

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

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Public Notice)	
)	
Common Carrier Bureau Seeks Comment On North)	CC Docket No. 95-116
American Numbering Council Recommendation)	DA 98-1290
Concerning Local Number Portability Administration)	
Wireline and Wireless Integration)	

**REPLY COMMENTS OF THE PERSONAL
COMMUNICATIONS INDUSTRY ASSOCIATION**

The Personal Communications Industry Association ("PCIA"),¹ by its attorneys, hereby respectfully replies to the comments submitted in response to the Commission's *Public Notice* in the above-captioned proceeding.² As described below, the Commission should ensure that any issues related to wireless-wireline number portability integration are resolved in a manner that best serves the interests of consumers and is consistent with technical and economic realities.

¹ PCIA is the international trade association created to represent the interests of both the commercial and the private mobile radio service communications industries. PCIA's Federation of Councils includes: the Paging and Messaging Alliance, the Broadband PCS Alliance, the Site Owners and Managers Association, the Association of Wireless Communications Engineers and Technicians, the Private Systems Users Alliance, and the Mobile Wireless Communications Alliance. In addition, as the FCC-appointed frequency coordinator for the 450-512 MHz bands in the Business Radio Service, the 800 and 900 MHz Business Pools, the 800 MHz General Category frequencies for Business Eligibles and conventional SMR systems, and the 929 MHz paging frequencies, PCIA represents and serves the interests of tens of thousands of licensees.

² FCC *Public Notice*, "Common Carrier Bureau Seeks Comment On North American Numbering Council Recommendation Concerning Local Number Portability Administration Wireline and Wireless Integration," DA 98-1290 (June 19, 1998) ("*Notice*").

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I. INTRODUCTION AND SUMMARY

In its *Notice*, the Commission sought comment on a report submitted to the Chief of the Common Carrier Bureau by the North American Numbering Council (“NANC”).³ The *NANC Report* discusses the manner in which the technical differences between wireline and wireless carriers can be resolved in order to allow the porting of numbers between such carriers, and the smoother implementation of number portability on a nationwide basis.

PCIA believes that the *NANC Report*, by highlighting many of the still unresolved issues involved in wireless-wireline integration, is an important step in the implementation of nationwide number portability. Similarly, the comments filed in this proceeding in response to the *NANC Report* provide several important guideposts for the Commission as it orders the deployment of number portability.

First, the record demonstrates that the Commission should resolve disputes over wireline and wireless service area discrepancies and porting intervals in a manner that benefits the consumer. In particular, all customers should be able to change service providers—whether from wireline to wireless or vice-versa—as quickly as is practicable, and wireless customers should continue to be permitted to enjoy the benefits of non-rated, wide calling areas.

Second, the Commission should not compel wireless carriers to offer number portability services until certain important technical issues have been resolved, including those related to calling areas, roaming, porting intervals, resellers, and the Short Message Service. Because requiring wireless carriers to provide number portability prematurely will have a significant and

³ North American Numbering Council Local Number Portability Administration Working Group Report on Wireless Wireline Integration (May 8, 1998) (“*NANC Report*”).

adverse effect on the quality of service offered to customers, the Commission should be extremely cautious in setting a wireless number portability implementation deadline.

Finally, the Commission should resist any calls to reject the wireless industry's ongoing efforts to implement number portability through the splitting of the mobile identification number ("MIN") and the mobile directory number ("MDN"). Because NANC and the wireless industry have determined that such an implementation strategy is economical and efficient, and the best way to preserve nationwide roaming, this industry consensus should not be disturbed.

II. THE COMMISSION SHOULD RESOLVE ANY WIRELESS-WIRELINE DISPARITIES OVER SERVICE AREAS AND PORTING INTERVALS IN FAVOR OF THE CONSUMER

The record in this proceeding reflects divergent points of view on a variety of issues related to differences in the way in which wireline and wireless services have traditionally been provided. In particular, there is controversy over how differences in wireless and wireline calling areas should be resolved, and how quickly numbers should be ported between wireline and wireless service providers. When addressing these issues, the Commission should develop solutions that best serve the interest of the consumer, who is, at bottom, the reason Congress and the Commission have mandated number portability.

Preliminarily, the Commission should re-affirm its determination that wireline-to-wireless number portability is a form of service provider number portability,⁴ and that the Commission has mandated such service provider number portability in order to encourage

⁴ The 1996 Act defines number portability as "the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers ... *when switching from one telecommunications carrier to another.*" 47 U.S.C. § 153(3) (emphasis added).

competition and serve the needs of consumers.⁵ As such, PCIA agrees with AT&T that the FCC should confirm that wireline-to-wireless porting is competitively neutral regardless of the fact that a wireless customer can only port her number to a landline carrier if the number resides in the LEC rate center serving her actual residence, while a wireline-to-wireless port would have no such restrictions.⁶

In addition, the Commission should ensure that the wireline rate center paradigm is not imposed on the wireless industry. The service areas for wireless carriers were developed by the Commission and the wireless industry after substantial time and effort in order to best serve the needs of mobile customers. In particular, these service areas allow customers to make calls over a large area for a single price without the need for "rating" calls. Further, as pointed out by CTIA, because wireless carriers are not bound by rate centers, they can use numbering resources more efficiently.⁷ By achieving much higher "fill" rates for their 10,000 blocks of numbers than do wireline carriers, wireless providers lessen the need constantly to open new area codes.

In the spirit of providing consumers with the best service possible, the Commission should also take steps to ensure that when customers opt to switch carriers, their order is processed as quickly as possible. In this respect, there is no merit to MCI's suggestion that "the

⁵ The Commission found that "number portability provides consumers flexibility in the way they use their telecommunications services and promotes the development of competition" *Telephone Number Portability* (First Report and Order), 11 FCC Rcd 8352, ¶ 28 (1996).

⁶ AT&T Comments at 3-5. *See also* Rural Telecommunications Group Comments at 2-5 (in order to encourage competition, the Commission should continue to mandate number portability between wireline and wireless providers, despite any perceived rate center disparity that allegedly makes it easier to switch from a wireline carrier to a wireless carrier).

⁷ CTIA Comments at 10.

wireless industry wants to gain an advantage over wireline carriers by being able to move a wireline customer to a wireless service provider faster than a wireline carrier could move a wireless customer to its service.”⁸ Rather, the wireless industry is seeking to ensure that its high standards of customer service remain intact whenever it is dealing with a prospective customer. To this effect, wireless service providers currently provide their new customers with virtually instant activation, and have proposed providing newly ported customers with service within two hours.⁹ PCIA therefore concurs with AT&T’s suggestion that “the Commission should take the steps necessary to ensure that a meaningful reduction in porting intervals remains a priority for all carriers.”¹⁰

III. A NUMBER OF TECHNICAL ISSUES STILL NEED TO BE RESOLVED BEFORE WIRELESS CARRIERS CAN IMPLEMENT NUMBER PORTABILITY

PCIA has consistently supported a broadband wireless number portability obligation as pro-competitive and in the public interest, while opposing rigid, unrealistic implementation deadlines for this obligation.¹¹ In particular, PCIA has advocated the implementation of service provider portability and service portability where economically and technically feasible.¹² MCI’s

⁸ MCI Comments at 9.

⁹ *NANC Report* at 10.

¹⁰ AT&T Comments at 6.

¹¹ See PCIA Comments on *FCC Public Notice*, “Wireless Telecommunications Bureau Seeks Comment On CTIA Petition Requesting Forbearance From CMRS Number Portability Requirements,” DA 98-111 (filed Feb. 23, 1998).

¹² *Id.*

allegation that the wireless industry has repeatedly opposed number portability and sought special concessions in its implementation is therefore without merit.¹³

Consistent with its previously articulated position, PCIA joins Bell Atlantic Mobile and BellSouth in asking the Commission to recognize that the *NANC Report* has raised a number of technical problems that must be resolved before the wireless industry can implement number portability on a nationwide basis. Specifically, the *NANC Report* revealed, but did not resolve, the following problems: (1) the disparity between wireless and wireline calling areas; (2) the impact of wireless number portability on roaming; (3) wireless-wireline interface issues and agreements on porting intervals; (4) the impact of wireless number portability on resellers; and (5) the lack of appropriate technical standards for the Short Message Service.¹⁴

Clearly, the number and magnitude of these unresolved technical issues warrants caution on the Commission's part, and counsels against adoption of MCI's rash suggestion that the FCC should require the timely deployment of local number portability for wireless-to-wireless porting (including porting to wireless resellers), whether or not all the technical details associated with wireless-wireline integration have been resolved.¹⁵ Because such hasty action threatens to erode the quality of wireless services, it will greatly inconvenience wireless customers and perhaps interfere with their communications needs. It is also important to note that limiting the scope of porting, for example, to wireless-wireless porting only, will *not* somehow be more expeditious or less burdensome than full inter-modal local number portability. This limitation on porting will

¹³ MCI Comments at 5.

¹⁴ Bell Atlantic Mobile Comments at 3-8; BellSouth Comments at 6-10.

¹⁵ MCI Comments at 12-13.

not lead to a more efficient implementation, because as soon as wireless networks either donate or receive a ported customer, the MIN-MDN separation is required. Therefore, it is critical that the Commission allow the industry and NANC to solve the aforementioned problems prior to ordering the provision of wireless number portability.

IV. THERE IS NO MERIT TO THE TELECOMMUNICATION RESELLERS ASSOCIATION'S SUGGESTION THAT THE WIRELESS INDUSTRY'S PROPOSED IMPLEMENTATION METHODOLOGY IS DEFECTIVE

Finally, there is no merit to the Telecommunications Resellers Association's ("TRA") suggestion that NANC's proposed approach to implementing wireless number portability is defective. Specifically, TRA argued that by requiring each local network to recognize and process both a mobile identification number and a mobile directory number, and then requiring a "flash cut" to this new system, NANC's approach is likely to lead to an extended and indefinite implementation period.¹⁶ TRA therefore suggested that the Commission adopt the same Location Routing Number ("LRN") approach for wireless number portability as it has adopted for wireline number portability. Utilizing such an LRN approach, TRA theorizes, wireless number portability could be implemented on a market-by-market basis, because control would reside in the home switch, rather than throughout the nationwide network.¹⁷

Because TRA's argument is based on a misunderstanding of how the wireless industry intends to implement number portability, and disregards the Commission's command that the wireless industry maintain nationwide roaming after number portability is implemented, it should

¹⁶ TRA Comments at 7-8.

¹⁷ *Id.* at 10-13

be rejected. Initially, the *NANC Report* specifically addresses the integration of wireless and wireline technologies in number portability and states that LRN technology is in fact being used by the wireless industry to implement number portability. In addition to utilizing the LRN technology, the wireless industry is also deploying the same type of technology as used by the wireline industry with regards to the Service Management System (“SMS”).

After much study, the wireless industry has further agreed that splitting the MIN and MDN is technically and economically the most feasible solution to the roaming issue. The splitting of these numbers is efficient because it involves only one change to the network versus the multiple changes which other solutions might entail.

Finally, if the wireless industry is to honor the Commission’s command to offer “service provider portability throughout their networks, *including the ability to support roaming*,”¹⁸ the industry must “flash cut” to a new, nationwide system. That is, prior to implementation, *all* wireless service providers—including those that provide service outside of the designated wireline top 100 MSA’s—will have to modify the portions of their network operations support systems that key on the MIN as a directory number.

¹⁸ *Telephone Number Portability* (First Report and Order), 11 FCC Rcd 8352, ¶ 166 (emphasis added).

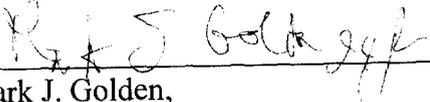
V. CONCLUSION

In order to provide for a more consumer-friendly, technically feasible, and economically realistic integration of wireless and wireline number portability, the Commission should adhere to the aforementioned implementation policies.

Respectfully submitted,

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