



INDEPENDENT TELEPHONE & TELECOMMUNICATIONS ALLIANCE

January 30, 2008

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20054

**Re: Local Number Portability Porting Interval and Validation
Requirements
WC Docket No. 07-244**

**Telephone Number Portability
95-116**

Petition of Embarq for Limited Waiver

Dear Ms. Dortch:

The Independent Telephone & Telecommunications Alliance (ITTA) hereby submits this letter in support of the Petition for Limited Waiver (Petition) filed by Embarq in the above-captioned proceedings (see DA 08-151, rel. Jan. 23, 2008). ITTA represents mid-sized telephone companies across the country. ITTA members collectively provide service to 25 million lines in 44 states, and provide variously broadband, video, and inter-exchange services, as well.

Embarq's petition requests a brief deferral, until September 30, 2008, of its obligation to provide four-field validation pending its completion of a pre-planned replacement of current local number portability (LNP) ordering systems with a new, unified system. The petition is an eminently reasonable waiver request, and should be granted.

Following release of the Commission's recent LNP Order, ITTA and certain of its member companies explored with other affected carriers the technical and logistical parameters for meeting the new requirements (see, *Telephone Number Requirements for IP-Enabled Service Providers; Local Number Portability Porting Interval and Validation Requirements; IP Enabled Services; Telephone Number Portability; Numbering Resource Optimization: Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking*, WC Docket Nos. 07-243, 07-244, 04-36, CC Docket Nos. 95-116, 99-200, 22 FCC Rcd 19531 (2007)). Our conversations revealed the various factors that could affect carriers as they implement processes to comply with the new requirements, including the size of the company and the type of and extent to which automated systems are used in the LNP process.

As described in its petition, Embarq finds itself in a unique situation of phasing out an old ordering system while it brings a new unified system "on line." This process is currently underway, and the new system will be compliant with new LNP requirements. In order to meet those requirements with its current systems, however, Embarq would be forced to effect substantial modifications to

multiple current systems that are due to be phased out in the coming months. Making these temporary, interim changes to the outgoing systems would waste limited resources and likely delay the completion of the new, better, and compliant unified ordering system.

Section 1.3 of the Commission's Rules permit waiver where (a) special circumstances warrant deviation from the general rule, and (b) the waiver will serve the public interest. ITTA submits that administrative efficiency and the public interest support grant to Embarq of a temporary waiver of the new LNP rules. In the absence of such waiver, Embarq would be required to undertake modifications to a system that will soon be discarded. In addition to the financial costs of such an effort, an adverse impact would likely be visited upon the company's effort to deploy the new system, since resources otherwise reserved for the new process would be diverted to short-lived modification efforts.

The petition is not a simple request for a delay of a Commission deadline: it is a request to allow an ILEC to continue with pre-existing plans to bring state-of-art systems on-line, without the needless expense of renovating existing systems that would be soon obsolete and discarded. The company's commitment to compliance can be discerned by its assurance that it will establish dedicated manual process where necessary to provide expedited LNP handling.

The public interest certainly warrants a reasonable application of the Commission's rules, and the granting of Embarq's request for limited waiver.

Respectfully submitted,

s/ Joshua Seidemann

Joshua Seidemann

Vice President, Regulatory Affairs