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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Telephone Number Portability)

CC Docket No. 95-116

To: Chief, Wireless Telecommunications Bureau

REPLY COMMENTS OF 360° COMMUNICATIONS COMPANY

360° Communications Company ("360°")¹ hereby respectfully submits its reply comments in support of the Petition filed by the Cellular Telecommunications Industry Association ("CTIA") in the above-captioned proceeding.² In its Petition, CTIA requests that the Wireless Telecommunications Bureau ("Bureau") extend the implementation deadline for wireless service provider number portability by nine months. As set forth below, the record demonstrates that grant of this extension is clearly in the public interest.

The overwhelming majority of commenters in this proceeding indicate that additional time is required to resolve the technical and operational issues necessary to

¹ 360° Communications Company is the second largest publicly held cellular communications company in the United States. The company offers wireless voice and data services to more than 2.45 million customers in more than 100 markets throughout 15 states. 360° also provides residential long distance and paging services.

² Public Notice, *Wireless Telecommunications Bureau Seeks Comment on CTIA Petition for Waiver to Extend the Implementation Deadline of Wireless Number Portability*, DA 97-2579 (rel. Dec. 9, 1997).

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implement service provider number portability for wireless carriers.³ Echoing the concern of most wireless carriers, AT&T Wireless explains that “wireless providers, unlike wireline carriers, must alter the fundamental model by which services are delivered to customers” in order to implement wireless local number portability (“LNP”).⁴ For example, as reflected in the record, establishing standards for the separation of the Mobile Directory Number (“MDN”) from the Mobile Identification Number (“MIN”) is critical for the deployment of LNP,⁵ and these standards efforts may not be completed for many months. Similarly, GTE and Sprint PCS correctly point out that MDN/MIN separation standards also will require the wireless industry to consider other technical issues, such as automatic roaming operation⁶ and E911 callback functionality.⁷ Finally, after the appropriate standards processes have been completed, equipment

³ See, e.g., Comments of AirTouch Communications, Inc., CC Docket No. 95-116, at 5 (filed Jan. 9, 1998) (“AirTouch Comments”); Comments of GTE Service Corporation, CC Docket No. 95-116, at 2 (filed Jan. 9, 1998) (“GTE Comments”); Comments of PrimeCo Personal Communications, L.P., CC Docket No. 95-116, at 1 (filed Jan. 9, 1998) (“PrimeCo PCS Comments”); Comments of the Rural Telecommunications Group, CC Docket No. 95-116, at 1 (filed Jan. 9, 1998).

⁴ Comments of AT&T Wireless Services, Inc., CC Docket No. 95-116, at 2 (filed Jan. 9, 1998) (“AT&T Wireless Comments”).

⁵ See, e.g., AirTouch Comments at 2; PrimeCo PCS Comments at 3. In addition, the fact that certain CMRS technologies may facilitate LNP without MDN/MIN separation does not provide a basis for denying CTIA's request. See Comments of Omnipoint Communications, Inc., CC Docket No. 95-116, at 4-5 (filed Jan. 9, 1998). The majority of CMRS providers do not utilize such technologies and are instead completely reliant on the standards-setting process described in the record in order to implement number portability.

⁶ GTE Comments at 4.

⁷ *Id.* at 3; Comments of Sprint Spectrum L.P. d/b/a Sprint PCS, CC Docket No. (Continued...)

manufacturers and service providers will require a reasonable opportunity to design, test, and deploy the necessary hardware and software solutions.⁸

360° strongly disagrees with the assertions of WorldCom and MCI that CTIA's claims of wireless LNP implementation difficulties are unsubstantiated.⁹ The record in this proceeding clearly offers evidence of the specific technical and operational issues that must be overcome before wireless number portability can be implemented, and describes the steps taken by the industry to address them.¹⁰ Moreover, MCI's argument that CTIA has failed to satisfy the Commission's number portability waiver standard is simply wrong.¹¹ The five-pronged standard to which MCI refers governs only carrier-specific requests for waiver of the implementation date. In contrast, the Bureau's broad authority to waive or stay the number portability implementation deadline for all wireless carriers is based upon a more general demonstration of implementation delays and impediments¹² – such as is amply contained in the record here.

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95-116, at 2 (filed Jan. 9, 1998) ("Sprint PCS Comments").

⁸ See, e.g., AirTouch Comments at 2; GTE Comments at 6.

⁹ See Comments of MCI Telecommunications Corp., CC Docket No. 95-116, at 2 (filed Jan. 9, 1998) ("MCI Comments"); Comments of WorldCom, Inc., CC Docket No. 95-116, at 4 (filed Jan. 9, 1998).

¹⁰ See AT&T Wireless Comments at 3, Declaration of Carol H. Peters; CTIA Petition, CC Docket No. 95-116 (filed Nov. 24, 1997) (Attached Report); Sprint PCS Comments at 1-2.

¹¹ See MCI Comments at 5-7.

¹² See *In the Matter of Telephone Number Portability*, 11 FCC Rcd 8352, 8440-
(Continued...)

For the foregoing reasons, the Bureau should grant the wireless industry a nine-month extension of time in which to implement wireless number portability. The record plainly documents the unique technical and operational issues that must be addressed prior to LNP implementation and the need for additional time to resolve these issues.

Respectfully submitted,

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41 (1996), *recon.*, 12 FCC Rcd 7236, 7312 (1997) (“*Number Portability Reconsideration Order*”). In the *Reconsideration Order*, the Commission specifically affirmed the Bureau’s authority to waive or stay the implementation deadline for wireless number portability up to nine months “[i]f it becomes apparent that the *wireless industry* is not progressing as quickly as necessary to meet the deadlines for providing querying capability and service provider portability.” *Number Portability Reconsideration Order*, at 7312 (emphasis added). In addition, the Commission upheld the Bureau’s authority to extend the implementation deadline on a case-by-case basis “in the event a *wireless carrier* is unable to meet the Commission’s deadline for implementing a long-term number portability method.” *Id.* (emphasis added).

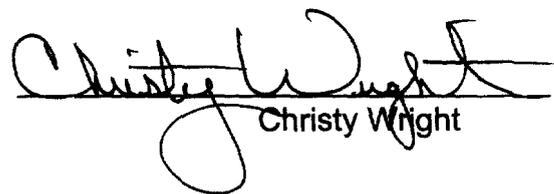
CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of January, 1998, I caused copies of the foregoing Reply Comments of 360° Communications Company to be mailed via first-class postage prepaid mail to the following:

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