

RECEIVED & INSPECTED  
 SEP 20 2005  
 FCC - MAILROOM

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

In the Matter of	)	
	)	
Telephone Number Portability	)	WCB Docket No. 95-116
	)	
Petition of TeleGuam Holdings, LLC	)	
to Extend the Date for Implementation	)	
of Wireless-to-Wireless Local Number	)	
Portability on Guam	)	
	)	
Petition of IT&E Overseas, Inc. to	)	
Extend the Date for Implementation of	)	
Wireless-to-Wireless Local Number	)	
Portability on Guam	)	
	)	
Petition of Guam Wireless Telephone	)	
Company, LLC for Limited Waiver of	)	
Rule 52.31, or Extension of Time, to	)	
Comply with the Commission's Wireless	)	
Local Number Portability Requirements	)	
	)	
Petition of Guam Wireless Telephone	)	
Company, LLC for Declaratory Ruling, or	)	
Alternatively, Limited Waiver of	)	
Rule 52.31 or Extension of Time, to	)	
Comply with the Commission's Wireless	)	
Local Number Portability Requirements	)	

**REPLY OF TELEGUAM HOLDINGS, LLC TO THE PETITIONS OF IT&E AND  
 GUAM WIRELESS, AND TO THE COMMENTS OF CHOICE PHONE, CONCERNING  
 THE IMPLEMENTATION OF WIRELESS-TO-WIRELESS LNP ON GUAM**

TeleGuam Holdings, LLC ("TeleGuam"), dba GTA Telecom ("GTA Telecom") and  
 GTA Wireless ("GTA Wireless"), petitioned the Chiefs of the Wireline and Wireless  
 Bureaus pursuant to Rules §52.23(e) and §52.31(d) on July 27, 2005 to extend the date for  
 implementation of wireless-to-wireless Local Number Portability ("LNP") on Guam from

September 15, 2005, to December 15, 2005.<sup>1</sup> On August 5th TeleGuam supplemented that request in a letter in this docket that also sought permission to file the waiver request on 50 days notice rather than the 60 days notice required by the rules.

Three Guam CMRS providers (hereafter “Guam CMRS Providers”) have since filed four pleadings with the Commission also addressing wireless-to-wireless LNP on Guam:

- 1) A petition was filed August 16th by IT&E seeking to extend from October 15, 2005, to February 15, 2006, the deadline for a subsequent wireless-to-wireless LNP BFR that was filed by Guamcell on April 6, 2005;
- 2) A petition was filed August 16th by Guam Wireless seeking the same relief as IT&E;
- 3) A second petition by Guam Wireless was filed August 19th, seeking a declaratory ruling that TeleGuam’s earlier LNP BFR is “invalid”, or in the alternative, an extension of its deadline until February 15, 2005; and,
- 4) Comments were filed August 16th by Choice Phone, which argue that TeleGuam’s BFR was limited to intermodal LNP (and thus stayed by court order), and which also sought an extension of the Guamcell BFR compliance date to February 15, 2006.

**I. The Guam CMRS Providers Do Not Need Commission Relief to Extend the Effective Date of the Guamcell BFR.**

Each of the Guam CMRS Providers seek to have Guamcell’s BFR deadline extended from October 15th to February 15, 2006, and two providers also assert that Guamcell is amenable to the later date. But Guamcell’s cooperation makes Commission action unnecessary. Guamcell could simply rescind its BFR, and reissue it with a February 15th date, but this option is never discussed by the Guam CMRS providers. The fair inference is that the real problem for the Guam CMRS Providers is not the October 15th deadline posed by Guamcell’s BFR, but rather the December 15th deadline sought by TeleGuam.

---

<sup>1</sup> GTA Telecom is the wireline incumbent telecom provider on Guam. Its wireless affiliate is GTA Wireless. Both companies are wholly-owned subsidiaries of TeleGuam Holdings, LLC, which acquired the governmentally-owned telecom provider, Guam Telephone Authority, on January 1, 2005.

## **II. TeleGuam Issued a Valid BFR for Wireless-to-Wireless LNP on Guam.**

IT&E does not challenge the validity of TeleGuam's BFR in its pleading. Choice Phone claims that TeleGuam's request was sent on GTA Telecom stationary, and was thus a request for intermodal LNP, a request that was mooted by the D.C. Circuit's vacation of the intermodal LNP rules for small ILECs (Choice Phone comments at p. 2). Guam Wireless complains that TeleGuam's BFR did not state that the request was only for wireless-to-wireless LNP.<sup>2</sup>

These allegations are unfounded. The Commission need only compare TeleGuam's BFR (attached to Guam Wireless's August 19th Petition) with Guamcell's BFR (attached to Choice Phone's Comments). Just like TeleGuam's request, nothing in Guamcell's BFR or cover letter specifies that it only involves wireless-to-wireless LNP, yet the Guam CMRS providers make no complaint about the latter, while finding the former hopelessly ambiguous.

In fact, there was no need for TeleGuam to have printed "GTA Wireless" stationary for its BFR (none existed at that time), nor to have belabored the point in its BFR, since it was plain from the context. GTA Telecom is currently the only wireline exchange services provider on Guam, and GTA Wireless currently serves only a modest portion of the mobile market. Intermodal LNP would not benefit GTA Telecom economically, and wireless-to-wireless would benefit GTA Wireless, so it was manifestly clear to the CMRS providers that TeleGuam was requesting wireless-to-wireless LNP, not intermodal LNP.

---

<sup>2</sup> In its August 19th Petition, Guam Wireless also references a February BFR from TeleGuam. However, TeleGuam bases its wireless-to-wireless LNP request solely upon its March letter, and places no reliance on the February communication.

It is also true some CMRS providers on Guam hoped that TeleGuam might somehow be acting contrary to its own interests, and accordingly asked TeleGuam if intermodal LNP was included in the BFR. They were quickly informed that only wireless-to-wireless LNP was involved. In short, there was no confusion on Guam about the fact that intermodal LNP was not included in TeleGuam's BFR. The current efforts of Guam Wireless and Choice Phone to drum up technical defects in the BFR are not founded on actual confusion about the BFR, but rather their desire to defer wireless-to-wireless LNP beyond the December 15th date sought by TeleGuam in its waiver request.

**III. TeleGuam Has Vigorously Pursued  
Implementation of Wireless-to-Wireless LNP on Guam.**

Both Choice Phone and Guam Wireless complain about TeleGuam's efforts to implement wireless-to-wireless LNP (Choice Phone at p.3; August 19th Guam Wireless Petition at p. 8: "... GTA Telecom has continually failed to make efforts to meet with other Guam area providers ... including a meeting held on July 26, 2005 to organize an LNP Implementation Team and Inter-Carrier Testing Group."). As a threshold matter, this claim does not make sense. GTA Wireless' ability to gain market share will be greatly enhanced by wireless-to-wireless LNP -- exactly why GTA Wireless requested it. Given the benefit conferred by LNP, TeleGuam has every reason to pursue LNP vigorously.

This is confirmed by the facts. For example, TeleGuam held a carrier summit for all the CMRS carriers in June 23, 2005, and invited major vendors to participate. GTA provided a complete update on wireless-to-wireless LNP, Nortel discussed SS7 networks, and VeriSign gave a complete presentation of its capabilities. The other CMRS carriers

discussed their meetings with Syniverse and VeriSign, but they commented that they felt the costs were too high.

The only example cited by Guam Wireless of TeleGuam's "continuous ..." failure to support LNP involves a meeting of the CMRS providers on July 26th. Guam Wireless says that TeleGuam "was invited" but failed to attend (August 19th Petition at p. 8). Indeed TeleGuam was invited -- on July 25th. Andrew Gayle and Frank Lujan attended on behalf of GTA Wireless, but based on schedule conflicts and short notice, GTA Telecom could not attend, and informed the other CMRS carriers of that fact in advance. Similarly, Mr. Richard Yu of Choice Phone, who signed Choice Phone's pleading at the Commission, was not at the July 26th meeting.

**IV. The Guam CMRS Providers Have Not Shown Why  
They Cannot Comply with a December 15th Deadline.**

The February 15th deadline sought by the Guam CMRS Providers is two months longer than the December 15th date sought by TeleGuam for its operating subsidiaries, GTA Telecom and GTA Wireless -- indeed, virtually six months beyond the filing of their Petitions in this docket. TeleGuam understands that the vendor problem preventing the current deadline of September 15th from being met also burdens the Guam CMRS Providers, as well as itself. That is why it asked in its waiver request that the extension apply to all Guam carriers.

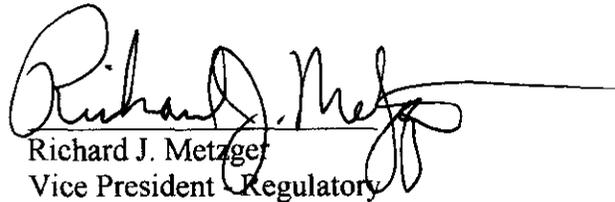
TeleGuam takes no position as to whether the Guam CMRS Providers need two months beyond the date GTA Telecom and GTA Wireless will be ready to implement wireless-to-wireless LNP. In its August 27th waiver request, TeleGuam set out four

milestones that would mark out its ability to meet a December 15th date. None of the Guam CMRS Providers demonstrate why they cannot meet those milestones.

**Conclusion**

TeleGuam does not oppose the request of the Guam CMRS Providers to extend the date for wireless LNP on Guam to February 15, 2006. If the Commission does grant their request, TeleGuam asks that the same extension apply to its LNP request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard J. Metzger", with a long horizontal line extending to the right.

Richard J. Metzger  
Vice President - Regulatory  
TeleGuam Holdings, LLC  
2629 North Florida Street  
Arlington, Virginia 22207  
202-256-6377  
dmetzger@gta.net

September 15, 2005

## CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing pleading via mail on the following persons:

Marlene H. Dortch, Secretary  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

Chief, Wireline Competition Bureau  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

Chief, Wireless Telecommunications  
Bureau  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

Jennifer Salhus  
Wireless Telecommunications  
Bureau  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

Pam Slipakoff  
Wireline Competition Bureau  
Federal Communications  
Commission  
445 12th Street, SW  
Washington, DC 20554

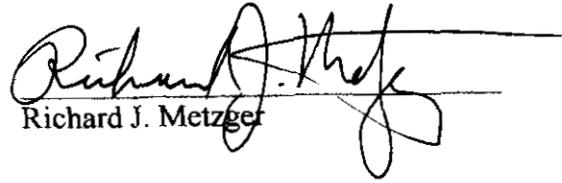
IT&E Overseas  
P.O. Box 24881  
GMF, Guam 96921  
jmborlas@ite.net

Guam Cellular & Paging Inc.  
219 S. Marine Drive  
Century Plaza Building  
2nd floor, Suite 206  
Tamuning, Guam 96913  
mdonigan@guamcell.net,

Guam Wireless Telephone Company LLC  
Suite 208, 125 Tun Jesus Crisostomo St.  
Tamuning Guam, 96913  
johnwu@hafatel.com

Thomas K. Crowe  
Law Offices of Thomas K. Crowe, P.C.  
1240 24th Street, N.W.  
Suite 300  
Washington, D.C. 20037  
firm@tkcrowe.com

September 15, 2005

A handwritten signature in cursive script, appearing to read "Richard J. Metzger". The signature is written over two horizontal lines. The first line is a solid line, and the second line is a dashed line. The signature starts with a large, looped "R" and ends with a large, looped "g".

Richard J. Metzger