than QOR would pose any threat whatever to network reliability. Indeed, any suggestion that QOR is preferable to other solutions from a network reliability standpoint are completely foreclosed by contrary findings of state number portability workshops.[2]

Sincerely,



[2] See, e.g., the scoring of LRN according to the industry LNP Framework by the Maryland Consortium in which LRN scored the highest in Catogory 5: Performance which includes blocking, network reliability, adherence to government mandates, etc.