

DOCKET FILE COPY ORIGINAL

RECEIVED

MAR 16 1998

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

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Telephone Number Portability

SBC Companies Petition for Extension of Time for
Local Number Portability Implementation

CC Docket No. 95-116

NSD File No. L-98-16

REPLY COMMENTS OF SOUTHWESTERN BELL TELEPHONE COMPANY AND
PACIFIC BELL ON PETITION FOR EXTENSION OF TIME OF THE LOCAL NUMBER
PORTABILITY DEADLINE

SOUTHWESTERN BELL TELEPHONE COMPANY
PACIFIC BELL

Robert M. Lynch
Durward D. Dupre
One Bell Plaza, Suite 3703
Dallas, Texas 75202
(214) 464-4244

Nancy C. Woolf
140 New Montgomery Street, Rm. 1522A
San Francisco, California 94105
(415) 542-7657

Their Attorneys

Date: March 16, 1998

No. of Copies rec'd
List ABCDE

024

TABLE OF CONTENTS

	PAGE
INTRODUCTION AND SUMMARY	
I. AN EXTENSION OF TIME SHOULD BE GRANTED	2
II. THE PROBLEMS DISCUSSED IN THE PETITION ARE REAL AND MUST BE ADDRESSED	3
A. All Existing Services Must Work With LNP	3
B. Selective Code Gapping is Necessary	4
C. AIN Services Must Be Able to Operate in a LNP Environment	6
D. LIDB MRS Functionality Must Work; AT&T's Interim Solution Is Not Viable	7
E. Ten Digit GTT is Required by the Specifications	8
III. THE TESTING DONE BY SBC WAS PRUDENT AND WAS DONE IN APPROPRIATE TIMEFRAMES.....	9
A. SBC Has Not Delayed Provisioning LNP	10
B. The Testing Was Timely	11
IV. THE ISSUE OF WHEN A QUERY IS PERFORMED IS UNRELATED TO THE ISSUES IN THE PETITION	12
V. THE SCHEDULE PROPOSED IN THE PETITION IS REASONABLE	15
A. CLEC Will Not Be Disproportionally Harmed by Granting Of The Extension of Time	18
B. Intercompany Testing is Reasonable and CLECs in the Southwestern Region Have Agreed to it	18
C. A Third Party Vendor Was Not A Reasonable Alternative	20

	PAGE
VI. SBC MEETS THE STANDARD FOR A WAIVER	21
VII. INP WILL CONTINUE TO BE OFFERED IN THE AFFECTED MSAs	22
VIII. PACIFIC WILL BE UNAFFECTED BY THE DSC ISSUE	22
IX. CONCLUSION	24
Appendix A	
Appendix B	
Appendix C	

SUMMARY

The SBC Companies have requested an extension of time for Phases I, II and III in order to ensure that high standard of network reliability will continue within the network, and so that existing customers will not be affected.

Various parties have opposed the extension of time sought by SBC due to issues which have arisen with the STP. Some wrongly claim that the issues which have arisen are not important enough to justify a waiver, or that the issues should have been apparent earlier in the process. As we demonstrated in our initial Petition, three serious protocol incompatibilities arose during the final stages of testing of the new LNP software. Despite what certain carriers have argued, all of the problems found are a direct result of the upgrades needed to deploy LNP. In addition, network reliability continues to be a key factor in our planning, and we must ensure all features which permit us to adequately protect our network are operational.

The problems which arose could not have been detected earlier. We initiated testing of the STP as soon as it was available from the vendor. The testing process is such that if problems arise during the final stages of testing, it happens late in the process. In this case, for two of the incompatibilities, the laboratory tests did not reveal problems. It was not until they were tested in the network itself that these problems came to light. In fact, that is exactly why we do rigorous testing—it permits us to find errors before implementation occurs.

Our proposed implementation schedule is reasonable. The intercompany testing proposals have been agreed to by industry participants, and is an important part of the testing process to ensure that systems and networks interoperate properly between carriers. In addition, we will be implementing the phases in a compressed 30 day timeframe in order to minimize the effect of this extension on the overall implementation schedule.

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

In the Matter of

Telephone Number Portability

SBC Companies Petition for Extension of Time for
Local Number Portability Implementation

CC Docket No. 95-116

NSD File No. L-98-16

**REPLY COMMENTS OF SOUTHWESTERN BELL TELEPHONE AND
PACIFIC BELL ON PETITION FOR EXTENSION OF TIME OF THE LOCAL
NUMBER PORTABILITY DEADLINE**

Pursuant to the Public Notice DA 98-407 released March 3, 1998 Southwestern Bell Telephone (SWBT), Pacific Bell (Pacific) and Nevada Bell (collectively, the SBC Companies or SBC) file these comments responding to the Petition for Waiver and Petition for Extensions of Time of the Local Number Portability Implementation Deadline. While five parties filed comments in response to the SBC waiver petitions, no party has made any reasonable or justifiable argument that we are not entitled to the extension of time sought. The simple fact is that SBC has sought this extension in order to correct problems found in the due course of testing, which may affect customers, including customers of other carriers, and which must be fixed before SBC complete its implementation of local number portability.

I. AN EXTENSION OF TIME SHOULD BE GRANTED

Some commenters argue that SBC has sought this waiver in order to delay LNP or to disadvantage CLECs. This is untrue. SBC receives only one benefit from the extension of time requested - its customers are protected from incompatibilities that would render services inoperable, and from the potential for serious network outage due to the lack of network management controls. Moreover, in all other regards, this extension is costly to SBC for at least three reasons. First, SBC has incurred significant expenses for LNP and has dedicated an enormous amount of human resources to the implementation of LNP. SBC recognizes that the extension in conversion will likely mean a delay in cost recovery and any delay represents a significant financial loss. Second, SBC is operating as a CLEC in neighboring LEC's territories. With the requested extension, it too must wait for LNP. Finally, continued use of INP for the 55 day extension will add to the transition load that SBC faces when LNP is implemented.

The main arguments advanced by the commenters center on the following areas: (1) that the problems we are experiencing are unrelated to LNP; (2) that we are at fault for inadequately testing the product, or testing it in an untimely way; (3) that the implementation period we have scheduled is not reasonable and results in unreasonable delay.

II. THE PROBLEMS DISCUSSED IN THE PETITION ARE REAL AND MUST BE ADDRESSED

A. All Existing Services Must Work With LNP

AT&T and MCI disingenuously argue that we cannot be entitled to an extension of the LNP timeline because the issues we outlined in the Petition were related to features other than the LNP functionality itself.¹ These companies evidently would like the FCC to believe that the only justification for a waiver is a problem having specifically to do with the LNP functionality itself. However, as those companies do -- or should -- know, LNP does not exist separate from the rest of the network, unrelated to other existing services and systems. In fact, LNP is closely intertwined with hundreds of other services and systems. The FCC ordered that they all must work together properly. In its performance criteria for LNP, the FCC ordered that LNP must be deployed so that it “supports network services, features and capabilities existing at the time number portability is implemented, including but not limited to emergency services, CLASS features, operator and directory assistance services, and intercept capabilities.”² The fact that the STP upgrades, necessitated by LNP deployment, have interoperability issues with certain existing services and features, such as some AIN based services, and LIDB for alternative billing applications, is a justifiable reason for a waiver under the FCC rules, AT&T and MCI’s comments notwithstanding.

¹ AT&T, p.7; MCI, p. 12.

² 47 C.F.R. §52.3(a)(1).

This is not the case, as AT&T and MCI would present, where we are using an unrelated network problem as a reason to delay LNP. However, LNP is a complicated network change, and we must ensure that services can and do work together seamlessly. Again, that is why testing is such a key part of the deployment schedule.

B. Selective Code Gapping Is Necessary

AT&T mistakenly asserts that SBC's requirement for necessary network management controls stem from a concern with a "sudden, unmanageable, 'spike' in LNP queries."³ During the debate on QoR, SBC did raise a concern about the stepped increase in load that LRN would introduce on the Signaling System 7 (SS7) network when LNP was implemented. However, the FCC made it clear that use of QoR (Query on Release) was not permitted, so SBC has integrated into its extensive and rigorous testing a gradual ramp up of queries in its switches in a live environment to ensure the adequacy of its SS7 network. SBC's concerns with network management control stem from our concurrence with the Commission that network reliability is paramount.

AT&T claims that Selective Code Gapping (SCG) is not required if queries are only done on NPA-NXXs that have at least one number ported from them. AT&T also claims that by limiting queries as such, all Phase II and III queries could be handled by the ISCPs sized for Phase I and the need for using the DSC STP for LRN queries would be obviated.⁴ AT&T's misstatements regarding query activation are more fully discussed

³ AT&T, p. 10.

⁴ The ISTP solution that we are planning for Phases II and beyond, was considered and implemented at the request of the FCC, (as a result of an ex parte by Illuminet) to find LNP solutions which have overall lower costs.

in Section IV. Query activation, however, is simply not relevant to the issue of SCG.

AT&T's premise is based on an assumption that porting levels will be low.

However, AT&T has recognized that it is virtually impossible to predict porting volumes,⁵ which creates an unacceptable level of risk from a network reliability perspective. The industry, of course, has spent significant resources to make extremely small gains in network reliability due to its importance.

Additionally, AT&T's statements that any extension of the implementation schedule would "seriously impact"⁶ SBC's competitors because "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"⁷ coupled with the fact that essentially all offices and associated NXXs in SBC's first three Phases were targeted by competitors for porting are not indicative of low porting levels. Therefore SBC's query strategy and associated network sizing plans are justified. To do otherwise would be irresponsible.

AT&T also uses the example of a radio station and an 800 number to show how STPs can handle mass calling events.⁸ It is exactly because of the 800 SCP database

⁵ In AT&T's February 26, 1997 letter from R. Gerard Salemme, AT&T Vice President-Government Affairs to William F. Caton, FCC Acting Secretary, AT&T argued that it was virtually impossible for ILECs to accurately project QoR query volumes, citing "substantial risk associated with requiring ILEC engineers to somehow predict the percentage of customers porting to competitors of the ILEC in an MSA so as to correctly engineer their signaling network."

⁶ AT&T, p. 1.

⁷ AT&T, p. 2.

⁸ AT&T, p. 12.

network management mechanism, Automatic Code Gapping, that such events can be handled by the network. Such mechanisms, in addition to protecting the database, have the added benefit of limiting the effects of large calling events (such as occur after tornadoes, hurricanes, or earthquakes) on both signaling links and switches to help ensure network integrity in overload events. It is exactly this query control mechanism that must be in place before SBC turns up number portability with the STPs.

C. AIN Services Must Be Able to Operate in a LNP Environment

MCI argues that the fact that certain services in use within SBC's network for various AIN-based services cannot be supported by the STP software is not cause for waiver.⁹ However, as noted earlier, the first performance criteria set by the FCC requires that LNP work with currently offered services. Many of SBC's customers for these services, which include various medium and large-sized businesses, not only have built business and marketing strategies around these services, but have actually integrated the service capabilities into their business operational processes to the point that they are critical to the successful and efficient operation of their daily business. Any interruption in these service would have a significant impact on their business operations. While the AIN-based services at issue may not be national in scope, the FCC requirements are not that all nationally-available services must work with LNP, but that all existing services, features and capabilities must work.¹⁰ Now that we've found that the SS7 incompatibilities impact these services, we must fix the problem without creating an

⁹ MCI, p. 12.

¹⁰ 47 C.F.R. §52.3(a)(1).

interruption in these customers' service. That is exactly what we are doing.

Unfortunately, it cannot be done in the time period mandated.

D. LIDB MRS Functionality Must Work; AT&T's Interim Solution Is Not Viable

As we explained in the Petition, the Message Relay Service function, which is now required due to LNP, serves to route SS7 messages from the signaling system to the Alternate Billing Services/LIDB is incompatible under certain conditions. AT&T argues that "A potential interim fix for this problem is readily apparent..."¹¹ AT&T's interim fix is that SBC continue to store LIDB customer information in the same manner that SBC supports interim portability. However, this is not a viable alternative. It only addresses network functionality. This solution does not address the business relationship with the customer. How do you maintain a customer's profile information such as if the customer changes their billing to third, allowing or disallowing collect calls, PIN for calling card billing, etc? Thus, AT&T's proposal would mandate that SBC maintain a business relationship with the CLEC's ported customer, or minimally, maintain CLEC customer proprietary information.

In addition, MCI claims that the calls affected by the LIDB problem "can be alternately billed, as for example, coin sent paid calls, third party billing calls, or collect calls."¹² MCI must not understand the LIDB system. Alternately billed calls, including

¹¹ AT&T, p. 9.

¹² MCI, p. 10.

collect calls and third party calls are also affected by this issue. As we stated in our Petition, we have received a fix for this issue, and are diligently testing it in our network now.

E. Ten Digit GTT is Required by the Specifications

MCI argues that the Alternate Billing Services/LIDB query problem does not require a delay. As proof, MCI incorrectly states that the Illinois LNP requirements does not specify that a “10 digit look-up” is required for ported numbers. However, the Illinois LNP requirements document clearly states numerous times that “10 digit look-up” is required. One location where this requirement is stated is in the SCP Application and GTT Function section:

Because the DN cannot be translated to a point code using only the first six digits (NPA-NXX) of the called party address for portable codes, the query must be routed to a 10 digit LNP GTT function. The LNP GTT function can be provided by any suitable systems in the service provider’s network, such as an STP or SCP¹³

MCI further argues that “the alleged problem with the 10-digit look-up associated with the STP does not provide ample basis for delay of deployment of LNP in those cities, since the problem is so small in scope. Furthermore, SBC’s actually caused the problem, since it turned the feature off”¹⁴ is not correct. SBC turned the feature off so the problem would not continue. If we had not turned this feature off, widespread toll fraud could have resulted for some service providers if calls were completed without Alternate Billing Service validation. (e.g. collect calls to coin phones could not be

¹³ See Generic Requirements for Number Portability, Issue 0.99 Final Draft Version: January 6, 1997)

¹⁴ MCI, p. 6-7.

screened). History has demonstrated that individuals who are in the illegal business of fraudulent toll activities are quickly able to identify weaknesses in our method of performing billing validation.

III. THE TESTING DONE BY SBC WAS PRUDENT AND WAS DONE IN APPROPRIATE TIMEFRAMES

Throughout this docket, SBC has repeatedly stated its concerns with network reliability. It's one reason we advocated the use of QoR, which would have reduced the loads on the signaling networks, and would allow us to ramp up our deployment of number portability. It's the reason why we commissioned the Bellcore study of LRN, a study which Time-Warner correctly stated we put in the record of this proceeding.¹⁵ It's why we've undertaken to exhaustively test the network as we deploy LNP. And it's the reason we're not willing to compromise on less than adequate testing, or half-baked solutions to problems. We are closely adhering to the recommendations developed by Bellcore for testing in order to minimize the chance a catastrophic network failure would occur as a result of deploying LNP. That is the main reason why this extension of time was fashioned in the way it was—to permit us the required time to insure that all systems in the network work as planned. It's easy for our competitors to be cavalier about our network and its reliability. We take it seriously.

And, in other proceedings, these same competitors care quite a bit about the reliability and completeness of our systems that they interconnect with. It is

¹⁵ Time Warner, p. 3.

disingenuous for them to argue here that our network does not need to be as robust and safe as possible.

A. SBC Has Not Delayed Provisioning LNP

AT&T's statements that SBC's deployment was designed to delay provisioning of LNP and was not compliant with the Commission's order are false. First, as AT&T is well aware, the Commission's orders did not require a phased in introduction of commercial live porting and in fact, recognized that a carrier could implement LNP at anytime during the implementation interval.¹⁶ The FCC stated:

“implementation of number portability for a phase may begin at any time during that phase, provided that implementation in the designated markets is completed by the end of that phase.”

Second, because SBC has provided the industry and the Commission with detailed timelines for its deployment of LNP, AT&T is equally aware that SBC is not planning a “flash cut” implementation of LNP, but has used the implementation for phased-in deployment of LNP throughout the entire interval with rigorous vendor, lab and field testing of that deployment. This very testing, which was recommended by the Bellcore study to reduce the change of a network outage, has uncovered hundreds of problems in network and systems essential to LNP. In all but three cases (the ones discussed in the Petition), SBC has been able to develop work-arounds or secure fixes from suppliers. We have subsequently received the necessary software changes to address these three cases and they are currently under test in SBC's network. The Commission has also

¹⁶ Telephone Number Portability, CC Docket No. 95-116, *First Memorandum Opinion and Order on Reconsideration*, released March 11, 1997 (“*Reconsideration Order*”), at 81.

recognized the value of additional testing as a means to improve network reliability,¹⁷ and SBC's discovery of these problems which would have had serious consequences to customers prior to implementation, is evidence that it has served its purpose well.

B. The Testing Was Timely

MCI states that "SBC should have begun testing earlier in order to account for upgrades performed by it and other carriers as a result of the Commission's order in that proceeding. SBC's petition should thus not be granted on this basis."¹⁸ SBC conducted extensive laboratory and production testing for the LIDB functionality as soon as it was available by our vendors at both the switch level and the STP level. LIDB lab testing with LIDB type queries from our operator services switches was conducted in late 1997. Also, Alternate Billing Service validation testing in a production environment was conducted in Houston . The Houston LIDB testing started 1/5/98 and was completed 1/7/98. These test included Credit Card Validation, Bill -To - Third, and Collect type call for ported numbers. The production environment testing consisted of an architecture which resulted in routing Alternate Billing Service validation queries from our operator services switches to a Local Signaling Transfer Point to Regional Signal Transfer Point to

¹⁷ "Third, as discussed in more detail in Section III.B.3 below, we are extending the implementation schedule for Phase I to allow carriers additional time to test number portability in a live environment, and to take appropriate steps to safeguard network reliability. Indeed, the Bellcore study submitted by SBC supports our conclusion that additional time for testing, integration and soaking (limited use of the software in a live environment for a length of time sufficient to find initial defects) will help to reduce the probability of network failure." *Reconsideration Order*, at 27. *Accord*, paragraph 78, "For example, initial implementation is likely to involve more extensive testing, and may require extra time to resolve any problems that may arise during the testing. It is therefore appropriate that Phase I be longer than subsequent phases in the schedule to allow carriers to take appropriate steps to safeguard network reliability."

¹⁸ MCI, p. 8.

an SCP LIDB Data base and returning a response message. All tests at this time were completed as expected. MCI's statement that SBC waited until after January 21, 1998 to perform these test is not correct. As stated in Mr. Duncan's affidavit, January 21 was when SBC identified the SS7 protocol inconsistency and we immediately took action to correct the situation. Only after this testing in our labs and in the field did we allow the feature to be used in our network for the inter-industry testing phase and found the inter-networking issue which resulted from another service provider using a different supplier. As stated in Mr. Duncan's Affidavit, the fix for this problem will be provided by DSC in STP Release 10.10.

IV. THE ISSUE OF WHEN A QUERY IS PERFORMED IS UNRELATED TO THE ISSUES IN THE PETITION.

For reasons known only to AT&T, AT&T repeatedly makes knowingly false statements regarding the NXX code opening process for number portability. AT&T tries to argue that the interoperability problems are somehow related to the query loads we're planning for the STP. "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."¹⁹ However, the reasons for the extension of time have nothing to do with when a query is launched. The only remotely relevant fact is that we will require network management control feature (selective call gapping) at the STP so we can adequately control the network and avoid load-induced network outages.

¹⁹ AT&T, p.10.

AT&T repeatedly makes false statements regarding the NXX code opening process for number portability and mischaracterizes the Commission's requirements. They wrongly assert that the process flows developed by the NANC Technical and Operations Task Force and adopted by the Commission in their First Memorandum Opinion and Order on Reconsideration, call for querying on calls to NXXs only when a number has ported which is contrary to the facts. The Commission's charge²⁰ to the NANC LNPA Working Group and its subtending T/O, Architecture and WWITF Task Forces was clearly focused on addressing NPAC issues, not internal carrier operations outside of the NPAC porting process flow.

The facts clearly contradict AT&T claims. The T/O NPAC code opening flows adopted by the FCC which are included as Appendix A only specify that upon receipt of a "heads-up" notification from the NPAC, "all service providers, within five (5) business days, will *complete* the opening for the NPA-NXX code for porting in all switches." These flows do not specify when each carrier should *begin* performing the routing translations, nor were they intended to, as the internal carrier operations are clearly outside the scope of the NANC.

²⁰ It its *First Report and Order* in this docket (paragraphs 93-95), the FCC charged the NANC with the duties of selection of the Local Number Portability Administrator(s) (LNPA), and a host of other responsibilities associated with the LNPA(s) including duties and quantities of LNPA(s); geographical coverage of regional databases; technical interoperability/operations standards and the user interface between carriers and the LNPA(s); network interface between the SMS and downstream databases; and technical specifications for the regional databases.

There is however, an industry standard process for code opening that does provide guidance on this issue. AT&T is well aware of its existence as they and other industry members have been directly involved in its development. The process, known in the industry as the LERG (Local Exchange Routing Guide) NXX Code Opening Process, was developed by the industry through the ATIS consensus process, and is currently being handled by the Network Routing and Rating Information Committee, NRIC, which subtends the Network Interconnection Interoperability Forum (NIIF). When a new code is assigned it is published in the LERG, a national publication which contains routing information for each NXX code within the North American Numbering Plan. The publication of the code in the LERG serves as notice to the industry that routing translations are required to activate the routing of calls to the destination switch which has been assigned the NXX. The process includes an interval of 45 days from the date the code is input into the LERG until the code activation date.

The code opening process for number portability is analogous. The LERG is the vehicle used to notify the industry of an NXX being designated as portable. After publication of the code in the LERG as portable, industry carriers have 45 days in which to complete their routing translations which may include query activation. This process was addressed in detail in the SW Region Network Operations Team, and as indicated in the attachment to Time Warner Comments, the process indicates that switch activation may occur at any time after a code is published in the LERG as portable.

In addition, AT&T implies that it has modified its network in reliance on that ruling, a statement that is not consistent with statements AT&T made in the Southwest Region Permanent Number Portability Steering Committee. In those meetings AT&T

stated that they intend to query their own calls and that they had sized their network to handle queries on calls to all NXXs designated as portable. This sizing of their network reflects AT&T and MCI arguments in earlier ex partes to the Commission on QoR that it would be virtually impossible for carriers to accurately predict the quantity of ported numbers, and in this instance it is made even more complex in that a carrier would also have to be able to predict the quantity of NXXs with at least one ported number.

Additional clarification of this issue can be found in the Southwestern Bell Telephone Company and Pacific Bell Rebuttal filed February 27, 1998 in support of the Direct Cases filed by Bell Atlantic and Ameritech and in response to comments of several parties in CC Docket No. 98-14.

V. THE SCHEDULE PROPOSED IN THE PETITION IS REASONABLE

AT&T further complains about our planned duration of inter-company testing after installation of the new STP software. While three weeks of inter-company testing had been completed in Houston before we had to halt further testing, the scheduled time is our best estimate for the industry to perform the remaining needed coordination, i.e., scheduling and actual testing for each of the seven industry participants.

Furthermore, MCI has also attempted to build a conspiracy of delay where none exists. As previously noted, Houston has completed most, but not all, of the planned inter-industry testing. On the other hand inter-industry testing in Kansas City and Ft. Worth has not yet begun. MCI further asserts that testing for both St. Louis and Dallas should be on the same timeline. As shown in Exhibit D to the Petition, the start of the timeline is predicated on the software load completion dates for each MSA. Since Dallas

completes on April 24 and St. Louis completes on April 15, the start of inter-industry testing follows accordingly.

AT&T's comments are long on rhetoric and short on content. AT&T begins its comments noting that LNP is "essential to ensure meaningful competition," a delay will "potentially injure nascent local exchange competition," and the CLECs have been "developing business plans for nearly a year in reliance on the implementation dates" established by the FCC. However, when it advances from this rhetoric to the issues themselves, AT&T stakes a hasty retreat from the importance of a robust number portability deployment. Once the real issues are on the table, it urges us, and the FCC, to not worry about the LIDB problem (the interim fix suggested by AT&T would not permit porting), to plan on a low number of queries and "build slowly over time as more customers port numbers," to not concern ourselves with network outages resulting from a high degree of queries, and to not plan on any pent up demand in our ordered or provisioning processes.²¹

AT&T can't have it both ways. Either number portability is an important element in local competition for which there is a great need and a great demand, or it's something few customers will be interested in and we don't need to plan our network to handle a robust product. The participating CLECs selected every switch in Phase I, and required every NXX in selected switches to be designated as portable. We therefore have

²¹ AT&T, p. 2, 12.

engineered our network based on those representations from the CLECs. If LNP is to be deployed in a slow ramp up process, then why did the participating CLECs require us to make each and every NXX portable? Designating a NXX as portable requires that we provide adequate capacity to perform the required queries on calls to that NXX and that involves work and expense in our network. We would not have incurred the cost if we had not been required to make these NXXs portable by CLECs.

If we are to believe that competitors will be injured by the extension of time requested as alleged by AT&T, surely there must be a large pent-up demand for porting. At present in the Southwest Region approximately 28,000 access lines are being served with INP; about 17,000 access lines are likewise being served in the California. Conversion of these access lines to LNP are planned to begin as each phase is implemented.

SBC's proposed 30-day interval between phases to handle the targeted demand projected to affect all of their offices, and to deal with the potential problems that may arise as carriers begin to submit order to port numbers, is reasonable. The proposed 30 day interval is significantly shorter than the 45 to 90 day intervals included in the FCC's implementation schedules. This interval is needed to allow for any "pent up" demand, to begin INP to LNP conversions simultaneously with new LNP conversions, for NPAC/LSMS concerns on volume input limitations. Moreover, as was the experience in the inter-company testing in the Houston MSA, the ordering process (LSR) for LNP is a new process for all participants. While this process should improve as SBC and the other LECs become familiar with the national standard form, there will continue to be new entrants in each MSA. Inter-company testing with new entrants in each MSA requires a

minimum of three to four weeks. The 30 days will also allow LNP participants to fine tune their internal LNP processes and address any problems uncovered before the next MSA turns up for live commercial LNP traffic.

A. CLEC Will Not Be Disproportionally Harmed By Granting Of The Extension Of Time

AT&T argues that it is harmed by the delay sought by SBC—first, because interim number portability (INP) is not as good as LNP; second, that CLECs will have to keep using INP, requiring them “to pay for both interim and permanent portability for each customer that ports a number.”²² Both arguments fail. First, as required by 271(c)(1x) of the Act, SBC will continue to provide interim number portability until long term number portability is available in each MSA. Second, although SBC is incurring costs for provisioning INP, SBC is not charging AT&T or any other CLEC for INP.²³ The FCC will be addressing INP in its upcoming cost recovery order. Currently, CLECs pay nothing for INP, and both CLECs and ILECs are incurring the NPAC/SMS costs for LNP. AT&T, or other CLECs are not solely burdened by these costs.

B. Intercompany Testing is Reasonable and CLECs in the Southwestern Region Have Agreed to it

AT&T claims that the schedules for phase II and Phase III are “stretched unnecessarily by its inclusion of one month of intercompany testing for phase II (Dallas/St, Louis) and over 5 weeks for Phase III (Fort Worth and Kansas City).²⁴ MCI also argues that inter-company testing is “not a requirement” for any region (with the

²² AT&T, p. 3.

²³ In fact, in California AT&T does not have any INP in use.

²⁴ AT&T, p. 15.

exception of Chicago, due to the Commission's mandate."²⁵ MCI further states that they have already completed inter-company testing in Houston. AT&T states that once inter-company testing is completed in Houston that there will be no need for testing in subsequent MSAs. MCI's and AT&T's positions are predicated on their parochial views to the exclusion of other telecommunications service providers who may want or need to perform testing in subsequent MSAs. Indeed, the industry Southwest Network Operations Team has been addressing this issue over the past months and recently concluded that there is a definite need for subsequent testing. In its March 10, 1998 meeting of the SW Region Network Operations Team, including representatives from World Com, AT&T, Sprint, GTE, Illuminet, Cathy Hutton and Associates (Consultant representing ILECs and CLECs), Lufkin Conroe Communications, MCI and SWBT reached a consensus agreement²⁶ on the wording of the LNP Interoperability Recommended Testing Guidelines. A copy of these Guidelines is attached as Appendix B.

AT&T claims that the intercompany testing is "superfluous."²⁷ This is untrue. AT&T misconstrues our STP software load schedule as a phased-in approach over three weeks due to AT&T's view that we are further delaying PLNP availability. Our STP load schedule is our normal method of loading new software in the STPs to assure

²⁵ MCI, p. 16.

²⁶ The only dissenting vote on this agreement was from MCI.

²⁷ AT&T, p. 14.

network reliability. We do not flash cut new STP software in our SS7 network. Rather we first load one mate of an STP pair and let the software soak for a period of time before loading the second unit. This provides protection for the network in case something unique to the STP pairs' software is found incompatible with the new release. Reliability is increased since one of the units is still running on the previous software version. To our knowledge this is a normal industry practice with redundant elements and has nothing to do with expected query volumes.

As noted by WorldCom, the completion date for the St. Louis STPs was incorrectly stated as April 15, 1997. This was an inadvertent typographical error; the correct St. Louis date is April 15, 1998. However, WorldCom also stated that April 18, 1998 was provided as the completion date for the Houston STPs. This is also an apparent typographical error; however, it did appropriately correct our error on Exhibit D. The corrected timeline is attached as Appendix C.

C. A Third Party Vendor Was Not A Reasonable Alternative

Illuminet argues that we should have considered switching to an alternate STP supplier (they just happen to be one). Illuminet claims that we have not demonstrated that we had considered changing vendors or configurations in order to meet the FCC standard. However, Illuminet's position is flawed. First, there is no requirement that we discuss in our waiver petition each alternative that was or was not considered. Secondly, in any event SBC was approached by a third party provider for LNP services, but concluded that it would not serve to speed up the schedule. Third party providers are required to be technically certified by SBC which involves meeting SBC requirements relative to SS7 functionality, data base engineering sizing/redundancy requirements, provisioning