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

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Administration of the North American ) CC Docket No. 92-237  
Numbering Plan, )  
Carrier Identification Codes (CCS) )

**REPLY COMMENTS OF MCI TELECOMMUNICATIONS CORPORATION**

MCI Telecommunications Corporation (MCI), by counsel, pursuant to 47 C.F.R. § 1.106, hereby submits these reply comments on the Petition For Clarification (Petition) filed by BellSouth Corporation (BellSouth) on November 23, 1997.

Four parties, including MCI, commented on BellSouth's Petition.<sup>1</sup> Issues highlighted in each party's comments raise the question whether an orderly transition from 3-digit to 4-digit carrier identification code (CIC) dialing is possible at all within the time frame ordered by the Federal Communications Commission (Commission).<sup>2</sup> The issues raised by BellSouth's Petition and the comments thereon concern a significant and rapidly approaching change to the nation's current dialing plan. In order to smoothly implement this nationwide change, it is critical that the Commission take note of the fact that comments filed in this proceeding signal the existence of

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<sup>1</sup>In addition to MCI, the commenting parties are U S WEST, AT&T Corp. and the SBC Companies (collectively referring to Southwestern Bell Telephone Company, Pacific Bell and Nevada Bell).

<sup>2</sup>See Administration of the North American Numbering Plan Carrier Identification Codes (CICs), CC Docket No. 92-237, Order on Reconsideration, Order on Application For Review, and Second Further Notice of Proposed Rulemaking and Order (rel. Oct. 22, 1997) (Reconsideration Order).

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disagreement and uncertainty about how the changes will take place, and thus, necessitate an extension of the permissive dialing period.

The uncertainties and unexpected events highlighted in the record of this proceeding, along with other recent industry occurrences, will continue to adversely impact the public and the industry as a whole as this dialing plan change continues to unfold. As a result, MCI strongly urges the Commission to consider the extension of the permissive dialing period.

MCI's comments supporting BellSouth's Petition were conditioned on the public disclosure by BellSouth of pre-implementation and quality control plans at least 30 days in advance of the date upon which a LEC intends to reconfigure an end office.<sup>3</sup> Disclosure of these plans is necessary to the smooth implementation of the transition process. U S West, Inc. (U S WEST), states cavalierly in its comments that MCI's request for disclosure of pre-implementation plans is unnecessary,<sup>4</sup> but fails to offer any support for its conclusion. As stated above, MCI's needs to know ahead of time how each local exchange carrier (LEC) plans to transition its end offices in order to conduct its own network planning, and in order to properly educate consumers about what to expect as the transition unfolds. MCI's request for implementation plans is not so novel, and the Commission has ordered such plans in other contexts. For example, "[i]n order to facilitate the orderly implementation of toll dialing parity,"

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<sup>3</sup>Comments of MCI, pp. 3-5.

<sup>4</sup>Comments of U S WEST, p. 4.

the Commission required that dialing parity implementation plans be filed, disclosing the methods and plans proposed by each LEC to implement dialing parity.<sup>5</sup>

In its comments, U S WEST states that like BellSouth, it is unable to block 3-digit CCS in its switches on a “flash-cut” basis.<sup>6</sup> U S WEST, however, asserts that the Reconsideration Order extending the permissive dialing period need not be clarified in order for U S WEST and any other similarly situated carrier to phase-in 3-digit CIC blocking beginning July 1, 1998.<sup>7</sup> U S WEST also asserts that because the ‘truth’ of the education campaigns undertaken by carriers will “prove itself in,”<sup>8</sup> phased blocking of 3-digit CCS is “of little regulatory, market or industry consequence,”<sup>9</sup> and that carriers would not be disadvantaged by a phase-in process.<sup>10</sup>

U S WEST is incorrect. Without pre-implementation and quality control plans, U S WEST, BellSouth and other similarly situated LECs could simply transition end offices at their leisure, without notifying MCI of dates and transition times, and without disclosing important details of the transition. This would leave MCI without the ability to plan for the transition

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<sup>5</sup>*In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Second Report and order and Memorandum Opinion and Order (rel. August 8, 1996), ¶ 6. Although these rules were overturned in part, *Public Utilities Comm'n of California, et. al. v. FCC*, 124 F.3d 934 (1997), they remain in effect insofar as they concern interstate, intraLATA toll traffic. *Id.* at 943 n.6 (“[o]ur decision to vacate the [FCC’s dialing parity] rules does not apply to the extent that [they] govern the very small percentage of intraLATA, toll, interstate telecommunications.”)

<sup>6</sup>Comments of U S WEST, p. 2.

<sup>7</sup>*Id.*

<sup>8</sup>*Id.*, p. 3.

<sup>9</sup>*Id.*

<sup>10</sup>*Id.*, p.5.

within its own network, and would cause substantial disruption to MCI's educational efforts throughout the country. Thus, U S WEST's assertion that LECs need not publicly disclose implementation plans is without merit.

AT&T opposes BellSouth's Petition, and asserts that if BellSouth needs two months to phase-in 3-digit CIC blocking, it should be required to do so beginning May 1, a full two months before the currently scheduled end to the permissive dialing period.<sup>11</sup> Thus, AT&T's position is that even if it is impossible for a LEC to flash-cut 3-digit CIC blocking, a LEC that needs to phase implementation should be allowed to cut into the permissive dialing period, and begin refusing to accept correctly dialed calls using 3-digit CCS prior to the end of the permissive dialing period, June 30, 1998. If the Commission were to accept AT&T's position, each carrier that needed to phase implementation would be in violation of the Reconsideration Order once it blocked a 3-digit CIC call before June 30, 1998. AT&T's position is thus unacceptable.

The harm to carriers such as MCI cannot be underestimated if AT&T's position is adopted. The Commission has already recognized that carriers need at least until June 30 to educate consumers and otherwise prepare for the end to the permissive dialing period.<sup>12</sup> If, in addition to educating consumers, attempting to reach agreement with respect to an appropriate intercept message and taking steps to account for consumers served by LECs for whom the Commission has extended the period of time in which they must accept 4-digit CCS,<sup>13</sup> MCI must

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<sup>11</sup>See Opposition of AT&T Corp., p. 3.

<sup>12</sup>Reconsideration Order, ¶ 20.

<sup>13</sup>See *infra*, note 18 and accompanying text.

also deal with staggered 3-digit CIC blocking by LECs (with or without implementation plans), the entire transition process will quickly become chaotic and unmanageable.

AT&T correctly points out that the Commission's intent in its Reconsideration Order was to "put all carriers at parity by requiring identical dialing patterns."<sup>14</sup> AT&T's position, however, is that in the face of the possibility that nationwide dialing parity may not be possible, the Commission should do nothing. If it is true, as asserted by U S WEST and BellSouth, that flash-cut blocking of 3-digit CCS is impossible, dialing parity vis-a-vis all carriers is also impossible. Per the Commission's Reconsideration Order, MCI will advise the public that 3-digit CCS will be accepted nationwide until June 30.<sup>15</sup> Adoption of AT&T's approach to allow individual carriers to begin blocking 3-digit CIC calls whenever and wherever they feel it is appropriate, within the permissive dialing period, would cause irreparable harm to MCI, confuse the public and violate the Commission's Reconsideration Order.

SBC Companies claim to have similar issues as BellSouth with respect to implementation of this dialing change.<sup>16</sup> Like BellSouth, SBC Companies claim that an unspecified period of time is needed to convert each switch in their networks to block 3-digit CCS.<sup>17</sup> As a result, SBC Companies support BellSouth's Petition, on the condition that blocking can begin only after June

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<sup>14</sup>AT&T Comments, p. 4.

<sup>15</sup>MCI does not doubt that it would be unfairly blamed if, following the Commission's Reconsideration Order, it tells consumers that 3-digit CCS will be accepted until June 30, and a LEC begins blocking 3-digit CCS before that date.

<sup>16</sup>Comments of SBC Companies, p. 2.

<sup>17</sup>*Id.*

30, the end of the permissive dialing period.<sup>18</sup> Thus, yet another carrier has a different set of circumstances and a different position about how this transition should occur.

In addition to the transitional challenges highlighted by the comments filed in response to BellSouth's Petition, several other occurrences point out the need for more time to successfully implement the transition in a fashion that furthers the public interest. First, the Commission has recently granted several LECs' requests to extend beyond January 1, 1998, the date by which those LECs must be able to accept 4-digit CCS.<sup>19</sup> Those extensions affect thousands of access lines throughout the country, and serve to extend the January 1, 1998, transition date to several different dates, from April 1998 to January 1999. The Commission's granting of those extension has created a patchwork of different transition dates throughout the country, and thus further complicates the logistics associated with the transition from 3-digit to 4-digit CIC dialing.

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<sup>18</sup>*Id.*

<sup>19</sup>*See, e.g.,* Order, Petitions For Waiver of the Four-Digit Carrier Identification Code (CIC) Implementation Schedule, NSD File Nos. 97-53, 97-56, 97-46, 97-51, 97-54, 97-55, 97-47, 97-48, 97-49, 97-50 (rel. Dec. 3, 1997), ¶¶ 15-30 (granting extensions of time for several LECs to accept 4-digit CCS, and further, indicating that it would consider future requests for extension of time); Order, Petitions For Waiver of the Four-Digit Carrier Identification Code (CIC) Implementation Schedule, NSD File Nos. 97-52, 97-58, 97-57, 97-62, 97-61 (rel. December 15, 1997), ¶ 24 (Hager Order) (granting extensions of time until August 31, 1998 (Silver Star Telephone Co., Inc.) and January 1, 1999 (Hager Telecom Co.), and ordering that both LECs install an intercept message advising callers that they "will not be able to reach their long distance carriers through access code dialing until January 1, 1999"). *See also* Order, Petitions For Waiver of the Four-Digit Carrier Identification Code (CIC) Implementation Schedule, NSD File Nos. 97-74, 97-63, 97-78, 97-75, 97-66, 97-67, 97-65, 97-68, 97-73, 97-70, 97-72, 97-76, 97-64, 97-71, 97-69 (rel. December 24, 1997) (granting several petitions for extensions of time).

In one particularly troubling instance, for example, the Commission granted Hager Telecom, Inc.'s (Hager's), petition for an extension of time until January 1, 1999. In so doing, the Commission ordered Hager to:

on June 30, 1998, indicate that callers will not be able to reach their long distance carriers through access code dialing until January 1, 1999.<sup>20</sup>

The fact that so many LECs throughout the nation will be implementing this transition in an unpredictable and non-uniform fashion is reason enough to extend the permissive dialing period. The above additional Commission order that Hager's customers be told that they simply cannot reach the carrier of their choice until January 1999 not only adversely impacts the ability of the industry to make a smooth transition to nationwide 4-digit dialing, but also directly violates the Commission's Reconsideration Order wherein all LECs were instructed to "offer a standard intercept message beginning on or before June 30, 1998,"<sup>21</sup>

Rather than continue along the path of this patchwork of changes and transitional details, MCI strongly suggests that the better option is to extend the permissive dialing period until at least January 1, 1999. That way, all LECs will have completed the necessary upgrades to accept 4-digit CCS and the public interest will be better served through promotion of a smoother transition to the new national dialing plan. Additionally, an extension will minimize consumer confusion, frustration and inconvenience and ensure that the transition occurs in a competitively neutral fashion.

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<sup>20</sup>Hager Order, ¶ 24.

<sup>21</sup>*Id.*

Another hurdle that must be overcome as this transition unfolds is the Commission's requirement in the Reconsideration Order that carriers agree to an appropriate intercept message.<sup>22</sup> Although the Network Interconnection Interoperability Forum (NIIF) has met on two separate occasions to discuss this issue, it has yet to finalize language. The issue will next be considered on February 11 and 12, 1998, at the NIIF general session. If agreement is not reached by then, the issue may return to the committee for reconsideration at the next scheduled meeting in March. Of course, it is altogether possible that NIIF will be unable to reach an industry consensus in any event, thus requiring even more resources and time to implement this transition. In addition to the specific language that will be employed in the intercept message, another outstanding issue on which the industry has not reached any agreement is the length of time the announcement must be played. These are significant issues, and MCI estimates that even after agreement is reached, it will take various amounts of time, from days to months depending on the carrier, to place the announcement in all required switches, and implement all other steps necessary to coordinate the orderly provision of the intercept message to the public.

Yet another challenge to this transition is revealed by Ameritech's and Bell Atlantic's filings at the Commission of Network Change Notifications affecting this transition.<sup>23</sup> In its notification, Bell Atlantic indicates it will end permissive dialing on June 30, and require 4-digit CCS beginning July 1. Ameritech's notification states it will end permissive dialing on June 29, and require 4-digit CCS beginning June 30. Notwithstanding that the Commission's

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<sup>22</sup>Reconsideration Order, ¶ 26.

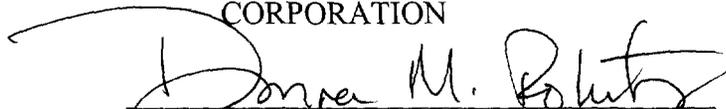
<sup>23</sup>See Network Change Notification of Ameritech, Report No. NCD-114, filed January 9; Network Change Notification of Bell Atlantic, Report No. NCD-113, filed January 9, 1998.

Reconsideration Order clearly implements an end to the permissive dialing period on June 30, and not before, Ameritech's notification indicates it will end permissive dialing on June 29. Though Ameritech's notification can be corrected, it further exemplifies the types of unexpected details that will continue to arise as the industry makes this transition.

WHEREFORE, for the foregoing reasons, although MCI repeats its request that the Commission grant BellSouth's Petition only if it also requires that BellSouth and other similarly situated LECs publicly disclose their pre-implementation and quality control plans, MCI also requests that the Commission extend the period during which 3- and 4-digit CCS may be used to complete calls in order to ensure a smooth and orderly transition process with respect to this national dialing plan change.

Respectfully submitted,

MCI TELECOMMUNICATIONS  
CORPORATION

A handwritten signature in black ink, appearing to read "Donna M. Roberts", is written over a horizontal line.

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Dated: January 13, 1998

## **CERTIFICATE OF SERVICE**

I, John E. Ferguson III, do hereby certify that copies of the foregoing Reply Comments of MCI on the Matter of the Administration of the North American Numbering Plan Carrier Identification Codes (CICs) were sent, on this 13th day of January, 1998, via first-class mail, postage pre-paid, to the following:

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