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

In the Matter of	)	
	)	
Number Resource Optimization	)	
	)	
Qwest Communications Corporation, on Behalf of its IP-Enabled Service Operations, Petition for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Numbering Resources	)	CC Docket No. 99-200

COMMENTS OF THE VERIZON TELEPHONE COMPANIES[1]

Verizon does not object to granting a limited waiver to Qwest on behalf of its IP-Enabled Service operations ("QCC/IPES").[2] For the same reasons Verizon explained in its comments on the similar requests of RNK, Inc. d/b/a RNK Telecom, Nuvio Corporation, Unipoint Enhanced Services d/b/a PointOne, Dialpad Communications, Inc., Vonage Holdings Corporation, and VoEX, Inc., however, the Commission should make clear 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.[3]

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

[2] *Qwest Communications Corporation, on Behalf of its IP-Enabled Service Operations, Petition for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Numbering Resources*, CC Docket No. 99-200 (filed Mar. 29, 2005).

[3] *See* Comments of the Verizon telephone companies, *Administration of the North American Numbering Plan*, CC Docket No. 99-200 (filed Apr. 11, 2005).

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.[4] 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 (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. SBCIS Petition at 12. 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.

In its petition, QCC/IPES agrees to abide by the conditions imposed on SBCIS, but does not say anything specifically about number portability. Qwest Petition at 4. 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 that the porting rules apply equally when a consumer wishes to port from a VoIP provider to a local exchange carrier.[5]

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

[5] 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. *See* 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).

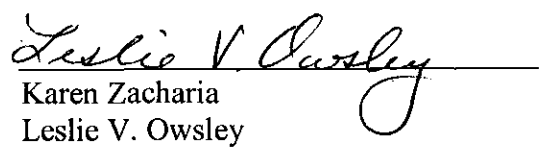
The Commission has consistently stated that "number portability promotes competition between telecommunications service providers" because it "allow[s] customers the flexibility to respond to price and service changes without changing their telephone numbers."[6] But to have effective competition, customers 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.

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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[6] *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).

Attachment A

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 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.