Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Telephone Number Requirements for IP-Enabled Services Providers	)	WC Docket No. 07-243
	)	
Local Number Portability Porting Interval and Validation Requirements	)	WC Docket No. 07-244
	)	
IP-Enabled Services	)	WC Docket No. 04-36
	)	
Telephone Number Portability	)	CC Docket No. 95-116
	)	
CTIA Petitions for Declaratory Ruling on Wireline-Wireless Porting Issues	)	
	)	
Final Regulatory Flexibility Analysis	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200

OPPOSITION OF COMCAST CORPORATION

Comcast Corporation and its affiliates ("Comcast") hereby submit this opposition to the Petition for Clarification filed by One Communications Corp. ("One Communications") in the above-captioned proceeding.[1] In its Petition, One Communications asks the FCC to clarify that carriers may request additional data to execute a simple port, and that a port involving a loop that is provisioned over an unbundled loop is not a simple port. For the reasons discussed below, the FCC summarily should deny these requests.

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[1] Petition for Clarification and for Limited Waiver for Extension of Time, WC Docket Nos. 07-243, 07-244, & 04-36, CC Docket Nos. 95-116 & 99-200 (filed Feb. 5, 2008) ("Petition for Clarification" or "Petition"). The petition for limited waiver subsequently was mooted. *Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability; Embarq Petition for Waiver of Deadline*, WC Docket No. 07-244, CC Docket No. 95-116, Order, FCC 08-31 (Feb. 5, 2008).

I. ARGUMENT

A. One Communications' Claim that the FCC's *Declaratory Ruling* Requires Clarification is Unfounded

In their Petition for Declaratory Ruling, T-Mobile and Sprint Nextel asked the FCC to specify the data fields that a porting-out carrier may require a porting-in carrier to provide in order to validate a simple port.[2] The FCC recently responded to this request by stating unambiguously that local number portability ("LNP") validation for simple number ports may be based on no more than four data fields: (1) 10-digit telephone number; (2) customer account number; (3) 5-digit zip code; and (4) pass code (if applicable).[3]

One Communications' Petition contends that the FCC should "clarify" that its ruling does not prevent providers from requiring additional data in order to *accomplish* a port.[4] One Communications' request, however, does not address the data required to validate a port request, which was the subject of the FCC's *Declaratory Ruling*. Rather, it concerns steps in the porting process that occur *after* validation of a simple port. Indeed, One Communications concedes in its Petition that the issue of which data fields may be required to *accomplish* a simple port was not even raised – let alone addressed – in the *Declaratory Ruling*.[5] Because One Communications' Petition does not relate to the issues that were the subject of the Sprint/T-Mobile petition or the Commission's subsequent *Declaratory Ruling*, no clarification is needed.

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2 Petition for Declaratory Ruling of T-Mobile USA, Inc. and Sprint Nextel Corporation, CC Docket No. 95-116 (Dec. 20, 2006).

3 *Telephone Number Requirements for IP-Enabled Services Providers*, WC Docket Nos. 07-243, 07-244, & 04-36, CC Docket Nos. 95-116 & 99-200, Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking, 22 FCC Rcd 19531, ¶ 48 (2007) ("*Declaratory Ruling*" or "*2007 NPRM*").

4 Petition for Clarification at 3-4.

5 *See, e.g.*, Petition for Clarification at 3 ("The *Declaratory Ruling* Does Not Address Validation Fields for Accomplishing Ports"); *id.* at 4 ("the *Declaratory Ruling* . . . makes no mention of the data required for a carrier to *accomplish* the simple port" (emphasis in original)).

B. The Commission Should Deny One Communications' Proposal to Permit Providers to Require Ten Additional Data Fields Before Completing Simple Ports

One Communications also asks the FCC to allow porting-out providers, at the provider's discretion, to require porting-in providers to furnish a veritable laundry list of additional data – at a minimum, ten additional fields and, in some cases, more – in order to process a simple port.[6] One Communications attempts to bolster its case by claiming that its proposal is consistent with certain voluntary industry guidelines developed by the Alliance for Telecommunications Industry Solutions ("ATIS").[7]

The Commission's *Declaratory Ruling* substantially simplified and streamlined the simple number porting process by limiting the data fields a porting-out carrier may require to validate a port request to no more than four. Grant of One Communications' request would eliminate most of the benefits of the Commission's prior ruling by allowing porting-out carriers to require ten or more new data fields and, thus, would be inconsistent with the FCC's efforts to accelerate the process for porting simple numbers. The fact that certain members of the industry may have agreed to the additional data fields as a voluntary guideline does not demonstrate that their mandatory adoption by the Commission would be in the public interest. To the contrary, in Comcast's view, all of the data in the ten fields clearly are not required to process a simple number port and, accordingly, simply would reinsert unnecessary complexity and potential delay into the porting process, the precise outcome the Commission's *Declaratory Ruling* sought to eliminate.

If the FCC wishes to consider the desirability of permitting porting-out providers to require additional data fields in order to process a simple number port, it should not do so in the context of this Petition for Clarification. Contemporaneously with the adoption of its

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6 Petition for Clarification at 5.

7 *Id.* at 4-5.

Declaratory Ruling, the Commission also issued a Notice of Proposed Rulemaking in which it seeks comment on a broad range of issues concerning the number portability process.[8] That proceeding is the proper forum in which to consider One Communications' request to expand the data fields for simple number ports.

C. The Commission Should Deny One Communications' Request Concerning the Classification of Number Ports Involving UNE Loops

One Communications also asks the FCC to rule that a port of a number assigned to a loop as an unbundled network element ("UNE") is not a simple port.[9] Grant of this request would appear to exempt all ports of numbers associated with UNE loops from the current 4-day standard interval and other requirements that apply to simple, but not complex, ports. As explained below, grant of this request would needlessly delay simple ports and therefore should be denied.

Comcast does not utilize UNE loops for the provision of its service. In the event Comcast wins a One Communications' customer, there is no need to delay the port until One Communications changes the carrier of record for the loop. One Communications can immediately port the customer to Comcast and then discontinue its provision of the UNE loop. Because the porting of a customer to Comcast by One Communications would only require a software change, there is no basis for processing such number ports outside of the standard switchover interval.

Moreover, the FCC previously has concluded that where only a software change is required to move a customer from one provider to another, such requests must be processed

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8 *2007 NPRM*, *supra* note 3.

9 Petition for Clarification at 6.

within the standard switchover interval.[10] As the FCC recognized, such a requirement helps ensure that new providers are not disadvantaged in the marketplace and that customers are able to achieve the benefits of local exchange competition.[11] Similarly, when a provider that offers service through UNE loops is able to accomplish a port simply by making a software change, the FCC should make clear that under its existing rules, such transfers are simple number ports, subject to the current standard interval and other applicable requirements. To the extent that One Communications wishes to alter the current rules, it may make its case in the rulemaking proceeding that the Commission commenced in November 2007.

II. CONCLUSION

For the foregoing reasons, the FCC should deny One Communications' Petition for Clarification in its entirety.

Respectfully submitted,

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10 *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, 11 FCC Rcd 15499, ¶ 421 (1996) (subsequent history omitted).

11 *Id.*

Certificate of Service

I, Ruth E. Holder, hereby certify that on this 15th day of February, a true and correct copy of the foregoing Opposition of Comcast Corporation was hand delivered to:

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