

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of Application of MCI Communications Services Inc. d/b/a Verizon Business Services to Discontinue Domestic Telecommunications Services

WC Docket No. 08-14
Comp. Pol. File No. 851

RESPONSE OF MR. PHIL GARRETT

The proposed discontinuance of MCI Communications Services Inc.'s ("Verizon") telex service will impair the public convenience or necessity. Accordingly, the Commission should deny MCI's request to discontinue service on March 1st and instead delay the termination of services until at least August 1st, 2008.

BACKGROUND

Mr. Garrett filed an informal objection to proceeding 08-14 that was posted online on 2/11. In that filing, Mr. Garrett noted the problems that his customers were experiencing with regard to MCI's termination of telex services on March 1st, 2008. In that filing, Mr. Garrett noted that MCI should either allow porting of the telex numbers to a new provider in order to allow his customers to keep their existing telex number, or barring that, delay termination of services until August 1st, 2008, in order to allow his customers adequate time to notify all their ships, ship agents, ship owners, of

the new telex number as well as update publications, letterheads, advertisements, etc. Although Mr. Garrett is, himself, not a direct subscriber of telex services and therefore would not appear on a customer list, he does have a multiple series of MCI telex numbers under the account of his own communication service provider for which he is a reseller. Further, as noted in his informal objection, Mr. Garrett is filing the informal objection on behalf of himself and as a direct result of discussions with his own customers who obtain their telex services through an agency agreement with Mr. Phil Garrett; these telex services use the telex numbers that MCI/Verizon is proposing to discontinue. As a side note, in their reply, MCI/Verizon neglected to list that all telex numbers with a "149" telex pre-fix are also affected (page 2 of their reply dated 2/14/08 where MCI/Verizon stated, "Verizon's telex numbering plan is comprised of telex numbers starting with a "6," "2," or "82."). Mr. Garrett's own telex number and his customers' multiple series of telex numbers begin with a "149" prefix and are affected by the telex service discontinuance.

ARGUMENT

I. Verizon's Telex Subscribers Were NOT Provided Sufficient Notice of the Proposed Discontinuance That Allows Propagation of a New Telex Number Throughout All the Customers of the Telex Subscriber.

MCI/Verizon, while priding itself on noting that a new telex carrier can be obtained and established within 48 hours fails to provide a timeline of how

quickly that new number obtained from another carrier can be *implemented* throughout a subscriber company's broad customer base; particularly for Mr. Garrett's customers in the maritime shipping industry. Many of MCI/Verizon's telex subscribers are not the end point customer themselves but rather each has hundreds of other customers that in turn are spread throughout the world. Further, to notify these end customers (ships and shipping companies) of the telex number change, Mr. Garrett's customers must use the expensive Inmarsat C Satellite for telex messaging. Telex messages via satellite are priced in either duration or kilobit pricing (averaging per message about \$3.35/minute to \$6.70/minute duration or \$0.22 to \$0.30 per quarter/kilobit). This becomes very expensive as Mr. Garrett's customers then use Satellite telex messaging to propagate the telex number change to ships at sea. Merely transmitting a new "hey, I have a new number" through a business entity is not sufficient to effectively implement that number in all phases of maritime business operation. It is guaranteed that providing the new number, for example, to a ship captain, will quickly be lost until in his pocket or under a desk, until that new number is implemented in updated papers and procedures. Although this, in of itself, is not of MCI/Verizon's doing, it does demonstrate that MCI/Verizon is being intellectually disingenuous when it concludes that customers are not affected merely because they can obtain a new telex number and transmit it throughout their empires within 48 hours or by March 1st, 2008. To

emphasize how important these current assigned telex numbers are to the shipping and banking industries, many customers pay up to the going industry rate of \$280/month per telex number. Therefore, telex numbers are extremely important to the maritime industry. To put this in perspective, MCI/Verizon is essentially notifying businesses with broad customer bases, over the Christmas and New Year's holidays, that on March 1st, their telex services will be discontinued; however, this is okay because these businesses can merely transmit out a new number across the world and that should be sufficient. Mr. Garrett wonders how quickly MCI/Verizon would respond if indeed the same scenario were being inflicted on their own customer base where, for example, the inbound MCI/Verizon help desk number or service connection request phone number was being discontinued. Would they feel that March 1st, 2008 would be sufficient time to notify their customer base of the new phone numbers? Again, it is not that these telex numbers belong to individual endpoint customers as much as these individual endpoint customers use these telex numbers for their own entire customer bases. Mr. Garrett is proposing that the Commission consider these end customer ramifications prior to approving the disconnection of telex services on March 1st, 2008. Delaying the telex service disconnection until August 1st, 2008 allows not only the procurement of a new telex service number, but also allows customers to propagate and *implement* that new number throughout their customer base.

II. It is Because that the Telex Numbers CANNOT be Ported to a New Carrier That the Commission Delay the Discontinuance of Services Until August 1st, 2008.

For the reasons that MCI/Verizon noted in their reply, Mr. Garrett agrees that without complete take-over of the MCI/Verizon telex switch by another carrier, the telex numbers cannot be ported. Mr. Garrett's conclusions on the portability of telex numbers came from his experience of telex number porting in Aruba whereby the state owned communications system was outsourced to a private contractor and the telex numbers were ported to a new contractor; however, this was accomplished because the new telecommunications service provider was allowed to take over the entire telex-switch that was formerly government owned. This is not the case here. Mr. Garrett also investigated the number portability regime and found that as a general rule, telex numbers could not be ported. However, it is the very problem in porting that lends even more support to the argument that the discontinuance of services be delayed until August 1st, 2008. Had the numbers been able to be ported to a new carrier, discontinuance could occur on March 1st, 2008, without significant customer impact as no new telex number would need to be propagated and implemented throughout a customer's base. However, since the numbers cannot be ported and as the issue concerns end customer and user notification AND implementation of the new telex number within a customer's base (as noted in Argument I

above), the Commission is requested to delay discontinuance of telex services until August 1st, 2008.

CONCLUSION

For the foregoing reasons, Verizon's proposed discontinuance will impair the public convenience or necessity; specifically the ability of the end customer to not merely notify, but to also propagate and implement the new telex number. Accordingly, the Commission should not authorize Verizon to discontinue providing telex service until August 1st, 2008.

Respectfully submitted,

Roy Patrick Norris for
Phil Garrett

Phil Garrett
13146 Barryknoll Lane
Houston, TX 77079

February 18, 2008