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

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In the Matter of)
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)
SBC Companies Petition for Waiver)
Under 47 C.F.R. § 52.3(d) And Petition)
For Extension Of Time Of The Local)
Number Portability Phase I Implementation)
Deadline)
)

CC Docket No. 95-116
NSD File No. L-98-16

COMMENTS OF AT&T CORP.

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TABLE OF CONTENTS

	<u>Page</u>
SUMMARY.....	i
I. AS THE COMMISSION HAS FOUND, PLNP IS “ESSENTIAL” TO LOCAL EXCHANGE COMPETITION.....	1
II. SBC SHOULD CLARIFY THE EFFECT, IF ANY, OF ITS STP PROBLEMS ON PACIFIC’S PLNP IMPLEMENTATION EFFORTS.....	4
III. SBC’S ALLEGED DIFFICULTIES ARE NOT ATTRIBUTABLE TO PLNP, AND SHOULD NOT PREVENT IT FROM ADOPTING AN INTERIM WORKAROUND THAT WOULD PERMIT IT TO ADHERE TO THE PLNP SCHEDULE.....	6
IV. SBC’S ALLEGED DIFFICULTIES MAY BE CAUSED BY ITS REFUSAL TO ADHERE TO THE COMMISSION’S REQUIREMENTS FOR LNP QUERIES.....	10
V. IF THE COMMISSION DOES GRANT THE INSTANT WAIVER REQUEST, IT SHOULD SIGNIFICANTLY SHORTEN SBC’S PROPOSED SCHEDULE.....	14
CONCLUSION.....	16

SUMMARY

AT&T opposes SBC's eleventh-hour request for a waiver of the deadlines for implementation of permanent local number portability ("PLNP") in MSAs in Phases I, II and III of the Commission's schedule. As a preliminary matter, based on the Petition's limited description, the problems SBC contends have emerged in its signaling systems are not an outgrowth of its implementation of PLNP, but rather stem from functions that SBC has been performing in its network for years -- and apparently continues to perform without major incident despite its purported difficulties. SBC has not adequately explained the software faults that it asserts have caused unspecified "problems" in its Signaling Transfer Points ("STPs"), and apparently has never even considered -- much less plausibly rejected -- interim "fixes" that could permit it to comply with the Commission's PLNP schedule until it can resolve its signaling problems, preferring instead to wait passively until the next version of its STP software is available. In these comments, AT&T proposes one potential workaround that could allow SBC to implement PLNP on schedule. The Commission should not grant SBC's waiver request in any respect until that carrier demonstrates persuasively that such a solution would not be feasible.

The instant Petition also asserts that SBC cannot timely deploy PLNP because doing so would unacceptably strain its signaling networks. It appears, however, that the burden on SBC's signaling networks is largely of its own devise. In order to obtain the requested waiver, SBC also should be required to show that its STP software problems would affect its implementation of PLNP if it abandoned its current, unlawful plans to conduct LNP queries for every call to an end office designated as available for porting, rather than only for calls to end offices from which at least one number has ported.

In the event the Commission does elect to grant a waiver to SBC, it should significantly shorten the timetable the Petition proposes. Any waiver should extend the Phase I implementation date no later than May 4, 1998, and should require SBC to deploy PLNP in Phase II MSAs by May 18, 1998. SBC should be required to comply with the schedule established in the LNP Reconsideration Order for subsequent Phases. Until such time as it is again compliant with the timetable the Commission set in the LNP Reconsideration Order, SBC should file publicly available weekly reports on the status of its efforts to implement PLNP.

Finally, as part of any waiver the Commission should attempt to place CLECs as nearly as possible in the same position they would have occupied had SBC implemented PLNP in a timely manner, and should prevent SBC from profiting by its waiver. To that end, the Commission should order that any charges SBC imposes on CLECs during the life of any waiver for ordering ILNP or for providing that capability may not exceed the charges, if any, that SBC would have imposed on CLECs had it timely implemented PLNP.

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COMMENTS OF AT&T CORP.

Pursuant to Sections 1.3 and 52.3(d) of the Commission's Rules, 47 C.F.R. §§ 1.3, 52.3(d), and the Public Notice released March 3, 1998, AT&T Corp. ("AT&T") hereby submits these comments on the "Petition For Extension Of Time" ("Petition") filed February 20, 1997 by Southwestern Bell Telephone Company ("SWBT") and Pacific Bell ("Pacific") (collectively, "SBC").

I. AS THE COMMISSION HAS FOUND, PLNP IS "ESSENTIAL" TO LOCAL EXCHANGE COMPETITION

The waiver SBC requests would be costless, if not beneficial, to that company, but will seriously impact its competitors. Indeed, Congress recognized the importance of LNP to local competition by expressly requiring all LECs to provide that capability in § 251(b)(2), and by also including "full compliance" with the Commission's

LNP rules as a component of the § 271 “checklist.”¹ Any delay in the implementation of PLNP will potentially injure nascent local exchange competition. Accordingly, the Commission’s First LNP Order ruled that “carriers are expected to meet the prescribed deadlines, and a carrier seeking relief must present extraordinary circumstances beyond its control in order to obtain an extension of time.”² SBC’s CLEC competitors have been developing business plans for nearly a year in reliance on the implementation dates established in the LNP Reconsideration Order,³ and are now being asked to adjust their plans to account for a delay of yet-to-be-determined duration. The impact of the instant waiver request is still greater because the Petition was not timely filed, as competing carriers received far less than the 60 days’ advance notice required by the Commission’s rules.⁴

¹ See 47 U.S.C. § 271(c)(2)(B)(xi).

² Telephone Number Portability, CC Docket No. 95-116, First Report and Order and Further Notice of Proposed Rulemaking, FCC 96-286, released July 2, 1996, ¶ 85 (“First LNP Order”).

³ Telephone Number Portability, CC Docket No. 95-116, First Memorandum Opinion and Order On Reconsideration, FCC 97-74, released March 11, 1997 (“LNP Reconsideration Order”).

⁴ SBC designed its PLNP implementation so as to delay provision of that capability until the very last day permitted by the Commission’s schedule for each LNP Phase. For example, SBC planned to flash-cut Houston end offices to PLNP on March 31, 1998. As AT&T repeatedly has argued, if SBC had complied with the Commission’s orders by phasing-in PLNP before the last permissible day, it would have been far more likely to detect and resolve problems in time to implement PLNP on schedule. See LNP Reconsideration Order, ¶ 82 (“We strongly advise carriers to begin implementation early in each phase, however, as they will not be able to obtain a waiver of the schedule if they cannot demonstrate, through substantial, credible evidence, at least 60 days before the completion deadline, the

(footnote continued on next page)

SBC's proposal to delay PLNP affects CLECs in at least three respects:

First, the Commission recognized in its First LNP Order that interim methods of local number portability ("ILNP") can impair "the quality, reliability, or convenience of telecommunications services" offered by new entrants into local exchange markets.⁵ Accordingly, that order found that "[permanent] number portability is essential to ensure meaningful competition in the provision of local exchange services."⁶

Second, SBC's competitors already have incurred the expense of implementing PLNP in their own networks, and will soon begin to bear their share of the costs of the Southwest Region Number Portability Administration Center/Service Management System ("NPAC/SMS") as well. Nevertheless, although CLECs will be paying for PLNP, until SBC begins to support that capability its competitors will have no choice but to port numbers using ILNP -- and thus they will, in effect, be required to pay for both interim and permanent portability for each customer that ports a number. Third, when SBC does begin to support PLNP, CLECs will bear the costs of converting customers from interim to permanent portability -- an expense they would not have borne

(footnote continued from previous page)

extraordinary circumstances beyond their control that leave them unable to comply with the schedule.... This is especially applicable to Phases I and II, given that we now are granting carriers additional time during those phases specifically so that they can implement number portability more gradually.").

⁵ First LNP Order, ¶ 110.

⁶ Id., ¶ 28.

for customers acquired after the Commission's PLNP implementation deadline, but for SBC's inability to provide PLNP.

In contrast to CLECs, SBC actually stands to benefit from the requested waiver. Most importantly, SBC's CLEC competitors will be handicapped by being forced to offer potentially lower-quality service to customers porting their numbers using ILNP methods. In addition, SBC will obtain additional payments from CLECs for ILNP services provided to existing CLEC customers after the date on which PLNP should have been available, payments for ILNP services provided to new CLEC customers that port their numbers after the original PLNP implementation date, and payments to convert such new CLEC customers from ILNP to PLNP.

II. SBC SHOULD CLARIFY THE EFFECT, IF ANY, OF ITS STP PROBLEMS ON PACIFIC'S PLNP IMPLEMENTATION EFFORTS

The Petition makes fundamentally contradictory assertions concerning whether Pacific is affected by the Signaling Transfer Point ("STP") problems that underlie SBC's waiver request. SBC states at page 3 of its "Petition for Waiver of 60 Day Requirement of 47 C.F.R. § 52.3," filed concurrently with the Petition, that the STP software fault it complains of "also affects Pacific." Further, the instant Petition was filed on behalf of both SWBT and Pacific, and states that both those BOCs contracted with the same vendor for STP software.⁷

Despite these representations, however, Pacific repeatedly has stated that it could provide LNP in a timely fashion, but for the unavailability of the West Coast Region

⁷ See Petition, pp. 3-4.

NPAC/SMS.⁸ For example, in a sworn affidavit appended to the Petition, Sally D. Swan, Pacific's Director - Local Number Portability, states that "with the exception of Perot NPAC functionality, we have been on track to implement LNP in accordance with the FCC mandated timeline."⁹ Although this affidavit was signed well after SBC asserts that its STP problems arose, Ms. Swan nowhere states that Pacific has experienced any difficulties with PLNP implementation other than those caused Perot Systems' inability to deliver a stable NPAC/SMS. Indeed, the Pacific Phase I Waiver Petition states unequivocally that "it is solely the failure of the LLC selected vendor that has caused [Pacific] to be unable to meet the FCC-mandated schedule."¹⁰ If the above-quoted statements are correct, then SBC should explain why its STP software problems, which it claims affect both SWBT and Pacific, will prevent SWBT from meeting the PLNP deadlines but would not affect Pacific's readiness if the West Coast NPAC/SMS had been available on time.

⁸ The unavailability of the NPAC/SMS in the three LNP regions for which Perot Systems, Inc. formerly served as LNP Administrator is the subject of separate petitions for waiver by Pacific and other carriers, which are now pending before the Commission. See, e.g., Petition for Extension of Time of Pacific Bell, filed March 2, 1998 in Telephone Number Portability, CC Docket No. 95-116 ("Pacific Phase I Waiver Petition").

⁹ Petition Exhibit B, ¶ 5. Ms. Swan repeats this assertion verbatim in ¶ 5 of an affidavit attached as Exhibit A to the Pacific Phase I Waiver Petition.

¹⁰ Pacific Phase I Waiver Petition, p. 5 (emphasis added).

III. **SBC's ALLEGED DIFFICULTIES ARE NOT ATTRIBUTABLE TO PLNP, AND SHOULD NOT PREVENT IT FROM ADOPTING AN INTERIM WORKAROUND THAT WOULD PERMIT IT TO ADHERE TO THE PLNP SCHEDULE**

Although SBC's Petition is quite lengthy, it provides little information about the specific problems that it claims necessitate a waiver. Indeed, the bulk of the Petition simply describes the purported enormity of SBC's LNP implementation efforts, although the task before it is no different than that faced by other carriers that will successfully deploy PLNP in keeping with the Commission's schedule.

According to the Declaration of Delbert D. Duncan, SBC's Director -- Technology Planning (LNP), SBC installed Release 10.0 of an STP software generic on November 24, 1997.¹¹ On January 21, 1998, SBC's STPs "encountered problems" handling LIDB queries from GTE's Ontario, California switch that employed a new format used for implementation of 4-digit Carrier Identification Codes ("CICs").¹² On February 2, 1998, SBC's STPs encountered further problems with LIDB "GetData" queries.¹³ SBC nowhere explains the nature or extent of these "problems," other than by

¹¹ Petition Exhibit A, pp. 6-7 ("Duncan Declaration").

¹² Id., p. 7. See generally 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, FCC 97-386, released October 22, 1997 (establishing schedule for transition from 3-digit to 4-digit CICs).

¹³ Duncan Declaration, p. 7.

stating that in response it “deactivated” its STPs’ Message Relay Service (“MRS”) function.¹⁴

According to SBC, MRS software provides the functionality to route SS7 messages to the correct network for advanced services, e.g., Alternate Billing Services / LIDB. Because it has deactivated the MRS feature in its STPs, SBC asserts that it cannot now turn-up PLNP -- presumably because it cannot perform 10 digit Global Title Translations (“GTT”) for LIDB queries for ported numbers, which would be required in order to direct LIDB queries for such numbers to the correct network database. However, the Petition provides no information as to SBC’s specific problem. Moreover, SBC does not suggest that it has considered any potential interim workarounds, but simply asserts that it cannot provide PLNP until it obtains a new release of its STP software.

As a preliminary matter, based on the Petition’s description, the problems SBC encountered with Release 10.0 of its STP software are not an outgrowth of its implementation of PLNP. SBC describes three categories of STP problems: The first occurred as a result of LIDB queries performed for billing purposes (e.g., to verify calling cards), and was caused by the conversion to 4-digit CICs. The second problem the Petition identifies relates to SBC’s Advanced Intelligent Network (“AIN”) service -- which again is not related to PLNP.¹⁵

¹⁴ Id., p. 7.

¹⁵ Id.

SBC also describes a third category of STP problems: The Petition states that SBC plans to deploy a different hardware configuration for PLNP deployment in phases beyond Phase I. Specifically, SBC plans to deploy DSC's integrated STP to perform the functions performed by both Bellcore's Intelligent SCP ("ISCP") and DSC's STP in Phase I MSAs.¹⁶ SBC states that Release 10.10 of the DSC software (a version upgraded from version 10.0, which SBC asserts caused the "problems" it encountered in January) incorrectly treats certain SS7 parameters necessary for proper SS7 message handling. This fault would impact LNP network management controls needed in the event of an overload. Again, SBC offers no analysis of alternatives, but merely asserts that its PLNP deployment must await a new software release.

Thus, despite SBC's repeated assertions as to the care with which it has tested and implemented portability and its complaint that it is "working in a new area without the security of established standards,"¹⁷ its troubles actually stem from network functions that it has performed for years, and that should have been thoroughly tested long before its eleventh-hour waiver petition. Moreover, although SBC asserts that Release 10.0 of its STP software was subjected to "extensive lab testing," the list of tests appended to the Duncan Declaration does not indicate that testing was conducted for

¹⁶ Id., p. 6.

¹⁷ Id., p. 5.

LIDB queries.¹⁸ Thus, although SBC attempts to blame its difficulties on what it regards as the Commission's aggressive timetable for PLNP implementation, it does not appear that number portability is the cause of its STP problems.

Because PLNP is not the root of SBC's signaling difficulties, it should be able to devise an interim "workaround" that would permit it to roll out PLNP on time. However, the Petition gives no evidence that SBC has considered any alternatives to the postponement of PLNP until DSC releases the next upgrade of its STP software. SBC states that in order to alleviate its STP problems with Alternate Billing Services/LIDB queries and AIN service, it has deactivated the MRS feature for LIDB. AT&T must assume that, despite MRS deactivation, all other STP functions are being performed properly in SBC's network, as the Petition does not describe any current network problems. MRS deactivation would, however, presumably prevent the performance of 10-digit GTTs necessary for LIDB queries to ported numbers.

A potential interim "fix" for this problem is readily apparent: During the period from March 31, 1998 until the DSC STP software fix is tested and deployed, SBC can handle LIDB queries in the same manner that they are handled currently for interim portability. Today, under ILNP, when a number ports to another carrier, the customer information associated with that number remains in SBC's LIDB, and 10 digit GTTs therefore are not necessary since all queries are directed to SBC's LIDB based on 6 digits.

¹⁸ Id., pp. 6, 12. To the extent that SBC did test LIDB and AIN functions for Release 10.0, it should explain why it did not detect the problems that arose in January of this year.

This same procedure should also permit SBC to offer PLNP despite its STP problems.

The only additional work that this interim solution would require SBC to undertake would be to perform an additional download from the NPAC/SMS when SBC's STPs are upgraded with its planned software fix, in order to update its LIDB routing for numbers already ported. The Commission should not grant the instant waiver unless SBC can demonstrate conclusively that it cannot implement the workaround described above.

IV. SBC's ALLEGED DIFFICULTIES MAY BE CAUSED BY ITS REFUSAL TO ADHERE TO THE COMMISSION'S REQUIREMENTS FOR LNP QUERIES

As described above, SBC asserts that it cannot turn-up PLNP in Phases beyond Phase I because it cannot provide the network management function in its STPs, and therefore cannot manage potential congestion or overload in its signaling network that it asserts will be caused by number portability. However, it appears that the primary basis for SBC's expectation that it will experience a sudden, unmanageable "spike" in LNP queries is its own illegal plan to require that a query be performed for every call to an NXX designated as open for portability, even if no numbers have yet ported.

The NANC Process Flows, which the Commission adopted in the LNP Second Report and Order, specify that queries need only be performed when at least one number has been ported from an NXX.¹⁹ That is, N-1 carriers are not required to perform

¹⁹ See North American Numbering Council, Local Number Portability Administration Selection Working Group, LNPA Technical & Operational Requirements Task Force Report, April 25, 1997, Appendix B, Figure 9, (adopted by the Commission in Telephone Number Portability, CC Docket No. 95-116, Second Report and Order, FCC 97-289, released August 18, 1997, ¶ 52 ("LNP Second Report and Order")).

queries before delivering a call to an NXX unless at least one number in that NXX actually has been ported. Similarly, the LNP Second Report and Order held that

A 'default routed call' situation would occur in a Location Routing Number system as follows: when a call is made to a telephone number in an exchange with any ported numbers, the N-1 carrier (or its contracted entity) queries a local Service Management System database to determine if the called number has been ported.²⁰

SBC, however, has stated that it intends to require a query to be performed for any call delivered to an NXX that has been designated as available for porting using PLNP.²¹

Under that practice, SBC would charge N-1 carriers for many times more queries than are necessary, thereby greatly increasing the load on its signaling network.²²

If SBC complies with the Commission's order and performs queries only for calls to NXXs in which a number has actually been ported, then the load on its

²⁰ LNP Second Report and Order, ¶ 76 (emphasis added).

²¹ See Southwestern Bell Telephone Company And Pacific Bell Rebuttal, pp. 3-4, filed February 27, 1998 in Number Portability Query Services, CC Docket No. 98-14. ("SBC LNP Query Tariff Rebuttal").

²² SBC asserted at great length in the recent investigation of its LNP Query Service tariff filing that, because of its design and implementation of PLNP in its own network, it is more cost-effective and otherwise more desirable to perform queries on every call to an NXX that has been designated as portable than to perform queries only for NXXs from which at least one number has ported. See SBC LNP Query Tariff Rebuttal, pp. 3-15. Even accepting these claims arguendo, they are simply irrelevant. At bottom, SBC asserts that it has planned its PLNP implementation in a manner that does not comport with the Commission's orders. The Commission adopted Process Flows that call for querying only when a number has actually ported from an NXX, and other carriers have modified their networks and made other plans in reliance on that ruling. SBC's claims are merely an untimely and unfounded request that the Commission reconsider its LNP architecture (as well as an attempt to maximize its revenue from LNP query charges), and should be rejected unequivocally.

signaling network caused by PLNP would start at a level far lower than it currently anticipates, and would build slowly over time as more customers port numbers from more NXXs. The importance of the network management function in SBC's STPs thus would be greatly reduced as well. This fact is critical to the Commission's consideration of the Petition. Since its STP problems emerged, SBC's signaling network nevertheless presumably has been able to handle its own traffic; and has successfully performed PLNP queries at 83% of the full potential load without incident.²³ For example, if a radio station in SBC's territory conducts a large call-in promotion using an 800- number, SBC apparently today can handle the load placed on its STPs. By conducting LNP queries in the fashion the Commission requires, SBC potentially could eliminate its STP capacity concerns entirely.

Before acting on the instant Petition, the Commission should require SBC to demonstrate that the problems arising from Release 10.10 of its STP software would preclude implementation of PLNP using the ISCP/STP platform until that fault is fixed, even at the lower query volumes that would result from querying only NXXs from which at least one number has ported. As part of this demonstration, SBC should explain what measures, if any, it has employed to handle its own traffic since it deactivated its MRS functions, and whether these measures might also be applied to PLNP.

²³ The Duncan Declaration states that SBC already has tested its network for LNP query volumes at levels of 83% and 99% of NXXs selected for portability for Houston and Los Angeles, respectively. See Duncan Declaration, p. 4.

In Phases II and III of PLNP implementation, SBC proposes to change the hardware performing Service Control Point ("SCP") functionality from that which it used in Phase I.²⁴ This network upgrade unnecessarily lengthens the timeline SBC proposes for PLNP implementation in Phases II and III, because of the need for additional testing and installation.²⁵ In order to avoid subjecting CLECs to further delay, SBC should be required to continue using its current ISCPs to support PLNP in Phase II and Phase III MSAs until the new DSC integrated STP is deployed in SBC's network and fully functional. SBC can, and should, proceed in parallel with implementation of PLNP and the change to its new integrated STPs. Such parallel implementation is precisely the way that SBC routinely handles most network modifications and upgrades. In the interim, if SBC performs queries only on calls to numbers in NXXs in which at least one number has ported, then its current SCP should be adequate for Phases I and II until DSC's Release 11.0 is ready in June, 1998.²⁶ In all events, the Commission should in no circumstances

²⁴ Id., p. 6. For Phase I, SBC states it will use Bellcore's Intelligent SCP ("ISCP") for LRN and DSC's STP for MRS. For Phases II and III, SBC states it plans to use DSC's integrated STP for both LRN and overload/congestion management functionalities.

²⁵ SBC states that its problem with MRS functionality in Release 10.0 for the DSC STP and its problem with Selective Code Gapping ("SCG") in Release 10.10 needed for the DSC integrated STP affect the same overload / congestion functionality. SBC does not adequately explain how failure of such a critical function in both the DSC STP and integrated STP could go unnoticed or why that functionality was never tested.

²⁶ See Duncan Declaration, p. 6.

permit SBC to use its attempt to convert in “midstream” to new STP hardware as a basis for any future effort to further delay implementation of PLNP.

V. IF THE COMMISSION DOES GRANT THE INSTANT WAIVER REQUEST, IT SHOULD SIGNIFICANTLY SHORTEN SBC’S PROPOSED SCHEDULE

If the Commission elects to grant the instant waiver request, it should significantly compress SBC’s proposed timeline. Moreover, any waiver should require SBC to file publicly available weekly reports on the status of its efforts to implement PLNP until it returns to the schedule established in the LNP Reconsideration Order.

First, because SBC plans to perform queries for every call to an NXX in which PLNP is available, the Petition proposes to “phase in STP loads” over a three week period, further delaying the availability of PLNP.²⁷ As shown above, if SBC adheres to the Commission’s requirements for PLNP, it will not initially experience a large volume of queries and so will not need to gradually “phase in” PLNP over a period of weeks. For Phase I MSAs, SBC can readily cut its proposed STP load phase-in from 3 weeks to 5 days (or less), if it conducts LNP queries in accordance with the Commission’s orders.

SBC also includes 12 days of intercompany testing in its proposed Phase I (Houston) timeline.²⁸ Three weeks of intercompany testing in this MSA was completed on February 28, 1998. Numbers ported during the test were left in a “ported” state to allow SBC to perform additional internal testing using these numbers. Thus, the additional testing time SBC proposes would simply be superfluous. Consequently, SBC

²⁷ Id., p. 8.

²⁸ See Petition Exhibit D, p. 1.

readily can reduce its 12-day figure to 5 days. Based on the above changes to the Petition's proposal, if the Commission grants a waiver it should adopt a new Phase I implementation date of May 4, 1998, rather than the May 26th date SBC proposes.

The Petition's proposed schedules for Phase II and Phase III MSAs are stretched unnecessarily by its inclusion of one month of intercompany testing for Phase II (Dallas and St. Louis), and over 5 weeks for Phase III (Fort Worth and Kansas City). It is plain, however, that once intercompany testing has been completed for Phase I, there is no need to repeat that testing in subsequent MSAs -- much less to increase the time allotted for such testing.

As AT&T has shown, SBC can and should utilize the same hardware and software for PLNP Phase II that it plans to use for Phase I. Accordingly, SBC can proceed with Phase II implementation two weeks after Phase I, permitting it to implement PLNP in the Phase II MSAs by May 18, 1998, only three days after the Commission's scheduled Phase II date of May 15, 1998. With the availability of Release 11.0 of SBC's STP software in June, Phase III likewise can follow on the Commission's scheduled date of June 30, 1998. Subsequent Phases also can proceed as scheduled.

Further, as part of any waiver the Commission should attempt to place CLECs as nearly as possible in the same position they would have occupied had SBC implemented PLNP in a timely manner, and should prevent SBC from profiting by its waiver. To that end, the Commission should order that any charges SBC imposes on CLECs during the life of any waiver for ordering ILNP or for providing that capability may not exceed the charges, if any, that SBC would have imposed on CLECs had it timely implemented PLNP. This requirement is reasonable and equitable in light of the fact that

CLECs will bear the costs of the NPAC/SMSs for SBC's territories and other PLNP-related costs during any waiver period, and so should not be required to pay for both PLNP and ILNP during that time. In addition, SBC should not be permitted to charge CLECs in any way for converting from ILNP to PLNP those customers that were forced to port their numbers using interim portability methods during any period in which the LNP Reconsideration Order would have required SBC to make PLNP available for that customer.²⁹

CONCLUSION

For the foregoing reasons, the Commission should deny the instant Petition. In the event the Commission does elect to grant a waiver to SBC, it should do so only after ordering that carrier to provide further justification for its Petition, including:

i) proof that it has adequately explored and reasonably rejected interim "fixes" that might permit it to offer PLNP pending delivery of new STP software, and ii) proof that its STP software problems would affect its implementation of PLNP if it performed LNP queries only for calls to end offices from which at least one number has ported. Finally, any waiver should require SBC to:

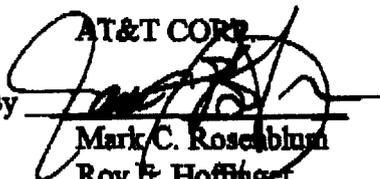
- deploy PLNP in Phase I MSAs no later than May 4, 1998,
- deploy PLNP in Phase II MSAs by May 18, 1998,

²⁹ To the extent that Pacific obtains a waiver based on the Perot Systems' failure to provide an NPAC/SMS for the West Coast LNP Region, rather than problems relating to Pacific's STP software, the above recommendations should not apply to it as the entire industry is affected by, and is without fault for, Perot's failure.

(footnote continued on next page)

- comply with the LNP Reconsideration Order's schedule for subsequent Phases, and
- satisfy the conditions AT&T proposes to limit a waiver's impact on CLECs.

Respectfully submitted,

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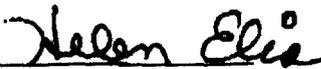
However, no ILEC should be permitted to profit in any way from its own failure to make PLNP available to its CLEC competitors.

CERTIFICATE OF SERVICE

I, Helen Elia, do hereby certify that on this 9th day of March, 1998 a copy of the foregoing "Comments of AT&T Corp." was mailed by U.S. first class mail, postage prepaid, upon the parties listed below.

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