carrier's own network, as well as between carrier networks by mutual agreement between two carriers.[23]

QOR will not result in "differentials in efficiency" causing competitive disadvantage in violation of the fourth criterion. There is no basis for any kind of determination that QOR facilitates call blocking. QOR specifications take into account situations when congestion in the network might block the attempt to route the call to the donor switch. As soon as blockage is encountered, the call is released back to the originating office for a database query. Nor will QOR provide a LEC access to any more information about new entrants or their customers than will already be obtained through implementation of LRN.

As noted above, if a number has been ported, the donor switch in a QOR environment sends a release message back to the originating switch indicating that it must initiate a query to determine the LRN in order to route the call.[24] In this way QOR does treat ported numbers differently than non-ported numbers, but this difference results in an insignificant additional post dial delay such that it would not be apparent to the calling party.[25] But even LRN treats ported

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[23] According to specifications provided by Nortel and by Bellcore, QOR and LRN routing do coexist; that is, one carrier's use of QOR does not force a connecting carrier to implement QOR in order to have the ability to recognize and respond to the originating carrier's QOR message.

[24] QOR, on the other hand, does not route a call to a ported number through the original carrier's network as implied in the Commission order. After an attempt is made to establish the call to the original carrier's ("donor") switch, the call is routed based on the results of a database query at the originating office just as it would have been if the QOR attempt had not been made. This distinguishes QOR from, RCF which routes calls first through the original service provider's network and then to the new provider's network in a relatively inefficient and cumbersome trunking arrangement.

[25] MCI describes this delay as "imperceptible." *Id.* at n. 156. Moreover, it is critical to bear in mind that post dial delay is not uniform today for all call types and call scenarios. Cellular calls, POTS calls, 800 calls, long distance calls over different carrier facilities, calls to independent LECs, calls using different types of signaling, etc., all result in varied post dial delays. It is (Continued...)

and nonported customers differently, in the case of intraoffice calls, and would presumably fail the Commission's equal call treatment analysis. There can thus be no anticompetitive effect of implementing QOR.

Yet, the Commission summarily disposes of QOR as a potential "innovation and improvement" with a curious determination supported nowhere in the record: the hypothetical, potential and unquantified "competitive benefits of ensuring that calls are not routed through the original carrier's network outweigh *any* cost savings that QOR may bring in the immediate future." *Id.* ¶ 54 (emphasis added). The record evidence consists of cost data indicating that LECs can save tens of millions of dollars, costs that need not be allocated to all telecommunications carriers. *Id.* at ¶ 54. BellSouth studies indicate savings of approximately $50 million over the initial 5 years of LNP implementation. Notwithstanding the Commission's cavalier dismissal of the significance of such sums by an inappropriate comparison to total operating revenue, these totals are significant indeed, especially when combined with the savings of other incumbent independent and RBOC LECs.

Implementation of QOR will not result in the violation of the Commission's technical performance criteria. Customers will not experience poorer transmission quality or loss of services because of QOR. QOR will actually increase network reliability. The Commission's implementation schedule requires aggressive implementation of a network architecture that does not currently exist. As with any new technology, there is much concern about the reliability of the initial LNP design parameters. The 100 MSAs that are to initially be equipped for LNP represent

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reasonable and normal to expect variations within an LNP environment; as a practical matter, these variations will, as MCI states, be imperceptible. *Id.*

the areas of highest access line density and, therefore, the most sensitive portions of the PSTN. If full originating LRN queries are required, the new database equipment and the enormous load on the SS7 network could result in significant network outages. The normal strategy that BellSouth would use with a new architecture would be to implement in a less sensitive area first, then move to the sensitive areas as experience is gained. The load on the databases and the SS7 network would be increased gradually to insure integrity.

In the early stages of LNP the majority of the numbers in a portable central office code ("NXX") will not be ported. If all calls to numbers in portable NXXs initiate queries, most will return normal routing indications. In such a circumstance, millions of unnecessary queries will be made for calls to nonported numbers resulting inefficient, expensive, and potentially harmful abuse of the SS7 network. QOR will reduce the quantity of queries resulting in inefficient, expensive, and potentially harmful abuse of the SS7 network. QOR will reduce the quantity of queries to those that are required for numbers that have actually ported. This will reduce the number of database systems required, the number of signaling links required and will extend switch processor life. This equates to large savings in the PTSN.

V. THE COMMISSION SHOULD CLARIFY THAT INTEREXCHANGE CARRIERS ARE OBLIGATED TO MAKE 500 AND 900 NUMBERS PORTABLE.

As the Commission notes, the vast majority of 900 numbers, as well as all 500 numbers are presently assigned to interexchange carriers ("IXCs"). Most users of these services obtain their numbers from IXCs, not LECs. *Id.* at ¶ 196. As a practical matter, portability of these numbers can only occur when they are released by IXCs. The 1996 Act, however, is silent as to the issue of 500/900 number portability, and does not address portability by IXCs. Nevertheless,

LECs and others will be disadvantaged if IXC customers are not able to change service providers without changing their 500/900 number. Therefore, before proceeding with referral of the 500/900 technical feasibility issue to the Industry Numbering Council, the Commission should clarify that all carriers, including IXCs, must provide 500/900 portability.

CONCLUSION

For the foregoing reasons, the Commission should withdraw its Transitional Measure cost recovery guidelines, lengthen the LNP deployment implementation interval for Phases I and II as indicated, eliminate its fourth LNP criterion and clarify its *Number Portability Order*, as set forth above.

Respectfully submitted,

BELLSOUTH CORPORATION
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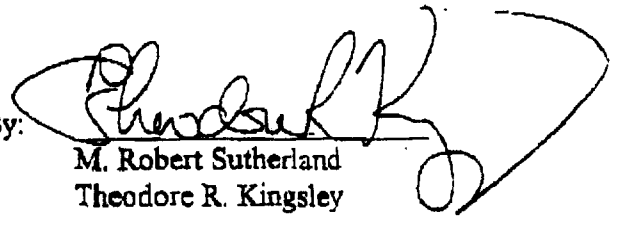
By: 

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