

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
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AT&T Corporation; Allegiance Telecom, )  
Inc.; BellSouth Corporation; DeltaCom, )  
Inc.; GTE Service Corporation; GST )  
Telecom of California, Inc.; MediaOne, Inc. )  
NextLink California, LLC; Pacific Bell; )  
Sprint Local Telephone Companies; Teleport )  
Communications Group; US West )  
Communications, Inc.; WorldCom, Inc. )  
)  
Petitions for Waiver of the Number )  
Portability Implementation Schedule in )  
the Southeast, West Coast and Western )  
Number Portability Administration )  
Center (NPAC) Regions )

NSD File Nos.: L-98-20; L-98-21;  
L-98-22; L-98-23; L-98-24; L-98-25;  
L-98-26; L-98-27; L-98-28; L-98-29;  
L-98-30; L-98-31; L-98-32

CC Docket No. 95-116

To: Chief, Common Carrier Bureau

COMMENTS

BellSouth Corporation,<sup>1</sup> on behalf of itself and each of its affiliated companies, appearing through undersigned counsel, comments on the petitions filed in this docket on March 2, 1998 (LNP Waiver Petitions).

**I. The Bureau Should Consider Each Request For Extension Of Any LNP Implementation Date That Was Filed On March 2**

Some carriers have requested an extension of the time to implement a long-term database method of number portability (LNP) for Phases II through V.<sup>2</sup> Such requests are timely and

<sup>1</sup> BellSouth Corporation (BSC) is a publicly traded Georgia corporation that holds the stock of companies which offer local telephone service, provide advertising and publishing services, market and maintain stand-alone and fully integrated communications systems, and provide mobile communications and other network services world-wide.

<sup>2</sup> See BellSouth Petition to Extend Time for Implementation (File No. L-98-27) at 21-23 (Phases I, II, III, IV & V); GTE's Request for Adjustment of Wireline Deadlines (File No. L-98- (Continued...))

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specifically authorized under the policies, rules and requirements adopted by the Commission.<sup>3</sup>

Nonetheless, both of the LNP Waiver Public Notices are framed as seeking comments on petitions for extension of the LNP "Phase I Implementation Deadline."<sup>4</sup>

The March 15 deadline for filing petitions seeking a delay of the Phase II implementation date falls between the comment date (March 12, 1998) and the reply comment date (March 17, 1998) established by the Bureau in its LNP Waiver Public Notices. If the Bureau limits its consideration to comments on requests for Phase I extensions, such consideration does not affect the validity of requests for Phase II (and later) deadline extensions. BellSouth does not interpret the LNP Waiver Public Notices as compelling carriers who prudently filed for a Phase II extension 73 days before the Phase II implementation deadline to refile a redundant request 13 days later.

BellSouth agrees with MediaOne that "it makes sense for the Bureau to rule on MediaOne's Petition for Extension of Time as a whole, granting [the company] the full spectrum

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29) at 9-10 (Phases I, II, III & IV); Petition for Extension of Time of Pacific Bell (File No. L-98-31) at 19-21 (Phases I, II, III & IV); Sprint Local Telephone Companies Petition for Waiver (File No. L-98-22) at 1 (Phases I & II); Petition for Extension of Time of U S WEST Communications, Inc. (File No. L-98-32) at 2 (Phases I, II, III & IV). MediaOne requests extensions coincident with those granted BellSouth, GTE and Pac Bell. Petition for Extension of Time of MediaOne, Inc. (File No. L-98-30).

<sup>3</sup> *Telephone Number Portability*, First Memorandum Opinion Order on Reconsideration, 12 FCC Rcd 7236, 7290 (1997) at ¶ 92 ("We note that carriers may file petitions for waiver of the deployment schedule more than 60 days in advance of an implementation deadline, and thus receive relief earlier, if they are able to present substantial, credible evidence at that time establishing their inability to comply with our deadlines").

<sup>4</sup> *Common Carrier Bureau Seeks Comment on Petitions for Extension of Time of the Local Number Portability Phase I Implementation Deadline*, Public Notice DA 98-449 (March 4, 1998); Public Notice DA 98-451 (March 5, 1998).

of extensions granted the underlying ILECs.”<sup>5</sup> The Bureau should give consideration to all requests for extensions contained in the instant petitions, not just Phase I requests. In light of the proposed abbreviated implementation intervals, it is also reasonable to adopt MediaOne’s proposal to waive the 60-day filing requirement for additional petitions within the affected NPAC regions.<sup>6</sup>

**II. The Consensus Reached Within The Southeast LLC Is Limited To The Significance Of The New NPAC SMS Live Date And The Length Of Intercompany Testing**

AT&T states that the “member companies of the Southeast, Western and West Coast LLCs have reached consensus agreement as to several of the critical milestones for a revised LNP implementation schedule for those regions.” AT&T describes these milestones as May 11, 1998, the date by which the Lockheed NPAC/SMS will be ready to begin inter-company testing in the affected regions, and June 11, 1998, the date that inter-company testing will end. AT&T repeats that the foregoing “dates represent industry consensus, and AT&T believes that they are reasonable and should be adopted by the Commission.”<sup>7</sup>

While consensus was reached that the “NPAC Live” date is the date when inter-company testing may begin, and that the intercompany testing period will last approximately 30 days,<sup>8</sup> and while Lockheed has indicated to each LLC that it will deliver an NPAC SMS by May 11, it

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<sup>5</sup> MediaOne at 7. *See also* USWC Petition at 13-14.

<sup>6</sup> MediaOne at 7.

<sup>7</sup> AT&T Petition for Waiver (File No. L-98-28) at 5.

<sup>8</sup> NANC Update Notice from Pamela Connell, President, Southeast Number Portability Administration Company, LLC, Richard Scheer, Chair, West Coast Portability Services, LLC, and Tommy Thompson, Chair, Western Region Telephone Number Portability, LLC, to North American Numbering Council (February 24, 1998) (*NANC Update*) quoted in Petition for Limited Waiver of WorldCom, Inc. (File No. L-98-25) at 6.

should not be inferred from AT&T's characterization of "consensus milestones" that any dates are fixed in stone or that LNP will be technically feasible in the Southeast NPAC Region on June 11, 1998. In fact, June 11 can only be a realistic LNP milestone, as AT&T uses the term, if both (1) the new LNPA actually delivers an NPAC SMS database on or before May 11; and (2) all carriers are ready to begin intercompany testing at that time. The reality of the situation can easily be seen from prior experience. The Southeast LLC reached "consensus" on three earlier NPAC SMS database delivery dates, and the former LNPA failed to deliver on all three occasions. Absent this failure, the Bureau would not be considering the LNP Waiver Petitions. History shows that, notwithstanding any LLC member "consensus," actual NPAC SMS delivery is outside the control of the LLC. The Commission should not "adopt" May 11 as an LNP milestone applicable to BellSouth as suggested by AT&T.

AT&T acknowledges in a footnote that the *NANC Update* refers to BellSouth's inability to be ready to participate in intercompany end-to-end testing on May 11. The reasons for this inability are fully set out in BellSouth's Petition to Extend Time for Implementation (File L-98-27). The Lockheed NPAC SMS database is a full seven (7) software specification releases beyond the Perot Systems NPAC SMS database that was to have been delivered before February 10. This change in specifications has required BellSouth to make significant software modifications to its LNP operations systems that were previously designed, engineered and developed to a different vendor's specifications. This work will take an additional sixteen (16) weeks beyond the projected May 11 NPAC SMS delivery date. The non-BellSouth members of the Southeast LLC simply cannot (and did not) reach consensus on the technical and engineering incremental work effort that must be undertaken within the BellSouth network in order to assure

network interoperability with the new database. The Commission, therefore, should not adopt June 11, 1998 as an LNP milestone applicable to BellSouth as proposed by AT&T.

**III. LNP Implementation Will Not Be Technically Feasible In The Southeast NPAC Region On June 26**

AT&T suggests that Phase I LNP implementation should be completed in the Atlanta MSA by June 26, 1998.<sup>9</sup> Simply put, this is not technically feasible for BellSouth. BellSouth demonstrates in its own Petition that, because of significant work that must take place within its network as a result of the change in NPAC SMS specifications, it can certify its LNP operations systems to the new NPAC SMS database no earlier than September 1, 1998. From BellSouth's perspective, LNP implementation in the Southeast NPAC region is not the "turnkey" system that AT&T describes.<sup>10</sup>

BellSouth respects AT&T's perspective with regard to its own network and does not disagree with AT&T's assertions that AT&T would otherwise be able to implement LNP within its network in an essentially "turnkey" manner. AT&T is active in the non-Perot NPAC regions and as a result has acquired the necessary hardware and software to certify to the new database. However, what is appropriate for AT&T is not appropriate for BellSouth. The vast majority of telephone numbers will initially be ported away from RBOCs, not from CLECs.<sup>11</sup> Similarly,

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<sup>9</sup> AT&T Petition at Page 6.

<sup>10</sup> *Id.* at 4.

<sup>11</sup> *Telephone Number Portability, First Report and Order and Further Notice of Proposed Rulemaking*, 11 FCC Rcd 8352, 8415-16 (1996) at ¶ 122 ("Finally, we note that, initially, the costs of providing currently available number portability will be incurred primarily by the incumbent LEC network because *most customers will be forwarding numbers from the incumbents to the new entrants*") (emphasis added).

AT&T, as a new entrant CLEC, cannot expect to receive high volumes of requests to port telephone numbers as well as requests to use all or portions of its network facilities to provide local exchange or exchange access service. Unlike AT&T, BellSouth, as an RBOC ILEC, is not only expected to handle thousands upon thousands of such requests from multiple CLECs, but is expected to integrate such requests in a seamless order provisioning process. BellSouth must be allowed to properly test with and certify to the new NPAC SMS that will be provided by the new LNPA so that CLECs such as AT&T can be provided the high quality service required.

From AT&T's multi-regional CLEC perspective, the only aspects of LNP that have yet to be finalized are those that directly relate to *its* ability to place orders for porting and to download routing information from the NPAC SMS to local SMSs.<sup>12</sup> From BellSouth's perspective, however, the substitution of a new LNPA with a new NPAC SMS database and its direct interface to BellSouth's local SMS and order provisioning systems is not a simple "turnkey" nationwide installation of a uniform, substitute system. Rather, it is the engineering challenge of integrating a completely new database (NANC specification 1.8) into coexistence with existing database systems designed to different specifications (NANC 1.1) so that BellSouth can provision AT&T's and other CLECs' orders with a minimum of failure. None of the hypothetical "knowledge transfers" or "informal contacts" touted by AT&T<sup>13</sup> can either lessen the impacts of the change from Perot to Lockheed upon BellSouth or obviate the incremental work effort necessitated within the BellSouth network as a result of the change in NPAC SMS database specifications. Unlike AT&T, BellSouth has not had the benefit of working directly

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<sup>12</sup> AT&T Petition at 6 (emphasis added).

<sup>13</sup> *Id.* at n. 10.

with Lockheed Martin in other regions of the country. Thus, AT&T should not analogize its experience and readiness to that of BellSouth.

AT&T notes that BellSouth, alone among ILECs, has stated its inability to certify on the NPAC Live date of May 11. BellSouth believes that no other affected ILEC has to undergo the incremental internal work effort that BellSouth must undertake because these ILECs had previously contracted with separate outside software vendors who developed LNP software both for their Perot-region clients and for their Lockheed-region clients. When Lockheed was substituted for Perot by the three separate regional LLCs on February 10, it was relatively easy for the ILECs in the West Coast and Western NPAC regions to work with their particular software development vendors to obtain new releases already developed or under development and appropriate to the new NPAC SMS database. Within the Southeast Region, however, BellSouth undertook its own internal software and hardware development effort months in advance of the Commission's LNP implementation schedule as detailed in BellSouth's Petition. BellSouth did not rely on outside, third party vendors, but rather relied on its own information technology expertise to develop the operations systems to interface with the NPAC SMS according to the specifications provided by Perot Systems, the former LNPA.

As a result, there is no concurrent, BellSouth-developed "Lockheed" version of the operating systems originally built to the Perot NPAC SMS database. Even if BellSouth were to attempt to acquire software developed by outside vendors for other ILECs, such software would require expensive and time consuming new hardware orders and systems retooling in order to graft a third party's patch to the BellSouth network. Such an effort simply builds in increased expense and vulnerability to error. It is far more prudent from the standpoint of cost and network

reliability to allow BellSouth to continue its ongoing internal efforts to integrate its previously configured operational support systems to the new NPAC SMS database specifications.<sup>14</sup>

### **III. Phased Office Implementation Is Appropriate**

WorldCom implies that phased/metered office conversion of LNP is somehow inconsistent with a LEC's duty to timely implement LNP.<sup>15</sup> The Commission allowed 180 days to implement Phase I, 135 days to implement Phase II, and over 90 days each to implement the remaining three phases.<sup>16</sup> BellSouth has proposed reducing these intervals drastically (66-75%) and other ILECs make similar proposals. The original implementation schedule was aggressive, yet accommodated a phased or metered conversion schedule so long as the entire MSA was implemented by the complete date. The Commission must not force flashcut conversions of LNP, particularly where the delay in provisioning the NPAC database is not the fault of any carrier, but rather due to the failure of the third-party LNPA. Within the abbreviated timeframes

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<sup>14</sup> See Pacific Bell Petition at 3-4, nn. 4-5 and accompanying text.

<sup>15</sup> WorldCom Petition at 6-7. BellSouth denies WorldCom's assertion that the change from Perot to Lockheed is being used by "some ILECs" for "inappropriate and excessive delay of LNP implementation" in the Southeast Region. As a member of the Southeast LLC, WorldCom knows or should know that, within the LLC, BellSouth was an early and vigorous champion of Lockheed-Martin as both the original and replacement LNPA and that it was BellSouth that, in the third quarter of 1997, initiated the effort to commission an independent audit performed by the Sente Corporation regarding Perot's progress on a production-ready NPAC/SMS database. BellSouth, as detailed in its Petition, has been reworking its operations support systems so that it will be able to certify to the new database's specifications. There is no inappropriate or excessive delay in BellSouth's proposed implementation schedule. WorldCom is also wrong to imply that the work effort necessitated by the February 10th change in NPAC vendors and the substitution of a new NPAC database built to different specifications than the original NPAC is not "NPAC related." WorldCom Petition at 7. BellSouth's Petition is timely and appropriate.

<sup>16</sup> 47 C.F.R. § 52.23.

proposed, ILECs must be allowed to retain the flexibility to implement LNP in a manner that is most suitable for their particular network circumstances.<sup>17</sup>

**IV. All ILECs In The Southeast Region NPAC Should Receive An Extension Coincident With That Requested By Bellsouth**

In addition to BellSouth, AT&T as well as MediaOne, Allegiance Telecom and DeltaCom have requested extensions of the Phase I implementation deadline in the Atlanta MSA. AT&T requested an extension until July 26, Allegiance and DeltaCom until October 1, and MediaOne requested an extension coincident with that granted to BellSouth. BellSouth agrees with MediaOne, and believes that all carriers in the Atlanta MSA who have filed for an extension to implement Phase I should receive an extension coincident with that granted BellSouth for all Phases in the Southeast Region.

**CONCLUSION**

The Chief, Common Carrier Bureau, should not require Phase I implementation to be completed in the Atlanta MSA by June 26, 1998 as requested by AT&T. The Chief should consider a "total package extension" of LNP implementation dates as advocated by MediaOne, should grant the petitions of the ILECs filed herein, and provide extensions to filing CLECs that

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<sup>17</sup> See Pacific Bell Petition at 3-4, nn. 4-5 and accompanying text.

are coextensive with those granted to ILECs. The Chief should not prohibit a metered or phased office approach within the new implementation intervals, as suggested by WorldCom.

Respectfully submitted,

BELLSOUTH CORPORATION

A handwritten signature in black ink, appearing to read "Theodore R. Kingsley", written over a horizontal line.

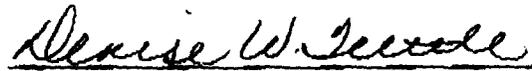
~~M. Robert Sutherland~~  
Theodore R. Kingsley

1155 Peachtree Street  
Suite 1700  
Atlanta, Georgia 30309-3610  
(404) 249-3392

Date: March 12, 1998

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this 12th day of March, 1998, served all parties to this action with a copy of the foregoing **COMMENTS** by placing a true and correct copy of same in the United States Mail, postage prepaid, addressed to the parties listed on the attached distribution list.

  
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Eric J. Branfman  
Morton J. Posner  
Swidler & Berlin, Chartered  
3000 K Street, N.W., Suite 300  
Washington, D.C. 20007

Gail L. Polivy  
GTE Service Corporation  
1850 M Street N.W.  
Suite 1200  
Washington, D.C. 20036

Kathryn Marie Krause  
MediaOne, Inc.  
Suite 700  
1020 19th Street, N.W.  
Washington, D.C. 20036

Karen Potkul, Esq.  
Nextlink California, L.L.C.  
1924 Deere Avenue  
Santa Ana, California 72705

Nancy C. Woolf  
Pacific Bell  
140 New Montgomery Street, Room 1522A  
San Francisco, California 94105

Jay C. Keithley  
Sprint Corporation  
1850 M Street, N.W., 11th Floor  
Washington, D.C. 20036-5807

Kathryn Marie Krause  
US West Communications, Inc.  
Suite 700  
1020 19th Street, N.W.  
Washington, D.C. 20036

Richard S. Whitt  
Anne F. La Lena  
WorldCom, Inc.  
1120 Connecticut Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

Teresa Marrero  
Teleport Communications Group, Inc.  
Two Teleport Drive, Suite 300  
Staten Island, New York 10311

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