Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20054

In the Matter of	)	
	)	
	)	
Local Number Portability Porting	)	**WC Docket No. 07-244**
Interval and Validation Requirements	)	
	)	

COMMENTS OF THE

INDEPENDENT TELEPHONE & TELECOMMUNICATIONS ALLIANCE

To the Commission:

The Independent Telephone and Telecommunications Alliance (ITTA) files these comments in response to the Notice of Proposed Rulemaking issued by the Commission in the above-captioned docket.[1] ITTA members are mid-size local exchange carriers that provide a broad range of high-quality wireline and wireless voice, data, Internet, and video telecommunications services to 25 million customers in 44 states, with members ranging in size from those serving 60,000 access lines to those serving millions of lines. The proposed shortened porting interval affects various carriers differently. Therefore, ITTA urges the Commission to ensure that if a decrease in the porting interval is ordered, then an exemption be provided to carriers for whom a decrease in the porting interval from four days to 48-hours would impose unnecessary financial hardship and administrative burdens, with no increased benefit.

Section 52.26(a) of the FCC's rules codifies and incorporates by reference the April 25, 1997, North American Numbering Council (NANC) Local Number Portability Administration Selection Working Group Report (Report) and its appendices. The

[1] *Notice of Proposed Rulemaking*, FCC 07-188 (rel. Nov. 8, 2007).

Report describe the various parameters and guidelines adopted by the NANC through a collaborative process in which industry representatives pooled their expertise to determine appropriate LNP intervals that were technically feasible and consistent with Congressional internet that LNP be realized. Appendix A of the Report describes "LNP Provisioning Flows Issue," and is the basis of the current four-day interval,[2] which strikes a reasoned balance and should accordingly be enforced with regard to all carriers, including competitive LECs, that are subject to the requirement.[3]

In November 2003, the Commission asked the NANC to investigate methods for reducing the intermodal porting interval. The Intermodal Porting Interval Issue Management Group[4] (IMG) was established for that purpose and issued a report of its findings on May 3, 2004. The group included a broad spectrum of industry representatives and, after working through various alternatives, recommended a cost effective solution that reduced the porting interval to 53 hours. The group reported that this improvement could be achieved with a total industry price tag of less than $100 million. At the same time, the report showed that the cost of reducing the intermodal porting interval just four more hours, to 49 hours, was in the range of $650 million to more than $1 billion; the price of achieving an additional gain to the 48-hour target is likely to be similarly high

The Commission now states that it has "tentatively conclude[d]" that the porting interval should be reduced to 48 hours.[5] While some carriers with mechanized processes

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[2] Report at A-2, A-3 (http://www.fcc.gov/wcb/cpd/Nanc/toreport.doc (last viewed Mar. 18, 2008 16:03)).

[3] *See* 47 CFR § 52.21(h).

[4] See NANC Report and Recommendation on Intermodal Porting Intervals, May 3, 2004 (IMG Report).

[5] NPRM at para. 63.

may be able to achieve this standard, shortening the interval would impose undue costs upon companies that would be required to either boost staffing levels, implement system upgrades, or both.

Although some ITTA members serve large metropolitan areas, many of the lines served by ITTA members are located in rural regions. The porting capabilities of ITTA members also vary: some carriers employ greater automation for taking and processing LNP Local Service Requests (LSRs) than others. Many ITTA small operating companies process LSRs without an integrated order platform. In the normal and ordinary course of business, the number of ports requested does not justify the implementation of expensive electronic interfaces or mechanized functions. Instead, the current manual process allows for porting requests to be handled efficiently and economically. A manual port can require numerous steps, including: passing the service order from the “requesting” carrier to the “providing” carrier; physical examination of the service order to ascertain the nature of order; delivery of the order to personnel who can make the change; and, a physical change in the switch. Reducing the porting interval to 48-hours could compel carriers to introduce costly upgrades, particularly through possibly requiring creation of otherwise unnecessary electronic order processing platforms.

Moreover, reduction of the porting interval to 48-hours would serve relatively little purpose with regard to wireline to wireline LNP because the typical wireline porting request is for several days, if not multiple weeks, from the date that the LNP request is submitted due to competitors’ truck roll schedules. Thus, establishment of processes for a 48-hour LNP interval would be solely for the benefit of wireline to wireless porting. Given the particularly low number of wireline to wireless LNP requests that certain of

ITTA members receive, it does not appear reasonable to expect those wireline carriers to undergo the expense related to meet an obligation on which those carriers are infrequently called to fulfill.

From a business perspective, implementation of expensive and infrequently used systems would run counter to good business practices that dictate efficiency in operations. By way of example, the retail industry recognizes that certain seasonal shopping periods demand “more hands on deck.” Accordingly, rather than over-staff stores throughout the year, retailers accommodate larger crowds by hiring seasonal help. The retail industry is capable of making those adjustments because of the predictive nature inherent in seasonal shopping. A retailer, however, would be imprudent if it endured seasonal expenses year-round. Similarly, it would be imprudent for a telephone company that does not have sufficient porting requests on an ongoing basis to justify implementation of either mechanized systems or staffing levels necessary to meet 48-hour port intervals. The Commission’s tentative conclusion must not impose inadvertently disproportionate expense on carriers that are typically called upon to respond to few port requests.

At a time when carriers are focusing attention on increasing efficiency to better meet consumer demands, the proposition of incurring larger operational costs to meet occasional demand runs contrary to prudent business practices. Moreover, the commitment of resources toward greater porting obligations risks reductions in other necessary network upgrades needed to provide broadband and other advanced telecommunications services which consumers in rural America demand. Accordingly, ITTA recommends that if a decrease in porting interval requirements is adopted, an exemption, as described above, should be included.

Respectfully submitted,

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