

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

In the Matter of)
)
Administration of the North American) CC Docket No. 99-200
Numbering Plan)

COMMENTS OF THE VERIZON TELEPHONE COMPANIES¹

Verizon does not object to granting limited waivers to the six petitioners included in the Commission's Public Notice.² The Commission should make clear, however, that VoIP providers that obtain public NANP telephone numbers must comply with number portability requirements, both for the numbers they obtain as a result of the waivers, and for numbers they port in at the request of customers.

On February 1, 2005, the Commission granted SBC Internet Services, Inc. a limited waiver of section 52.15(g)(2)(i) of the Commission's rules, 47 C.F.R. § 52.15(g)(2)(i), subject to certain conditions.³ The Commission required SBCIS to comply with the Commission's other numbering utilization and optimization requirements, numbering authority delegated to the states, and industry guidelines and practices, including filing the Numbering Resource Utilization and Forecast Report

¹ The Verizon telephone companies ("Verizon") are the affiliated local telephone companies of Verizon Communications Inc. These companies are listed in Attachment A.

² *Wireline Competition Bureau Seeks Comment on RNK, Inc. d/b/a RNK Telecom, Nuvio Corporation, Unipoint Enhanced Services d/b/a PointOne, Dialpad Communications, Inc., Vonage Holding Corporation, and VoEX, Inc. Petitions for Limited waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Access to Numbering Resources*, CC Docket No. 99-200, DA 05-663 (rel. Mar. 11, 2005).

³ *Administration of the North American Numbering Plan*, CC Docket No. 99-200, FCC 05-20 (rel. Feb. 1, 2005) ("*SBCIS Order*").

(NRUF). SBCIS Order ¶¶ 4, 9. In addition, in seeking the waiver, SBCIS committed that it would fully comply with all existing Commission numbering resource requirements, including local number portability requirements.⁴ The Commission's order notes that, with the waiver, "SBCIS will be responsible for processing port requests directly rather than going through a LEC," SBCIS Order ¶ 9, but the order does not explicitly require compliance with number portability requirements.

Of the six petitioners, VoEX and Dialpad state that they will comply with local number portability requirements. VoEX Petition at 6 (filed Mar. 4, 2005); Dialpad Petition at 7 (filed Mar. 1, 2005). Vonage states that it will "continue to act in accordance with local number portability requirements." Vonage Petition at 6 (filed Mar. 4, 2005). RNK "accepts the same numbering-related conditions that were imposed on SBCIS" while PointOne states that it is "requesting comparable relief to that requested by SBCIS." RNK Petition at 13 (filed Feb. 4, 2005);⁵ PointOne Petition at 7 (filed Mar. 2, 2005). Nuvio states that it is "amenable to complying with the numbering resource-related conditions that the Commission imposed upon SBCIS," but does not say anything specifically about number portability. Nuvio Petition at 2 (filed Feb. 15, 2005).

To remove any doubt, the Commission should state explicitly that these VoIP providers (and any others that seek similar waivers) must comply with number portability requirements, both for the numbers they obtain as a result of the waivers, and for numbers they port in at the request of customers. The Commission should make clear

⁴ *SBC IP Communications, Inc. Petition for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Access to Numbering Resources*, CC Docket No. 99-200, at 10 (filed July 7, 2004).

⁵ RNK notes elsewhere in its petition that where it is certificated as a carrier, it is able to port numbers from and to other carriers. RNK Petition at 5.

that the porting rules apply equally when a consumer wishes to port from a VoIP provider to a local exchange carrier. This is not just a theoretical concern. At least one VoIP provider has refused a request to port the customer's telephone number to Verizon on the grounds that VoIP providers are not subject to the Commission's porting requirements.⁶

The Commission has consistently stated that "number portability promotes competition between telecommunications service providers" because it "allow[s] customers the flexibility to respond to price and service changes without changing their telephone numbers."⁷ But to have effective competition, customers must be free to port numbers "in" to a provider without worrying that they won't be able to port those numbers back "out" if they are dissatisfied.

Moreover, allowing VoIP providers to port numbers in without requiring them to port numbers out at a customer's request has the potential to enable VoIP providers to "hoard" numbers. This would undermine the Commission's efforts to manage numbering resources.

⁶ As Verizon explained in its comments in the IP-Enabled Services NPRM, however, the Commission should not require LECs to port in numbers from a VoIP provider in the limited circumstance where a VoIP customer chooses an NPA-NXX designation that falls outside of the customer's geographic rate center. Comments of Verizon, *IP-Enabled Services*, WC Docket Nos. 04-36 and 04-29, at 52 n.128 (filed May 28, 2004). See also *Telephone Number Portability; CTIA Petitions for Declaratory Ruling on Wireline-Wireless Porting Issues*, 18 FCC Rcd 23697 at ¶ 43 (2003).

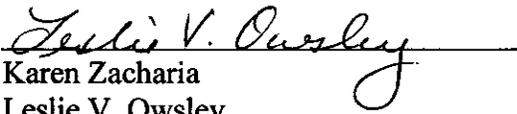
⁷ *Telephone Number Portability*, Third Report and Order, 13 FCC Rcd 11701, ¶ 4 (1998); *Telephone Number Portability; United States Telecom Association and CenturyTel of Colorado, Inc. Joint Petition for Stay Pending Judicial Review*, 18 FCC Rcd 24664, ¶ 7 (2003).

CONCLUSION

For the foregoing reasons, the Commission should condition any waivers of section 52.15(g)(2)(i) of the Rules it grants to VoIP providers on compliance with local number portability rules as well as numbering resource rules.

Respectfully submitted,

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THE VERIZON TELEPHONE COMPANIES

The Verizon telephone companies are the local exchange carriers affiliated with Verizon Communications Inc. These are:

Contel of the South, Inc. d/b/a Verizon Mid-States
GTE Southwest Incorporated d/b/a Verizon Southwest
The Micronesian Telecommunications Corporation
Verizon California Inc.
Verizon Delaware Inc.
Verizon Florida Inc.
Verizon Hawaii Inc.
Verizon Maryland Inc.
Verizon New England Inc.
Verizon New Jersey Inc.
Verizon New York Inc.
Verizon North Inc.
Verizon Northwest Inc.
Verizon Pennsylvania Inc.
Verizon South Inc.
Verizon Virginia Inc.
Verizon Washington, DC Inc.
Verizon West Coast Inc.
Verizon West Virginia Inc.