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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Mr. Richard Metzger  
Federal Communications Commission  
1919 M Street, NW  
Room 500  
Washington, D.C. 20554

*Ex Parte*

Re: **In the Matter of Telephone Number Portability, CC Docket 95-116  
Petition For Further Reconsideration of KMC Telecom, Inc.**

Dear Mr. Metzger:

On May 8, 1997, KMC Telecom, Inc. (KMC), filed a petition for further reconsideration of the Federal Communications Commission's (Commission's) First Memorandum Opinion and Order on Reconsideration<sup>1</sup> (Reconsideration Order), which finalized the deployment schedule for long-term local number portability (LNP).

The Commission's Reconsideration Order requires long-term LNP to be deployed in the switches within the top 100 metropolitan statistical areas (MSAs) for which another carrier has made a specific request.<sup>2</sup> The Reconsideration Order also confirms an earlier Commission order that long-term LNP deployment for cities outside the top 100 MSAs need not be completed until 1999.<sup>3</sup> In its petition, KMC asks the Commission to require incumbent local exchange carriers to honor LNP deployment requests for switches outside the top 100 MSAs, unless the incumbents obtain a statement from the appropriate switch vendor that it will not have the capacity to support the request.

MCI supports KMC's request, which can only aid in making local competition a reality for consumers that are geographically located outside a top 100 MSA, but within the area served by an incumbent local exchange company that has already deployed long-term LNP in that nearby top 100 MSA. As KMC's petition points out, there is no good reason to deny a request to deploy LNP in a city earlier than the Commission's deployment schedule specifies, if the switch vendor has the capacity to accommodate the request.

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<sup>1</sup>*In the Matter of Telephone Number Portability*, First Memorandum Opinion and Order on Reconsideration (Reconsideration Order), CC Docket No. 95-116 (rel. March 11, 1997).

<sup>2</sup>*Id.*, ¶ 60.

<sup>3</sup>*Id.*, ¶ 48.

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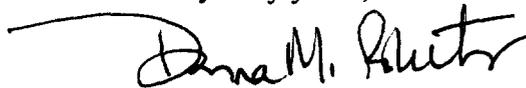
Mr. Richard Metzger  
Federal Communications Commission  
December 10, 1997  
Page Two

For example, Cincinnati Bell plans to deploy long-term LNP in Cincinnati, Ohio, between April 1 and May 15, 1998, pursuant to the Commission's schedule. MCI's local sales plans include the launch of service in northern Kentucky in early 1998. Although northern Kentucky is not located within the Cincinnati MSA, both cities will be served by the same Number Portability Administration Center. Thus, nothing prevents Cincinnati Bell from including northern Kentucky in the current long-term LNP schedule, coincident with Cincinnati, by May 15, 1998, unless the relevant switch is without the capacity to accommodate the additional port queries. If the switch can accommodate the queries that would be generated by the existence of local competition in northern Kentucky, there is no good reason why Cincinnati Bell should not be required to honor a deployment request for northern Kentucky.

The Commission has recognized that after portability has been introduced in an MSA, the incremental cost and resources needed to add additional end offices are relatively minor because most of them have already been incurred.<sup>4</sup> Thus, there is no burden on an incumbent to honor requests to make LNP-capable those end offices located just outside a top 100 MSA, once long-term LNP has been deployed within that MSA. In fact, it would be the very antithesis of local exchange competition to deny the benefits of local competition to consumers located just outside an MSA, when, to afford them those benefits places no additional burden on the incumbent service provider, and the switch vendor has the capacity to support the request.

For these reasons, MCI requests that the Commission grant KMC's petition, which will bring the benefits of competition to more consumers as expeditiously and efficiently as possible.

Very truly yours,

  
Donna M. Roberts

cc: Michelle Carey      Carol Matthey      Ruth Milkman  
Jason Oxman      Jonathan Askin

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<sup>4</sup>Reconsideration Order, ¶ 68.