



Competitive Carriers Association
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Competitive Carriers Association

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July 14, 2015

Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: EX PARTE NOTICE

WC Docket No. 13-97: *Numbering Policies for Modern Communications*

WC Docket No. 07-149: *Telcordia Technologies, Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration*

WC Docket No. 09-109: *Petition of Telcordia Technologies, Inc. to 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*

CC Docket No. 95-116: *Telephone Number Portability*

Dear Ms. Dortch:

On July 10, 2015, Rebecca Murphy Thompson, Tim Donovan and C. Sean Spivey, together with Matthew Brill of Latham & Watkins LLP, on behalf of Competitive Carriers Association (CCA), met with Roger Sherman, Sean Conway and Paroma Sanyal of the Wireless Telecommunications Bureau of the Federal Communications Commission (FCC or Commission), as well as Kris Monteith, Randy Clarke, Sanford Williams, and Melissa Kirkel (by phone) of the FCC's Wireline Competition Bureau and Henning Schulzrinne (by phone) of the Office of Strategic Planning and Policy Analysis, to discuss the important issue of non-geographic number porting (NGNP).¹

CCA's rural and regional members have experienced problems with porting-in wireless numbers from disparate parts of the country. As a result, non-nationwide carriers are placed at a competitive disadvantage compared to their nationwide counterparts, who today are able to port-in numbers regardless of location. Number portability helps to expand competition by allowing consumers to choose carriers that offer lower prices and innovative product and service offerings,

¹ See Comments of Competitive Carriers Association, GN Docket No. 13-5, *et al.* at 6-8 (filed Mar. 31, 2014); Comments of Competitive Carriers Association, WC Docket No. 07-149, *et al.* at 4-6 (filed May 21, 2015); Joint Reply Comments of Competitive Carriers Association, the Open Technology Institute at New America, and Public Knowledge, WC Docket No. 07-149, *et al.* at 5-7 (filed June 1, 2015).

and these public interest benefits are diminished when non-nationwide carriers do not have the same capability as nationwide carriers.

CCA explained that the Commission's rules do not limit NGNP for wireless-to-wireless ports; rather, nationwide wireless carriers engage in NGNP on a daily basis. Indeed, in adopting its *Wireless-Wireless Porting Memorandum Opinion and Order* in 2003, the Commission noted that "nothing in the rules provides that wireless carriers must port numbers only in cases where the requesting carrier has numbering resources and/or a direct interconnection in the rate center associated with the number to be ported,"² and that "limiting wireless-to-wireless porting [in this fashion] would undermine the competitive benefits of wireless [local number portability]."³ Despite this finding, seamless nationwide NGNP is not available to non-nationwide carriers. Yet, in discussing number portability requirements for voice over IP providers with direct access to numbering resources, the Commission recently reaffirmed that there are no geographic limits hindering a mobile wireless service provider's obligation to port a number.⁴

While we continue to explore technical explanations, if any, for the current limitation, CCA urged the Commission to direct the North American Numbering Council and the Local Number Portability Administrator (LNPA) to implement wireless-to-wireless NGNP for all wireless carriers, regardless of size, either in the context of the LNPA Transition Plan⁵ or independently based on direction recently received from Congress.⁶

This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules.

Sincerely,

/s/ Rebecca Murphy Thompson

Rebecca Murphy Thompson
General Counsel, CCA

² *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, 20977 ¶ 21 (2003), *aff'd*, *Cet. Tex. Tel. Coop., Inc. v. FCC*, 402 F.3d 205 (D.C. Cir. 2005).

³ *Id.* at 20978, ¶ 22.

⁴ *See Numbering Policies for Modern Communications, et al.*, WC Docket No. 13-97, *et al.*, Report and Order, FCC 15-70 at ¶ 59 (rel. June 22, 2015).

⁵ 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.*, 30 FCC Rcd 4646 (2015).

⁶ Letter from The Hon. Fred Upton, Chairman, H. Comm. on Energy & Commerce, *et al.* to the Hon. Tom Wheeler, Chairman, FCC (July 9, 2015).

cc (via email): Roger Sherman
Sean Conway
Paroma Sanyal
Kris Monteith
Randy Clarke
Sanford Williams
Melissa Kirkel
Henning Schulzrinne