Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	CC Docket No. 99-200
Numbering Resource Optimization	)	

REPLY COMMENTS OF SBC COMMUNICATIONS INC.
TO PETITION OF THE CALIFORNIA PUBLIC UTILITIES COMMISSION
FOR WAIVER OF THE CONTAMINATION THRESHOLD RULE

SBC Communications Inc. (SBC) files these reply comments in opposition to "Petition of the California Public Utilities FCC and the People of the State of California for Waiver of the Federal Communication Commission's Contamination Threshold Rule," showing as follows:

INTRODUCTION

The overwhelming response to the Petition of the California Public Utilities Commission (CPUC) was negative. Almost all of the responding parties opposed the Petition on the same grounds espoused by SBC. Still others cited additional valid reasons for finding the CPUC's request objectionable. SBC continues to urge the FCC to reject the CPUC's Petition.

Given the magnitude and the thoroughness of the comments raised in opposition to the Petition, SBC would not be filing additional comments in this proceeding but for the comments of Cox Communications, Inc. (Cox). In those comments, Cox proposed a California trial of unassigned number porting (UNP).[1] SBC firmly opposes an UNP trial in California for many of the same reasons that Cox opposes increasing the contamination threshold for thousands-blocks number pooling (TBNP) from 10 per cent to 25 per cent. *First*, SBC's network and Operating Support Systems (OSS) would require extensive and costly modifications to support UNP. *Second*, UNP is contrary to several of the FCC's conclusions in the *First Report and Order*

[1] Comments of Cox Communications, Inc. (Cox) at 6. The FCC defines UNP as "a telephone number usage optimization measure where available individual telephone numbers in one service provider's inventory are ported, using LNP, to another service provider under the direction of a neutral third party coordinator for assignment by the second service provider to a specific customer." *Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures*, 14 FCC Rcd 17506 ¶ 41 (1999) (*Florida UNP Order*).

(*NRO I*) regarding such practices as sequential numbering, reserved telephone numbers (vanity numbers), and inventory forecasting.[2] *Third*, UNP is unproven as a number conservation measure.

California's existing numbering resources have reached critically low levels, and area code relief is the best and only long-term solution. Instead of trialing an expensive and questionable practice — the benefits of which have not yet been demonstrated — the FCC should ask the CPUC to implement immediate area code relief, such as an all-services overlay, to resolve the ongoing and critical numbering situation in that state.

ARGUMENT

A. Currently SBC's systems do not support UNP, and the cost of modifying them is not justified by the benefits of UNP, if any.

In its comments, Cox argues that the potential gains of increasing the utilization threshold from 10 per cent to 25 per cent does not justify the cost.[3] Similarly, with a trial of UNP, SBC would have to incur significant costs to modify its OSS systems to accommodate the porting of unassigned numbers without any hard evidence of the benefits of doing so.[4] Moreover, any modifications to these systems create risk to other proven existing numbering measures, such as TBNP and local number portability (LNP).

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[2] *See Numbering Resource Optimization*, 15 FCC Rcd 7574 *passim* (2000) (*NRO I*).

[3] Cox at 4.

[4] *Maine Public Utilities Commission Petition for Additional Delegated Authority to Implement Number conservation Measures* 14 FCC Rcd 16440 ¶ 25 (1999) (*Maine UNP Order*) ("[W]e are concerned about the potential impact of UNP on emergency service systems (E-911). The NANC Report indicates that many companies' OSSs are designed to accommodate large inventories of telephone numbers, linking each street address to an NPA/NXX combination. If UNP leads to significant number porting, this mapping logic becomes quite difficult to support. We are also concerned with UNP's potential impact on companies' switching systems. UNP may cause problems with switches which can only accept a limited number of NXX codes, as number inventories will be increasingly composed of random telephone numbers from many different NXX codes.").

At present, SBC has no procedures, service orders, or mechanized processes in place to port unassigned telephone numbers. This is important because mechanized processes and procedures, such as those used in LNP, allow for service order flow and automated database updates, resulting in efficiencies and fewer errors. If a trial were initiated, SBC would either have to input these changes manually, which would be slow and cumbersome and which would increase the risk of error, or expend considerable money to create automated systems. Additionally, when a telephone number is ported, mechanized service orders automatically flow-through SBC's provisioning systems, as well as important external databases (*e.g.*, Enhanced 911 and the Number Portability Administration Center — NPAC). Through database downloads, NPAC notifies other service providers when a working telephone number is ported through LNP. Any errors created in SBC's systems could infect NPAC and, in turn, could infect the records of other service providers.

SBC supports the concerns raised by Cox regarding the Efficient Data Representation (EDR) system.[5] Cox acknowledges that, in the Petition, the CPUC "ignores the . . . NANC and INC concerns that the system would become less efficient with highly contaminated blocks since even more NPAC broadcasts containing even smaller quantities of numbers would become necessary."[6] The UNP proposal from Cox, however, creates the same inefficiency, because the porting of each unassigned number requires a separate record. Under UNP, an increase in the number of ports could cause database capacity issues for service providers and the pooling administrator. UNP undermines the efficiencies established for number pooling without any concomitant benefit to overall numbering resource optimization.

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[5] Cox at 2.

[6] *Id*.

B. UNP jeopardizes a carrier's ability to forecast future numbering needs and could force service providers to become de facto numbering administrators.

SBC also opposes UNP because it could severely compromise a service provider's ability to accurately forecast telephone number inventories. Under a UNP trial, CLECs could request and receive large quantities of telephone numbers from SBC's inventory in a particular wire center, thereby making it difficult to forecast future numbering needs.[7] The FCC expressed the same concern in *NRO I*.[8] Cox recognizes that carriers are allowed to maintain a six-month reservoir of numbering resources, which has been deemed a reasonable cushion to prevent customer-affecting shortages.[9] Where UNP makes forecasting difficult and allows other carriers to raid SBC's six-month number reservoir, mandatory UNP could easily jeopardize SBC's ability to provide adequate numbering resources to its own customers.

What's more, if the trial involves UNP between service providers without the benefit of a neutral third-party administrator,[10] it would allow service providers to bypass requirements established by the FCC before obtaining additional telephone numbers. These requirements include forecasting, utilization, and reclamation. The FCC wisely recognized the negative impact UNP would have on inventory forecasting in rejecting UNP as an approved number conservation measure.[11]

UNP also prevents the sequential assignment of telephone numbers as prescribed by the FCC in its NRO Order.[12] Service providers could deplete large amounts of telephone numbers

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[7] *Florida UNP Order* 14 FCC Rcd at ¶ 42 ("We are also concerned with the impact of UNP on carriers' ability to control their own number inventories. With UNP, because service providers will obtain telephone numbers from other service providers' inventories, the service provider donating numbers may face difficulty forecasting future numbering needs.").

[8] *NRO I* at ¶ 230 ("We also remained concerned with the impact on the carriers' ability to control their own number inventories and forecast future needs.").

[9] Cox at 2-3.

[10] *See* Industry Numbering Committee: Report on Unassigned Number Porting, INC 01-0108-027 § 7.1 (Jan. 8, 2001) (*INC UNP Report*).

[11] *Florida UNP Order* 14 FCC Rcd at ¶ 42.

[12] *NRO I* at ¶ 244.

within a specific thousands-block from another service provider even if the numbers existed in an unopened block. This has the unfortunate effect of decreasing the number of pristine blocks available for number pooling or for assignment to business customers, ironically forcing some service providers to request additional numbering resources.

Another pitfall of UNP is that it could force service providers into the role of being de facto numbering administrators.[13] The Telecommunications Act of 1996 called for, and the FCC implemented, measures to move carriers away from number administration.[14] Absent a third-party administrator, there is no way to ensure that requests for telephone number are really needed or that denials are valid. Conceivably, individual service providers could receive two or more requests for the same telephone number and have to make a decision as to whom to provide the number. SBC is opposed to UNP because it places service providers into the role of numbering administrators — a situation that will likely lead to unnecessary and costly disputes.

C. UNP has not been shown to be a proven numbering resource conservation measure and, therefore, is unlikely to prevent area code exhaust.

The FCC has not yet endorsed UNP as a number optimization strategy — nor should it.[15] As a viable number conservation measure, UNP is in essence a leap of faith. Yet, even now, SBC realizes that UNP would require extensive and costly modifications to SBC's systems and procedures — all of that without any proof that UNP will optimize numbering resources. In the meantime, immediate area code relief is required in California.

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[13] This pitfall would arise if the trial were conducted without a neutral third-party administrator as is contemplated by *INC UNP Report* § 7.1.

[14] 47 U.S.C. § 251(e)(1).

[15] *Florida UNP Order*; *Maine UNP Order*; and, *New York State Department of Public Service Petition for Additional Delegated Authority to Implement Number Conservation Measures*, 14 FCC Rcd 17467 (1999).

CONCLUSION

UNP is not a practical numbering conservation measure because it places additional capacity loads on service provider and NPAC resources and databases, including those that support LNP and TBNP. UNP conflicts with several numbering guidelines and practices established by the industry and endorsed by the FCC, including sequential numbering, minimizing reserved numbers, request for vanity numbers, and neutral third-party numbering administration. UNP will deplete pristine thousands-blocks used in number pooling. And, implementation of UNP would require extensive and costly modifications to ILEC systems that are not justified by any alleged benefits.

Cox does not provide any details on UNP nor does it state any reasons why UNP should be implemented in California, much less why it should be mandatory for other service providers. In addition to rejecting the CPUC's Petition, SBC urges the FCC to reject Cox's suggested unconditional and mandatory UNP trial.

Respectfully submitted,

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