

DOCKET FILE COPY ORIGINAL

EX PARTE OR LATE FILED



Frank S. Simone
Government Affairs Director

Suite 1000
1120 20th Street, N.W.
Washington, DC 20036
202 457-2321
FAX 202 457-2165
fsimone@lgamgw.attmail.com

January 7, 1998

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, N. W. - Room 222
Washington, D. C. 20554

RECEIVED

JAN - 7 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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

Dear Ms. Roman Salas:

The attached letter was hand delivered to Mr. Metzger's office today. Please include a copy of this letter in the record of the above-referenced proceeding.

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206(a)(1) of the Commission's rules.

Sincerely,

ATTACHMENT

- cc: T. Power
- J. Casserly
- K. Dixon
- P. Gallant
- K. Martin
- J. Schlichting
- N. Fried

No. of Copies rec'd
List A B C D E

022



Frank S. Simone
Government Affairs Director

Suite 1000
1120 20th Street, N.W.
Washington, DC 20036
202 457-2321
FAX 202 457-2165
fsimone@lgamgw.attmail.com

January 7, 1998

Mr. A. Richard Metzger, Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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

Dear Mr. Metzger,

In its Second Report and Order in the Local Number Portability docket, the Commission concluded that the "N-1" carrier would be responsible for performing queries to identify the Location Routing Number ("LRN") required to route calls to the proper end office after implementation of permanent local number portability ("LNP").¹ That order held further that "if the N-1 carrier does not perform the query, but rather relies on some other entity to perform the query, that other entity may charge the N-1 carrier, in accordance with guidelines the Commission will establish to govern long-term number portability cost allocation and recovery."²

AT&T has recently learned that some ILECs have announced plans to perform LNP-related queries for every call that they terminate to a central office (NXX) code that has been designated as LNP-capable, whether or not any telephone numbers have in fact been ported in that NXX. Such queries are both unnecessary and contrary to the Inter-Service Provider LNP Operations Flows-Code Opening Processes recommended by the North American Numbering Council (NANC) and approved by the Commission in the Second Report and Order.³ Indeed, the sole purpose of performing queries for such calls can only be to generate revenue for the ILEC that terminates them, as these queries are completely unnecessary to the proper functioning of LRN-based LNP, and are not contemplated by the NANC's Technical and

¹ Second Report and Order, Telephone Number Portability, CC Docket No. 95-116, FCC 97-289, released August 18, 1997, ¶¶ 73-75 ("Second Report and Order"). As defined in that order, the N-1 carrier is the carrier that transfers a call to the "N" carrier -- that is, the carrier that terminates that call to the end-user. See id., ¶ 73, n.207.

² Id., paragraph 75.

³ North American Numbering Council, Local Number Portability Administration Selection Working Group, LNPA Technical & Operational Requirements Task Force Report, Appendix B, Figure 9, April 25, 1997.

Operations Task Force Report, as is explained below. Accordingly, in its upcoming LNP cost-recovery order the Commission should make clear that an entity performing queries on behalf of an N-1 carrier may not charge that carrier for queries made for calls to NXXs in which no number has yet been ported.

The operations flows for the code opening process were agreed to by the members of the NANC Technical and Operations Task Force, approved by the LNP Administration Working Group, and then endorsed by the full NANC and forwarded to the Commission as part of its recommendations on LNP implementation. The Commission then released the NANC recommendations for public comment. No party offered any objections to the proposed operations flows, and the Commission subsequently approved them in the Second Report and Order.⁴

The operations flows for the code opening process describe a two-step procedure. First, the NXX code holder notifies the NPAC/SMS that a specified NPA-NXX is to be opened for portability. The NPAC/SMS then provides advance notification to the carriers. In the second step, when the first telephone number ports in the NPA-NXX the NPAC/SMS notifies carriers, which then must complete the process of opening the code for LNP. The carriers have 5 days to activate the LNP trigger so that queries will be performed for calls terminating to numbers in the affected NPA-NXX. If no numbers have yet been ported in that NPA-NXX, there is simply no reason to perform LNP-related queries -- indeed, this is the reason behind the design of the LNP trigger described above.

The intent of this two-step procedure is to avoid unnecessary queries on calls to numbers in NPA-NXXs in which no number has yet ported. In this process, query volumes will increase gradually over time, rather than in one huge single step when LNP implementation is completed in an MSA.

AT&T does not believe that the Commission should dictate to carriers how they should introduce LNP into their networks. However, at a minimum, the Commission should clearly state in its upcoming order that if a carrier opts to perform queries on calls to numbers in NPA-NXXs in which no numbers have yet ported, that carrier may not charge the N-1 carrier for such queries.

Sincerely,



cc: T. Power
J. Casserly
K. Dixon
P. Gallant
K. Martin
J. Schlichting
N. Fried

⁴See Second Report and Order, ¶ 54.