

André J. Lachance
Attorney



GTE Service Corporation
1850 M Street N.W., Suite 1200
Washington, DC 20036
202 463-5276
Fax: 202 463-5281

DOCKET FILE COPY ORIGINAL

RECEIVED

AUG 31 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

August 31, 1998

Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

Re: Telephone Number Portability, CC Docket No 95-116

Dear Ms. Salas:

As encouraged by the Federal Communications Commission in the Public Notice, GTE is submitting a diskette of Reply Comments of GTE and one hard copy in the above-captioned proceeding.

Sincerely,

Andre J. Lachance

Enclosures

No. of Copies rec'd
List ABCDE

045

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

RECEIVED

AUG 31 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Telephone Number Portability) CC Docket No. 95-116
) NSD File No. L-98-84
)

REPLY COMMENTS OF GTE

Dated: August 31, 1998

GTE Service Corporation and its affiliated
domestic telecommunications, wireless, and
long distance companies

John F. Raposa
GTE Service Corporation
600 Hidden Ridge, HQE03J27
P.O. Box 152092
Irving, TX 75015-2092
(972) 718-6969

Andre J. Lachance
GTE Service Corporation
1850 M Street, N.W., Suite 1200
Washington, DC 20036
(202) 463-5276

Their Attorneys

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

In the Matter of)	
)	CC Docket No. 95-116
Telephone Number Portability)	NSD File No. L-98-84
)	

REPLY COMMENTS OF GTE

GTE Service Corporation and its affiliated domestic telecommunications,¹ wireless,² and long distance³ companies (collectively "GTE") respectfully submit their reply comments in response to the Public Notice in the above-captioned proceeding.⁴ In the *Notice*, the Commission seeks comment on the North American Numbering Council ("NANC"), Local Number Portability ("LNP") Administration Working Group Report on Wireless Wireline Integration ("the Report"), dated May 8, 1998.

¹ GTE's domestic telephone operating companies are: GTE Arkansas Incorporated, GTE California Incorporated, GTE Florida Incorporated, GTE Hawaiian Telephone Company Incorporated, The Micronesian Telecommunications Corporation, GTE Midwest Incorporated, GTE North Incorporated, GTE Northwest Incorporated, GTE South Incorporated, GTE Southwest Incorporated, Contel of Minnesota, Inc., Contel of the South, Inc. and GTE Communications Corporation.

² GTE Wireless Inc. and GTE Airfone Inc.

³ GTE Communications Corporation, Long Distance division.

⁴ Common Carrier Bureau Seeks Comment on North American Numbering Council Recommendation Concerning Local Number Portability Administration Wireline and Wireless Integration, Public Notice, (CC Docket No. 95-116), NSD File No. L- 98-84, DA 98-1290 (rel. June 29, 1998) (hereinafter "*Notice*").

I. INTRODUCTION AND SUMMARY

The comments submitted to date in this proceeding make very clear that the June 30, 1999 date for the implementation of LNP for CMRS providers cannot be met. Even a cursory review of the facts leads to this inescapable conclusion. As the comments point out, the Report is incomplete in very significant areas. Thus, the industry cannot use the Report in its current "interim" state to begin the difficult and expensive task of implementing LNP in their networks. Only after the unresolved issues in the Report (*e.g.*, rate center disparity, MIN / MDN separation, etc.) are properly resolved, can the parties effectively begin implementation. CMRS providers that attempt to meet the Commission's LNP implementation date using preliminary or incomplete technical and procedural guidelines run the unacceptable risk of wasting significant amounts of scarce resources. Just as concerning are efforts to rush closure of open issues prior to having sufficient actual information to form the basis for proper resolution.

As GTE's comments stressed, the time frames proposed in the Report for the review of systems and processes necessary to shorten the interval for wireline to wireless porting are insufficient to permit a reasoned recommendation by December 31, 1998. GTE urges the Commission to delay the LNP due date by granting CTIA's Petition for Forbearance.

II. DISCUSSION

A. The NANC Report is missing critical technical specifications and procedures without which CMRS providers cannot meet the June 1999 implementation date.

The Report itself makes clear that it contains numerous unresolved issues that are critical to the implementation of wireless LNP.⁵ GTE agrees with BellSouth -- the Report fails to meet the minimum requirements set out by the Commission in its Second Report and Order,⁶ and lacks the technical specifications and procedures necessary for CMRS providers to immediately begin the implementation of wireless LNP. Bell Atlantic correctly describes the Report as "merely an interim 'progress report' on NANC's ongoing efforts to deal with those difficult problems." Thus, the Report in its current format is of little use to carriers and vendors involved in the implementation of LNP. Until these unresolved issues are finalized, any action on the part of the carriers or the Commission regarding wireless LNP technical standards or procedures would be premature. What is abundantly clear at this time, is the wireless industry's inability to meet the June 30, 1999 deadline for LNP implementation. In light of the fact that clear

⁵ See Report, Section 3.1.3 "Consensus was not reached...", Section 3.2.3 "CTIA is currently refining the details...", Section 3.3.3.3 "The WWITF will work during the remainder of 1998 to review systems and work processes ...", etc.

⁶ Second Report and Order, CC Docket No. 95-116, FCC 97-289 (rel. August 18, 1997) at ¶ 91 "CMRS providers will need **clear guidelines** as to how to query the Service Management System databases to determine proper call routing, as well as how to implement wireless number portability. The NANC **must** also consider other issues of concern to CMRS providers, such as how to account for differences between service area boundaries for wireline versus wireless services and how to implement number portability in a roaming environment." (emphasis added)

guidelines for wireless LNP implementation were not completed, GTE urges the Commission to delay the June 1999 date by granting CTIA's Petition for Forbearance.⁷

1. MIN / MDN separation must be resolved at an industry level or wireless customers will experience problems with roaming.

As the Commission is aware, current standards require cellular phones to emit a Mobile Identification Number ("MIN") and a unique Electronic Serial Number. Until now, the subscriber's 10 digit Mobile Directory Number ("MDN") served as the MIN for most cellular systems. Under LNP, when a subscriber changes carriers and chooses to port in its existing MDN, the new carrier must assign a new MIN (which likely will be different from the subscriber's MDN). As a result, the MIN no longer can be used as the source for the MDN. For roaming to properly function, the carrier receiving a call for service from a roaming phone must have certain information about the roamer, such as the roamer's MDN⁸ and MIN. The carrier serving the roamer must now obtain the MDN at the time it receives the acknowledgement that the roamer is a registered subscriber of the home carrier. If the carrier serving the roamer has not upgraded the software in his network to obtain the MDN in this manner, services that rely on this information will not function properly.⁹ Therefore it can be seen that the standards that address the MIN / MDN separation must be implemented not just by the CMRS carrier porting in the subscriber's existing MDN, but by all CMRS carriers providing roaming service to the subscriber.

⁷ See Public Notice DA 98-111 (rel. June 22, 1998).

⁸ This information is critical for fraud protection as well as billing needs.

⁹ See Report, Section 4.1.4 for a list of services affected.

Even if the Report had resolved this complex issue, carriers would have faced a Herculean task of completing all the changes needed to comply by the June 1999 implementation date. Now, even under the most optimistic assumptions, these standards and guidelines will not be available for another four months. As seen above, without industry-wide compliance, Commission mandated nationwide roaming will not be possible.¹⁰ Given the amount of work that must be done by all CMRS providers once the standards are finalized, it is impossible for CMRS providers to meet the June 30, 1999 implementation of LNP and continue to support nationwide roaming. As AT&T states, "If the Commission determines that many carriers are not able to meet this deadline, the Commission should delay the wireless LNP implementation date until all providers have a reasonable chance to perform the network changes." Given the unresolved status on the MIN / MDN issue, there is no question that carriers will not be able to support nationwide roaming on June 30, 1999 if LNP is implemented in any portion of the country. GTE agrees with AT&T and others that the Commission must delay the implementation date for wireless LNP until it can be accomplished in an efficient manner that will not impact roaming and other services that customers have come to depend on.

2. The rate center disparity between carriers must be resolved.

As the Report clearly indicates, neither the WWITF nor NANC was able to resolve whether the differences between serving areas of two carriers results in uneven

¹⁰ See First Memorandum Opinion and Order on Reconsideration, CC Docket No. 95-116 (rel. March 11, 1997) at ¶ 136 "We clarify that, by June 30, 1999, CMRS providers must (1) offer service provider portability in the 100 largest MSAs, and (2) be able to support nationwide roaming."

porting restrictions that constitute a lack of competitive parity.¹¹ Until this issue is resolved, claims of discriminatory treatment will prevent an efficient implementation of wireless LNP. The Commission must provide timely guidance on this issue or delay wireless LNP implementation until such time as the issue is resolved.

3. Wireless porting intervals must be based on sufficient actual experience – information that doesn't exist at this time.

GTE's comments made clear that Section 3.3.3.3 of the Report does not provide adequate time for the analysis of wireline systems and processes to form the basis for a reasoned recommendation to shorten the porting time interval when porting a number from a wireline carrier to a wireless carrier. SBC agrees, questioning whether enough meaningful experience in porting will be gained to determine the maximum interval for wireline to wireless ports.¹² As BellSouth points out, shortening the porting interval between carriers is a complex process, and "may lead to additional problems, including adding unnecessary changes and complications to the NPAC, requiring modifications to LNP operational support systems, complicating porting business procedures, increasing system costs, and exacerbating any legitimate anomalies that may occur in the porting process".¹³ GTE agrees with BellSouth that the industry's limited resources must be spent wisely and thus, recommendations to shortening porting intervals not based on a sufficient level of carriers' actual experiences is not in the public interest.

¹¹ While the issue is most acute between wireline and wireless providers, the issue can also arise between two wireless providers (e.g., cellular serving areas as compared to PCS serving areas based on Major Trading Areas.)

¹² SBC at 6

¹³ BellSouth at 10

B. GTE recommends that wireless LNP be implemented through a series of carefully developed actions.

1. First, the June 30, 1999 implementation date must be delayed.

As discussed above, carriers will not be able to meet the June 1999 implementation date for wireless LNP. Therefore, the Commission should recognize that the events that occurred since the establishment of the date now require the Commission to revisit the implementation date. The most expedient way to recognize the impossibility of the June 1999 date is to grant CTIA's Petition for Forbearance.¹⁴ If the Commission fails to promptly act on the CTIA petition, carriers' focus may be diverted from working out an efficient long-term industry solution to an effort focused on individually developed short-term solutions. Individual approaches to wireless LNP would be expensive, potentially confuse customers and certainly not be in the public interest. It just makes sense to modify a due date that cannot be realistically met.¹⁵

2. Next, to reduce costs and hasten implementation, wireless LNP should use the existing wireline systems and processes to the greatest extent possible.

As the Commission recognizes, porting wireless numbers introduces additional complexities above that encountered in wireline LNP. Nonetheless, GTE recommends that the implementation of wireless LNP use wireline proven systems and processes before designing and constructing new wireless specific systems. Actual experience might confirm that using these existing systems may be more efficient than attempting

¹⁴ See GTE Comments and Reply Comments in DA 98-111 filed February 23, 1998 and March 10, 1998

¹⁵ As Bell Atlantic points out in its Comments (at 12 n. 12), "Federal courts have held that an agency cannot continue to adhere to rules when the original assumptions are no longer valid or have been overtaken by new facts." (cites omitted)

to design wireless specific systems. If for no other reason, wireless carriers would then have a solid basis for comparison prior to spending vast amounts of resources building specific wireless systems. Only then will carriers be able to judge whether the benefits wireless specific may provide exceed the costs of building and maintaining such systems.

One important benefit of using wireline systems is the fact that the systems are available now. Beside the additional cost of building wireless specific systems, there will be an additional amount of time need to construct, test and train people in the use of these systems. If and when the benefits clearly indicate that wireless specific systems are warranted, they can be designed and built with the confidence that they are cost justified. Building systems prior to gathering actual experience with wireless porting runs the very real risk of paying for costly duplicative systems that in retrospect weren't really needed.

III. CONCLUSION

While the NANC continues to resolve critical issues surrounding wireless LNP, the Commission should grant CTIA's Petition for Forbearance. The Commission should also make clear that wireless LNP implementation should not disrupt nationwide roaming. In addition, the Commission should re-emphasize that NANC's recommendations must be based on sufficient actual experience with porting rather than speculation and unsupported assumptions. It is in everyones' best interest to implement wireless LNP in the most cost efficient manner possible.

Dated: August 31, 1998

Respectfully submitted,

GTE Service Corporation and its affiliated
domestic telecommunications, wireless, and
long distance companies

John F. Raposa
GTE Service Corporation
600 Hidden Ridge, HQE03J27
P.O. Box 152092
Irving, TX 75015-2092
(972) 718-6969

By *Andre J. Lachance*

Andre J. Lachance
GTE Service Corporation
1850 M Street, N.W., Suite 1200
Washington, DC 20036
(202) 463-5276

Their Attorneys

Certificate of Service

I, Judy R. Quinlan, hereby certify that copies of the foregoing "Reply Comments of GTE" have been mailed by first class United States mail, postage prepaid, on August 31, 1998 to all parties of record.



Judy R. Quinlan