

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Extension of Time of the)	CC Docket No. 95-116
Local Number Portability)	
Phases III and IV Implementation)	

**PETITION FOR EXTENSION OF TIME OF
TIME WARNER COMMUNICATIONS HOLDINGS INC.**

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COMMUNICATIONS HOLDINGS
INC.

May 22, 1998

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Pursuant to Section 52.23(e) of the Commission's Rules, 47 C.F.R. § 52.23(e), Time Warner Communications Holdings Inc. ("TWComm"), hereby requests that the Commission (if necessary) extend its June 30, 1998 deadline by which TWComm must implement long-term local number portability ("LNP") in its Metropolitan Statistical Area ("MSA") scheduled for Phase III of LNP deployment. TWComm is a competitive LEC in one Phase III MSA, Charlotte, NC. In addition, TWComm similarly seeks an extension (if necessary) of the September 30, 1998 deadline by which TWComm must implement LNP in its systems in Phase IV -- Honolulu, HI, Raleigh, NC and Memphis, TN. TWComm requests that the FCC apply to TWComm the deadlines for LNP implementation which are established for the incumbent local exchange carrier ("ILEC") serving Phase III and Phase IV MSAs in which TWComm operates.

TWComm is technically capable of implementing LNP in accordance with the deadlines established for Phases III and IV. However, BellSouth and GTE have requested extensions of the Phase

III and Phase IV MSAs at issue in this petition. It would be costly and unnecessary for TWComm, and for other CLECs, to expend resources implementing LNP where the ILEC has not done so. Indeed, for the near future, LNP is essentially pointless where the ILEC has not implemented it. TWComm therefore seeks an extension of its LNP implementation obligation to the extent that BellSouth and/or GTE receive such extensions.

Section 52.23(e) of the Commission's Rules specifies that a carrier must set forth the following items to justify a departure from the Commission's LNP schedule:

- (1) The facts that demonstrate why the carrier is unable to meet the Commission's deployment schedule;
- (2) A detailed explanation of the activities that the carrier has undertaken to meet the implementation schedule prior to requesting an extension of time;
- (3) An identification of the particular switches for which the extension is requested;
- (4) The time within which the carrier will complete deployment in the affected switches; and
- (5) A proposed schedule with milestones for meeting the deployment date.¹

TWComm addresses these criteria below.

(1) Facts that demonstrate why TWComm is unable to meet the Commission's deployment schedule. TWComm is able to meet the Commission's deployment schedule for Phase III and Phase IV MSAs. TWComm is not reliant on ILECs for LNP functions, and the Number Portability Administration Center ("NPAC") in the BellSouth region and in Honolulu will be operational as of June 30, the

¹ 47 C.F.R. § 52.23(e). Section 52.23(e) requires petitions for extension of time to be filed 60 days prior to the implementation deadline for which a waiver is requested.

Phase III deadline (the NPACs will thus also be operational by the Phase IV deadline). However, BellSouth and GTE both have petitions pending at the Commission for extension of Phases III and IV.²

Requiring TWComm to implement LNP prior to the incumbent will impose unnecessary costs on TWComm, with little to no resulting benefit. For the foreseeable future, the majority (if not all) numbers ported in MSAs within which TWComm operates will be from the incumbent to TWComm, as opposed to CLEC to CLEC or CLEC to ILEC porting. Thus, TWComm should not be required to unnecessarily turn-up its LNP prior to the incumbent doing so. Rather, a single LNP implementation date should be established -- as has been done in the past³ -- by the Commission for all carriers, thereby avoiding the imposition of unnecessary costs and testing problems once the incumbent turns-up its LNP capability.

(2) Activities TWComm has undertaken to meet the implementation schedule prior to requesting an extension of time. TWComm has diligently upgraded its networks and will continue to do so consistent with the Commission's LNP implementation schedule. TWComm only seeks the instant waiver to avoid the

² See Telephone Number Portability, CC Docket No. 95-116, Order (rel. May 15, 1998) ("BellSouth Extension Order").

³ In the BellSouth Extension Order, the Commission synchronized all Phase II deadlines for carriers' implementation of LNP in BellSouth's region. See id. at ¶ 36.

unnecessary expense of turning-up its LNP systems where the ILEC has not done so.

(3) Particular switches for which the extension is requested. TWComm seeks a waiver for its switches in Charlotte, NC (Phase III BellSouth region), Honolulu, HI (Phase IV GTE region), Raleigh, NC (Phase IV BellSouth region), and Memphis, TN (Phase IV BellSouth region). These switches are listed in the attached Exhibit.

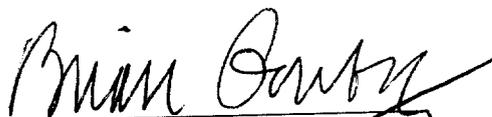
(4) Time within which TWComm will complete deployment of the affected switches. TWComm is prepared to meet any Commission deadlines for implementation of LNP as long as the ILECs are subject to the same deadlines.

(5) TWComm's proposed implementation schedule. TWComm defers to the Commission's judgment regarding whether to extend the Phase III and IV implementation deadlines for BellSouth and GTE. However, TWComm wishes to encourage the Commission to time the release of any order concerning BellSouth and GTE so as to allow adequate time for TWComm and other CLECs to complete inter-carrier testing with the incumbents, as well as a short period -- i.e. five days -- within which to fully implement LNP.

CONCLUSION

For the foregoing reasons, TWComm respectfully requests the Commission to grant its Petition.

Respectfully submitted,



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EXHIBIT

TWCOMM SWITCHES FOR WHICH WAIVER IS REQUESTED

Phase III:	Charlotte, North Carolina	CHRLNC33DSO
Phase IV:	Honolulu, Hawaii	MILNHIXDSO
	Raleigh, South Carolina	DRHMNCEVDSO
	Memphis, Tennessee	MMPHTNSZDSO