

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

In the Matter of)	
)	
Telcordia Technologies, Inc. Petition to Reform)	WC Docket No. 07-149
Amendment 57 and to Order a Competitive)	
Bidding Process for Number Portability)	
Administration)	
)	
Petition of Telcordia Technologies, Inc. to)	WC Docket No. 09-109
Reform or Strike Amendment 70, to Institute)	
Competitive Bidding for Number Portability)	
Administration, and to End the NAPM LLC's)	
Interim Role in Number Portability)	
Administration Contract Management)	
)	
Telephone Number Portability)	CC Docket No. 95-116
)	

COMMENTS OF COMPETITIVE CARRIERS ASSOCIATION

Competitive Carriers Association (“CCA”) hereby submits these comments on the Transition Oversight Plan (“Transition Plan”), submitted by the North American Portability Management LLC (“NAPM”) in the above-captioned proceedings.¹ CCA appreciates NAPM’s recommendations in the Transition Plan to include all stakeholders and its solicitation of feedback from small providers, and CCA’s comments are limited to measures NAPM can take to maximize competitive carrier participation in the transition process. Additionally, CCA again

¹ Public Notice, *Wireline Competition Bureau Seeks Comment on the North American Portability Management LLC’s Transition Oversight Plan For Local Number Portability Administrator Contract*, WC Docket No. 07-149, *et al.* (rel. May 7, 2015); *Ex Parte* Letter from Todd D. Daubert, Counsel to the NAPM LLC to Marlene H. Dortch, Secretary, FCC, WC Docket No. 07-149, *et al.* (filed Apr. 27, 2015) (attaching The North American Portability Management LLC Transition Oversight Plan (“Transition Plan”)).

requests that the Commission direct the North American Numbering Council (“NANC”) and the new Local Number Portability Administrator (“LNPA”) to help facilitate immediate, seamless wireless-to-wireless number porting nationwide. Competitive carriers continue to be disadvantaged by unnecessary geographic constraints on number portability, and the LNPA transition provides an ideal opportunity to rectify this divide. CCA therefore urges the Commission to direct the NANC and the LNPA, as part of the Transition Plan, to remedy this issue as soon as feasibly possible.

DISCUSSION

I. NAPM AND THE COMMISSION SHOULD UTILIZE ALL MEANS POSSIBLE FOR INCLUDING SMALL PROVIDERS IN THE LNPA TRANSITION PROCESS

CCA applauds the NAPM’s recognition of small providers in developing and implementing the Transition Plan. CCA is pleased NAPM recognizes the importance of including all stakeholders, particularly small carriers, in the overall process of transitioning to the new LNPA.² Moreover, it is noteworthy that NAPM acknowledges its willingness to engage in outreach efforts with “all interested stakeholder groups,” in order to allow for “widespread participation” in the transition process.³ An inclusive process is critical to ensure a smooth transition to the incoming LNPA, particularly in regards to general project management, testing, and stakeholder outreach, as noted throughout the Transition Plan.

While the Transition Plan contains a detailed implementation timeline and allows for flexibility as needed to incorporate feedback from all stakeholders, CCA offers targeted

² Transition Plan at 1.

³ *Id.* at 2.

suggestions for improving the Transition Plan.⁴ First, the Transition Plan should include more detail on the types of performance benchmark incentives and penalties that may occur if Neustar, Inc. (“Neustar”), or iconectiv fail to meet their respective obligations, as well as information on who will pay for any incentives provided to Neustar or iconectiv.⁵ Likewise, NAPM should include in the Transition Plan additional details on expected means of consulting with small providers on testing issues.⁶ In doing so, CCA requests that NAPM be mindful of similar concerns considered in planning for future stakeholder outreach and education, by avoiding imposing overly burdensome costs on small providers when conducting this testing, including for example, requiring unforeseen or excessive software updates.⁷ Moreover, CCA agrees that NAPM should reassess and update the timeline at strategic check points and after appropriate testing to provide greater clarity for the industry and the public.⁸

Similarly, CCA supports NAPM’s commitment to foster widespread stakeholder outreach and education, but would suggest doing broader outreach beyond the NANC.⁹ While the NANC is one place for providers to express opinions and concerns, smaller carriers often do not have the resources to participate in the NANC.¹⁰ We urge the NANC via the Local Number Portability Working Group to ensure that small carriers maintain access to important information throughout the transition.

⁴ *Id.* at 3.

⁵ *Id.* at 3-4.

⁶ *Id.* at 4.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.* at 4-5.

¹⁰ *See* FCC, *NANC Membership Directory* (2015), available at <https://www.fcc.gov/encyclopedia/nanc-membership-directory>.

II. THE COMMISSION SHOULD DIRECT THE NANC AND THE LNPA TO TAKE IMMEDIATE STEPS TO FACILITATE SEAMLESS NATIONWIDE PORTING OF WIRELESS NUMBERS

Again, CCA applauds the NAPM for creating a Transition Plan that aims to be inclusive of all service providers. To be completely inclusive, however, the Commission should direct the NANC and the LNPA to provide for seamless nationwide porting of wireless numbers in the near future. The NANC's LNPA Working Group has been aware of the technical and consumer ramifications of implementing nationwide non-geographic number porting for nearly a decade, and has repeatedly found that a federal mandate is required to ensure a successful transition.¹¹ Unfortunately, despite the LNPA Working Group's previous recommendations, no concrete steps have been taken to move towards nationwide number portability. Over the past year, CCA also has drawn to the Commission's attention the unavailability of nationwide number porting and the deleterious effects this problem has caused for competitive carriers,¹² without relief. The Commission should seize this opportunity to direct the NANC and LNPA to facilitate seamless nationwide number portability immediately.

CCA's request flows from the recommendations provided by Neustar and New America Foundation's Open Technology Institute in the current LNPA proceeding, as well as the Commission's recognition of the importance of addressing policy issues surrounding non-

¹¹ North Am. Numbering Council, Local No. Portability Working Grp., *Interim Report on Out of LATA Porting & Pooling For Disaster Relief After Hurricane Katrina* 3 (Nov. 16, 2005) ("Interim Report").

¹² See Comments of Competitive Carriers Association, GN Docket No. 13-5, *et al.* at 6-8 (filed Mar. 31, 2014); *Ex Parte* Letter from C. Sean Spivey, Assistant General Counsel to CCA to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-97 (filed May 23, 2014) ("CCA May 23rd *Ex Parte* Letter").

geographic number porting.¹³ Specifically, the *LNPA Selection Order* states that clarifying the future role of the number portability system and LNPA are “important issues regardless of who serves as the next LNPA.”¹⁴ The NANC LNPA Working Group’s Non-Geographic Number Portability (“NGNP”) sub-group, however, recently evaluated the probable impacts of implementing NGNP and again found that “an FCC mandate to implement NGNP would most likely be required before Service Providers would undertake re-engineering of systems.”¹⁵

The Commission should act now to expand competition through reduced prices and innovative product and service offerings.¹⁶ The inability of competitive wireless carriers to seamlessly port numbers from disparate parts of the country onto their networks stifles competition and restricts consumers’ ability to leave a nationwide carrier. The Commission acknowledged this unfortunate reality over a decade ago when it refused to artificially restrict wireless porting based on numbering resources or direct interconnection into rate centers, finding that doing so “would undermine the competitive benefits of wireless [local number portability].”¹⁷ Numerous studies have shown that consumers will not switch service providers if required to change their mobile numbers – a fact that led the Commission to initially adopt

¹³ *Telcordia Technologies, Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration et al.*, WC Docket No. 07-149 *et al.*, Order, FCC 15-35 ¶ 15, n. 63 (rel. Mar. 27, 2015) (“*LNPA Selection Order*”).

¹⁴ *Id.*

¹⁵ North Am. Numbering Council, Local No. Portability Working Grp., *White Paper on Non-Geographic Number Portability* 6 (Feb. 19, 2015) (“White Paper”).

¹⁶ See CCA May 23rd *Ex Parte* Letter.

¹⁷ *Telephone Number Portability; Carrier Requests for Clarification of Wireless-Wireless Porting Issues*, CC Docket No. 95-116, Memorandum Opinion and Order, 18 FCC Rcd 20971, 20978 ¶ 22 (2003), *aff’d, Cet. Tex. Tel. Coop., Inc. v. FCC*, 402 F.3d 205 (D.C. Cir. 2005).

number portability requirements.¹⁸ In practice, however, many of CCA’s rural and regional members have encountered obstacles when attempting to port an existing number for a new customer. Several of CCA’s carrier members have missed out on an untold number of potential customers due to an inability to port numbers from areas beyond their current service territories, resulting in lost business opportunities.¹⁹ Similarly, CCA members report that customers are often “willing” to continue to pay more for under-performing service if it means that they can retain their mobile phone number. For example, college or post-graduate students often find more affordable wireless options from smaller, regional carriers when they relocate for school. Yet these students, like many customers, want to keep their mobile phone number. Today, these students cannot retain their numbers when they attempt to move service to a different provider.

Competition is the cornerstone of this Commission’s policy objectives, and mobile service is neither competitive nor truly “mobile” if a wireless subscriber is not able to take his number with him to the carrier of his choice as a result of artificial constraints on number portability. To further promote competition among large, regional and smaller carriers, CCA respectfully requests the Commission direct the NANC and the LNPA to facilitate nationwide seamless wireless-to-wireless number portability as part of the LNPA transition.

CONCLUSION

NAPM rightfully commits to involve all stakeholders in the Transition Plan. CCA encourages the NAPM to continue soliciting feedback from small providers throughout the transition process, while avoiding overly burdensome participation costs. Just as important,

¹⁸ *Id.*

¹⁹ *Id.*

CCA urges the Commission to direct the NANC and the LNPA to immediately facilitate nationwide porting of numbers between wireless providers. CCA respectfully requests consideration of these comments as the Commission continues to structure the transition to a new LNPA to ensure success for all stakeholders.

Respectfully submitted,

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