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February 1, 1999

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

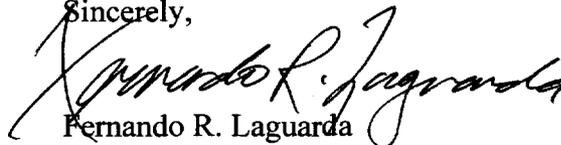
Re: WT Docket No. 98-229

Dear Ms. Salas:

AT&T Wireless Services, Inc. ("AT&T"), by its attorneys, hereby voluntarily submits the enclosed information under seal in response to the Commission's request for data in the above-captioned proceeding. By motion attached hereto, AT&T respectfully requests confidential treatment of the enclosed information. In the event that this request is denied, AT&T requests notification and immediate return of the information, as provided for in the Commission's rules.

If you have any questions about the foregoing, do not hesitate to contact the undersigned.

Sincerely,

  
Fernando R. Laguarda

Enclosures

- cc: Yog Varma (w/o confidential information)
- James D. Schlichting (w/o confidential information)
- Jeanine A. Poltroniere (w/o confidential information)
- Gayle Radley Teicher (w/o confidential information)

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**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
)  
Cellular Telecommunications Industry ) WT Docket No. 98-229  
Association's Petition for Forbearance )  
from Commercial Mobile Radio Services )  
Number Portability Obligations )

**REQUEST TO WITHHOLD FROM PUBLIC INSPECTION  
PURSUANT TO SECTION 0.459 OF THE COMMISSION'S RULES**

AT&T Wireless Services, Inc. ("AT&T"), by its attorneys, hereby voluntarily submits the enclosed information in response to the Commission's request for data referenced in the Memorandum Opinion and Order, released December 16, 1998, in the above-captioned proceeding,<sup>1/</sup> and the subsequent elaboration of that request made orally and via e-mail by Common Carrier Bureau staff.<sup>2/</sup> In accordance with section 0.459 of the Commission's rules, 47 C.F.R. § 0.459, AT&T respectfully requests confidential treatment of the enclosed information and that the information be permanently withheld from public inspection. In the event that this request is denied, AT&T requests notification and immediate return of the enclosed information, as provided for in the Commission's rules. 47 C.F.R. § 0.459(e).

AT&T is voluntarily submitting to the Bureau data consisting of both proprietary and confidential trade secret information and/or materials that are not available elsewhere, not

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<sup>1/</sup> See Cellular Telecommunications Industry Association's Petition for Forbearance from Commercial Mobile Radio Services Number Portability Obligations, WT Docket No. 98-229, Memorandum Opinion and Order, FCC 98-330, at ¶ 5 (released Dec. 16, 1998).

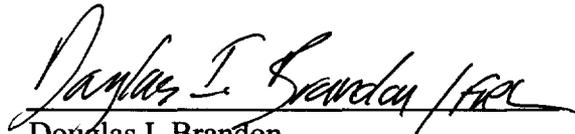
<sup>2/</sup> See "Issues for Discussion," forwarded by e-mail from Common Carrier Bureau to AT&T on December 18, 1998 (attached hereto).

released to the public, and not provided to competitors. This information is protected from public disclosure pursuant to the Freedom of Information Act, 5 U.S.C. § 552(b)(4), and section 0.457(d) of the Commission's rules. 47 C.F.R. § 0.457(d) (authorizing Commission to withhold from public inspection trade secrets, commercial or financial information, and materials not customarily released to the public). See also Critical Mass Energy Project v. NRC, 975 F.2d 871, 879 (D.C. Cir. 1992) (en banc), cert. denied, 507 U.S. 984 (1993) (material voluntarily submitted to the government is protected under § 552(b)(4) if it would "customarily not be released to the public").

Because the information submitted consists entirely of materials specifically protected from public disclosure, AT&T respectfully requests confidential treatment as set forth herein. See 47 C.F.R. § 0.459(b).

Respectfully submitted,

AT&T WIRELESS SERVICES, INC.



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Of Counsel

Dated: February 1, 1999

DCDOCS: 140813.1 (30nh01!.doc)

December 18, 1998

### Issues for Discussion

As discussed in paragraph 5 of the Commission's December 16, 1998 Order regarding CTIA's petition for forbearance regarding the implementation of number portability by wireless carriers, the Commission is seeking information regarding: (1) current utilization of numbering resources by wire carriers (particularly in the 100 largest MSA's), (2) how such utilization compares to that of other classes of carriers, and (3) industry proposals for wireless carriers to promote efficient use of numbering resources. The following discussion topics have been drafted to facilitate discussion regarding these issues.

1. We are interested in obtaining the following baseline data for all NPAs in top 100 MSAs in which your company has numbers:
  - a. Number of NXXs by NPA
  - b. Average, range (high and low) and standard deviation for the following categories of numbers: (1) % assigned (working), (2) % reserved, (3) % aging, (4) % administrative (including employee/official number, Location Routing Number (LRN), test, Temporary Local Directory Number (TLDN), soft dial tone), (5) % dealer numbering pools, (6) % vacant. Are there any other categories of number use that would be relevant?
  - c. Alternatively, you could provide raw data by NXX for the categories of numbers listed in 1.b, and Commission staff can calculate the statistical parameters.
2. Describe your firm's policy on number aging. What are the standard aging intervals used? What is the shortest? What is the longest?
3. If the Commission were to establish standards for number utilization that would be applied to carriers that are not able to implement number portability in the immediate future or are exempt from number portability requirements, or if the Commission decided to adopted a non-pooling standards for all number users, what standard(s) would your firm support?
4. What are the pros and cons of establishing a "utilization threshold" that would have to be met for a carrier to qualify for additional numbers? What would constitute a reasonable and acceptable threshold percentage? How could one be developed?
5. What are the pros and cons of a "months to exhaust" standard? How would it be applied?
6. How could a "utilization threshold" be designed to accommodate seasonal variation in wireless sales?
7. How could we prevent carriers from evading utilization standards? There may be some incentive for carriers to adjust their service areas so as to be eligible to acquire a greater proportion of initial codes. Could rules be fashioned to eliminate such incentives? For example, would establishing threshold standards on an NPA-wide basis be effective?

What are the pros and cons of such an approach?

8. How would a single utilization threshold affect different sized carriers (especially small carriers)? Could we design a utilization factor that takes size into account so as to alleviate different impacts on different sized carriers?
  9. If the Commission adopts a utilization standard, how could it be verified and enforced? What type of data would need to be provided and how frequently would it have to be reported? What steps would you recommend to ensure that individual carrier data remains confidential?
  10. Should utilization among different classes of carriers be compared given the different numbering requirements each faces? If so, how should this be done?
  11. Should we be concerned about number utilization in areas other than the top 100 MSAs, especially where NPAs are in jeopardy?
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