

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

In the Matter of)	
)	
AT&T Corporation's Request for Declaratory)	NSD File No. L-01-112
Ruling and Clarification of Changes to the)	CC Docket No. 95-155
Toll-Free Number Administration System)	

**REPLY COMMENTS OF
AT&T CORP., SPRINT CORP., and WORLDCOM, INC.**

AT&T Corp., Sprint Corp., and WorldCom, Inc. (collectively, "the Carriers") hereby submit this reply to comments filed on July 11, 2001 in the above-captioned proceeding.^{1/}

In addition to AT&T/Sprint/WorldCom, two other coalition parties (Ascent, which represents over 800 competitive service providers, and Coalition for Open Market Policy, which represents small Resp Orgs, toll free service providers and their customers) and the Direct Marketing Association (DMA) filed comments regarding the need to implement new rules to govern the transfer of toll-free numbers between subscribers. All commenting parties emphasized that the transfer of toll-free numbers between subscribers is not necessarily illegal; to the contrary, in most cases, it appears that such transfers are made to "resolv[e] business dilemmas" (Ascent, p. 2) such as misprinted numbers and accidental disconnects, and to accommodate purely administrative name and address changes.² The public record remains devoid of any evidence of violations -- systematic, wide-spread or even anecdotal -- of the

^{1/} *Common Carrier Bureau Seeks Comment on AT&T Corporation's Request for Declaratory Ruling and Clarification of Changes to the Toll-Free Number Administration System, Public Notice, DA 01-1463 (rel. June 22, 2001) ("Notice").*

² See comments of the Carriers, pp. 3-7; Ascent, pp. 2, 4; Coalition of Open Market Policy, p. 2; DMA, pp. 1-4.

Commission's rules prohibiting the slamming, brokering, hoarding, or warehousing of toll-free numbers, or of its policies regarding assignment of toll-free numbers on a first come-first served basis.³ To the extent that abuses of the Commission's rules are occurring, targeted enforcement activity against specific violators of those rules is the more effective and reasonable approach.⁴ Finally, the record demonstrates that implementation of the Keller-Wade Letter⁵ will impose significant costs and inconvenience on toll-free service subscribers and providers,⁶ and that these costs will almost certainly outweigh any potential benefits. Significantly, not a single party filed comments supporting the Commission's approach.

The changes to the suspend and disconnect functions in the SMS/800 database required by the Keller-Wade Letter, and a blanket prohibition on the direct transfer of toll-free numbers between subscribers suggested in the Public Notice, constitute major changes to existing Commission rules and to long-standing industry practices relating to the assignment and use of toll-free numbers. Changes to the rules cannot be adopted without a public record justifying such changes, and it is clear from the record developed here that the changes required by the Keller-Wade Letter and contemplated in the instant Public Notice are unsupported and contrary to the public interest. Thus, the Commission should rescind the Keller-Wade Letter. In addition, rather than penalize the vast majority of toll-free service subscribers and providers who operate

³ In fact, the Carriers specifically stated (p. 2) that we were unaware of the existence of such illegal activities on a wide-spread basis.

⁴ See the Carriers, pp. 11-13; Ascent, pp. 5-6.

⁵ Letter from L. Charles Keller, Chief, Network Services Division to Michael Wade, President, Database Service Management, Inc., *Modifying SMS/800 Disconnect and Suspend Status Functions to Preclude Transfers of Toll-Free Numbers Directly Between Subscribers*, DA 00-2654 (rel. December 7, 2000).

⁶ See the Carriers, pp. 7-11; Ascent, p. 2; Coalition for Open Market Policy, p. 3; DMA, p. 4 (emphasizing the importance of "meaningful relief in time sensitive circumstances").

completely within the law, the Commission should focus its efforts here at enforcing existing regulations prohibiting slamming, brokering, hoarding and warehousing of toll-free numbers, and punish those bad actors who are found to have violated these rules.

Respectfully submitted,

James W. Grudus/nm

Mark C. Rosenblum
Peter J. Jacoby
James W. Grudus
AT&T Corp.
Room 1126M1
295 North Maple Avenue
Basking Ridge, NJ 07920
(908) 221-6630

Norina Moy

Norina Moy
Sprint Corp.
401 9th Street, NW
Suite 400
Washington, DC 20004
(202) 585-1915

Henry G. Hultquist/nm

Henry G. Hultquist
WorldCom, Inc.
1133 19th Street, NW
Washington, DC 20036
(202) 736-6485

July 23, 2001

CERTIFICATE OF SERVICE

I, Sharon Kirby, hereby certify that on this 23th day of July 2001, copies of the foregoing "Reply Comments of AT&T Corp., Sprint Corp. & WorldCom, Inc." were sent via US Mail to the following:

Magalie Roman Salas*
Secretary, FCC
The Portals
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Dorothy Attwood, Chief
Common Carrier Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Diane Harmon
Common Carrier Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Jennifer Gorny
Common Carrier Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Eric Fishman
David O'Connor
Holland & Knight LLP
2099 Pennsylvania Ave., NW
Washington, DC 20006
Counsel for Coalition for Open Market Policy

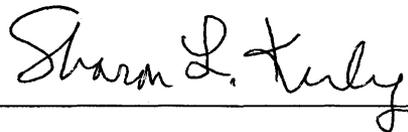
Charles C. Hunter
Catherine M. Hannan
Hunter Communications Law Group
1424 16th St., NW, Suite 105
Washington, DC 20036
Counsel for ASCENT

International Transcription Service*
445 12th St., SW
Washington, DC 20554

Marty Schwimmer
Common Carrier Bureau
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

Michael Wade
President
Database System Management, Inc.
6 Corporate Place
Room PYA - 1F286
Piscataway, NJ 08854

Ian D. Volner
Heather L. McDowell
Venable, Baetjer, Howard & Civiletti
1201 New York Ave., NW
Suite 1000
Washington, DC 20005
Counsel for DMA



Sharon L. Kirby

* Delivered electronically