

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

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| In the Matter of |) | |
| |) | |
| Developing a Unified Intercarrier |) | CC Docket No. 01-92 |
| Compensation Regime |) | |
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**COMMENTS OF THE
AMERICAN PUBLIC COMMUNICATIONS COUNCIL**

The American Public Communications Council ("APCC") submits these comments in response to the November 8, 2006 Public Notice, DA 06-2294, requesting comment on the proposed interim process to address phantom traffic issues and a related proposal for the creation and exchange of call detail records filed November 6, 2006 by the Supporters of the Missoula Plan (the "Proposal").

I. DISCUSSION

APCC is the national trade association representing the independent payphone service provider ("PSP") industry. Its subsidiary, APCC Services, Inc. is the leading clearinghouse for the billing and collection of dial-around compensation on behalf of independent PSPs.

APCC's interest in this proceeding stems from the inter-relationship between the intercarrier compensation proposals being considered here and the payphone dial-around compensation regime. Section 276 of the Act, 47 U.S.C. § 276, requires the FCC to ensure that PSPs are compensated for the use of their payphones for "each and every

completed call.” The FCC adopted its dial-around compensation rules to meet that mandate with respect to toll-free subscriber and access code calls, for which PSPs receive no compensation from the caller for the use of their payphone. Under the dial-around compensation rules, a carrier that completes a call from a payphone must pay the PSP that owns the payphone a \$.494 fee. As the Commission has recognized, in this era of increasingly ubiquitous wireless subscribership and declining coin calling, the dial-around compensation revenue stream is critical to PSPs, and their ability to continue to make their phones available to the calling public. The Commission has also recognized the important role payphones play in providing access to the public network for low-income consumers and emergency callers.

In order to ensure that completing carriers can identify payphone-originated calls so that they can fulfill their dial-around compensation obligation, the Commission has adopted rules that require (1) LECs to transmit along with the call certain specified ANI II digits that indicate the call has originated from a payphone and (2) all other carriers in the call path to pass those ANI II digits to subsequent carriers. The call signaling requirements set out in Sections V.A – C of the Missoula Plan, which are incorporated in the Proposal,¹ echo and reinforce existing ANI II transmission requirements.² The Plan’s call signaling requirements also make clear that *all* service

¹ See Proposal at 2.

² The Plan is manifestly clear that all providers must transmit the ANI II digits. Section V.A.2.a. of the Plan requires all originating providers to transmit the ANI II digits regardless of whether SS7 signaling is used (in which case it is inherent in the protocol) or MF signaling is used (in which case the Plan imposes a specific requirement that originating providers “must also transmit ANI II information,” Plan § V.A.1.2.a.iii). Section V.A.2.b. then imposes on intermediate providers the obligation to “transmit without alteration” the ANI II digits they receive from the originating provider or

providers involved in a call that touches the PSTN are bound by the requirements, including the ANI II transmission requirements, regardless of whether those service providers are telecommunications service providers or, to the extent they may not be a telecommunications service provider, another type of provider, including, for example, VoIP providers.³ Not all VoIP providers have recognized their existing obligation to transmit call signaling information that includes the ANI II digits. APCC believes that, by explicitly reiterating those requirements, the Plan's call signaling requirements will advance compliance not only with the intercarrier compensation regimes but also with the Commission's dial-around compensation regime. Accordingly, APCC supports the implementation of those requirements.

(Footnote continued)

another intermediate provider. As the plan recognizes, this will ensure that all providers receive "the signaling information necessary for identification of calls and creation of proper billing records." Plan § V.A.2.b. It also furthers the goals of Section 276 of the Act.

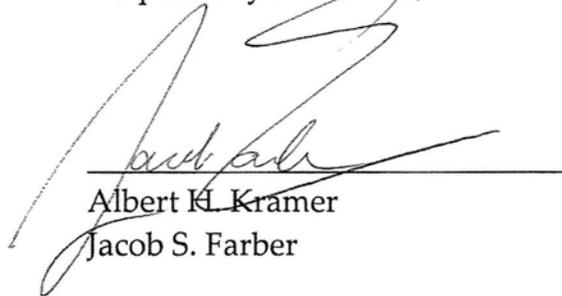
³ Section V.A.1. of the Plan states that the "Plan's call signaling rules apply to all traffic originating on the PSTN, transiting the PSTN, or destined for the PSTN from other networks." And Section V.A.2. makes clear that the "Plan requires *every* communications service provider to transmit accurate telephone number signaling information for use by intermediate and terminating providers."

II. CONCLUSION

For the reasons shown above, the Commission should implement the call signaling requirements set forth in the Proposal, including, without limitation, the requirements that all service providers in the call path transmit the ANI II digits.

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Respectfully submitted,



Albert K. Kramer
Jacob S. Farber

1825 Eye Street, N.W.
Washington, D.C. 20037-1526
(202) 420-2226

*Attorneys for the American Public
Communications Council*