

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Telephone Number Portability) CC Docket No. 95-116
)

**Reply Comments of
The Nebraska Rural Independent Companies, The Iowa Rural Companies, The
Ohio Rural Companies, and The
South Dakota Telecommunications Association**

The Nebraska Rural Independent Companies,¹ the Iowa Rural Companies,² the Ohio Rural Companies,³ and the South Dakota Telecommunications Association⁴ (collectively the “Rural Companies”) hereby file reply comments in the above captioned proceeding. On September 16, 2004, the Federal Communications Commission (“Commission”) released a Second Further Notice of Proposed Rulemaking (“Notice”). In the Notice, the Commission sought comment on the recommendation of the North American Numbering Council (“NANC”) for reducing the time interval for intermodal

¹ The Nebraska Companies submitting these collective comments include: Arlington Telephone Company, The Blair Telephone Company, Cambridge Telephone Company, Clarks Telecommunications Co., Consolidated Telco, Inc., Consolidated Telecom, Inc., Consolidated Telephone Company, Eastern Nebraska Telephone Company, Great Plains Communications, Inc., Hartington Telecommunications Co., Inc., Hershey Cooperative Telephone Company, Inc., K&M Telephone Company, Inc., Nebraska Central Telephone Company, Northeast Nebraska Telephone Co., Rock County Telephone Company, Stanton Telephone Co., Inc. and Three River Telco.

² The Iowa Companies submitting these collective comments include: Arcadia Telephone Cooperative, Citizens Mutual Telephone Cooperative, Farmers Mutual Cooperative Telephone Co. (Moulton, Iowa), Hawkeye Telephone Company, and South Slope Cooperative Telephone Company.

³ The Ohio Companies submitting these collective comments include: The Arthur Mutual Telephone Company, The Farmer’s Mutual Telephone Company, The Germantown Independent Telephone Company, The Minford Telephone Company, The Nova Telephone Company, Sherwood Mutual Telephone Association, Inc., Sycamore Telephone Company, and The Wabash Mutual Telephone Company.

⁴ SDTA represents thirty-one rural incumbent local exchange carriers (ILECs) in the state of South Dakota.

porting (porting between wireline and wireless carriers). Additionally, the Commission also sought comment on implementation issues in the event that a reduced intermodal porting interval is adopted.

On November 17, 2004, the Rural Companies and eighteen other parties filed comments in the above captioned proceeding. The Rural Companies appreciate the opportunity to reply to comments in this matter filed in response to the NANC recommendation.

In their comments, the Rural Companies specifically urged the Commission to carefully consider if the benefits of NANC's proposal to shorten the porting interval would outweigh the estimated costs to the industry and consumers. Specifically, the Rural Companies recommended that prior to the adoption of any particular proposal, the Commission must quantify that the demand for intermodal porting will increase significantly as a result of reducing the confirmation and activations interval and that this benefit will be worth the estimated costs. Finally, the Rural Companies agreed with the NANC finding that the Commission should recognize that a shortened porting interval will cause economic impacts on rural telephone companies that may not be justified considering the size of their customer base and the lack of significant porting volumes.

Based upon the comments filed in this proceeding, there is no evidence to support that reducing the intermodal porting interval will benefit consumers or that the current four-day interval is hindering intermodal portability.⁵ In fact, the only evidence to date

⁵ See Comments of BellSouth Corporation, In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 5, Verizon's Comments on Second Notice of Proposed Rulemaking Concerning the Intermodal Porting Interval ("Verizon Reply Comments"), In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 2, Comments of the United States Telecom Association ("USTA Comments"), In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 5, Comments of TDS Telecommunications Corp., In the Matter of Telephone Number Portability, CC Docket No. 95-116, ("TDS Comments") November 17, 2004, at p. 3,

shows there is a lack of demand for intermodal porting, particularly in rural areas.

According to Telecom Consulting Associates, from June, 2004 through November 16, 2004, its LNP service bureau assisted clients with 431 porting events, none of which were intermodal.⁶ From May through September, 2004, TDS Telecom reported 175 intermodal porting requests from among the 700,000 access lines served by TDS Telecom's ILEC subsidiaries.⁷ Even among the largest ILECs serving the most populated urban areas, demand for intermodal LNP has been less than 3 tenths of one percent.⁸

In addition to this demonstrated lack of demand for intermodal LNP, the cost for rural LECs to implement a reduced porting interval would be substantial. For example, the Frontier and Citizens ILECs estimate the cost of reducing the porting interval would exceed \$1.4 million in one-time costs, plus more than \$450,000 in annual recurring costs. Further, Frontier believes that these costs would be significantly larger if ILECs were required to provide 24 hours per day, 7 days per week support for a mechanized interface.⁹ Cincinnati Bell Telephone Company has estimated the cost of installing a

Comments of TCA, Inc., In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 3, Comments of the Organization for the Promotion and Advancement of Small Telecommunications Companies ("OPASTCO"), In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 2, Comments of SBC Communications Inc., In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 2, Comments of Qwest Communications International Inc., In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 1, Second Notice at para. 13.

⁶ See Comments of TCA, Inc., In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 3

⁷ See TDS Comments at p. 2.

⁸ According to USTA, there have been approximately 500,000 intermodal ports reported by its carrier members. According to the FCC Consumer Fact Sheet, "Wireless Local Number Portability", the populations of the top 100 MSAs is approximately 174 million.

⁹ See Comments of the Frontier and Citizens ILECs, In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 6.

front-end mechanized Local Service Request system to exceed \$500,000, and that did not include any back-office integration with the company's ordering and billing systems.¹⁰ Furthermore, the U.S. Small Business Administration, based upon discussions with the Organization for the Promotion and Advancement of Small Telecommunications Companies ("OPASTCO"), the National Telecommunications Cooperative Association, and Northwest Communications, estimated that hardware, software, and transitional costs for small and rural telephone companies can add up to \$100,000 per company.¹¹

Given the lack of demand for intermodal LNP combined with the cost for rural LECs to implement a reduced porting interval for intermodal LNP, the Rural Companies believe the only rational course of action is for the Commission to exclude rural and small LECs from a requirement to implement any reduced porting interval. Based upon the comments of the parties presented in this docket, it is reasonable to conclude that a rural LEC serving a population base of 2,500 would expend approximately \$100,000 to implement a shortened intermodal-porting interval. Further, it would be reasonable to conclude that the same rural LEC would receive between one and seven requests for intermodal LNP.¹² Thus, in this example, the cost of allowing consumers to port their number 43 hours sooner would range between \$14,000 and \$100,000 per ported number.

¹⁰ See Comments of Cincinnati Bell Telephone Company, In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 2.

¹¹ See Comments of the Office of Advocacy, U.S. Small Business Administration, On the Second Notice of Proposed Rulemaking and Initial Regulatory Flexibility Analysis, In the Matter of Telephone Number Portability, CC Docket No. 95-116, November 17, 2004, at p. 4.

¹² This range was established using the demand for intermodal LNP as reported by TDS Telecom (.00025) and as reported by USTA (.00287).

The Rural Companies agree with OPASTCO that the additional investments in systems to support a reduced porting interval for the few ports that a rural carrier may receive would not pass any rational cost-benefit test, and would create an economic hardship for rural carriers.¹³

Based upon the low level of porting activity, the increased costs of additional staff for porting and the additional cost of implementing automated porting processes, together with the small customer base over which to spread the additional costs, the Commission should not reduce the porting interval for rural telephone companies.

Dated: December 17, 2004.

Respectfully submitted,

“The Nebraska Rural Independent Companies”

Arlington Telephone Company,
The Blair Telephone Company,
Cambridge Telephone Company,
Clarks Telecommunications Co.,
Consolidated Telco, Inc.,
Consolidated Telecom, Inc.,
Consolidated Telephone Company,
Eastern Nebraska Telephone Company,
Great Plains Communications, Inc.,
Hartington Telecommunications Co., Inc.,
Hershey Cooperative Telephone Company, Inc.,
K&M Telephone Company, Inc.,
Nebraska Central Telephone Company,
Northeast Nebraska Telephone Co.,
Rock County Telephone Company,
Stanton Telephone Co., Inc. and
Three River Telco

¹³ See OPASTCO Comments at p. 3.

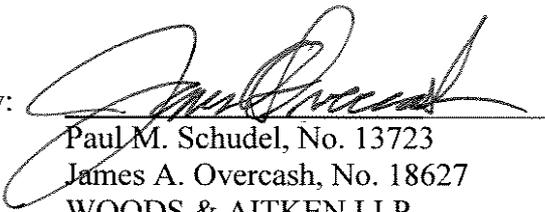
“The Iowa Rural Companies”

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(Moulton, Iowa),
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“The Ohio Rural Companies”

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The Farmer’s Mutual Telephone Company,
The Germantown Independent Telephone
Company,
The Minford Telephone Company,
The Nova Telephone Company,
Sherwood Mutual Telephone Association, Inc.,
Sycamore Telephone Company, and
The Wabash Mutual Telephone Company

“South Dakota Telecommunications Association”

By: 
Paul M. Schudel, No. 13723
James A. Overcash, No. 18627
WOODS & AITKEN LLP
301 South 13th Street, Suite 500
Lincoln, Nebraska 68508
(402) 437-8500
(402) 437-8558 Facsimile