

**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

COMMENTS OF COMCAST CORPORATION

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COMMENTS OF COMCAST CORPORATION

Comcast Corporation (“Comcast”) and its affiliates hereby submit these comments in response to the Notice of Proposed Rulemaking (“*Notice*”) released by the Federal Communications Commission in the above-captioned proceeding.¹

¹ *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 (2007). As used herein, the term “*Order*” shall refer to the Report and Order, Declaratory Ruling, and Order on Remand, and the term “*Notice*” shall refer to the Notice of Proposed Rulemaking.

I. INTRODUCTION AND SUMMARY

As Congress and the Commission repeatedly have recognized, vigorous competition in the provision of voice service requires that consumers be able to port their telephone numbers between competing providers quickly, easily and reliably.² The number porting process is especially critical to new entrants in the provision of voice service, like Comcast, that must build their customer base by convincing existing customers of other providers, principally those of incumbent local exchange carriers (“ILECs”), to subscribe to the new entrants’ offerings. If a customer changing to a new provider currently has a ten-digit North American Numbering Plan telephone number and wishes to keep that number, it must be ported from the customer’s existing provider to the new provider before the latter can activate its voice service for that customer. To attract and retain new customers, new entrants must be able to provide a feature rich voice service at a competitive price, but also the prompt, seamless transfer of telephone numbers from the incumbent to the new providers.

In Comcast’s experience, however, the efficient porting of telephone numbers too often remains an aspiration, rather than a reality. As the Commission has recognized, porting-out carriers have a strong incentive to obstruct or delay the porting process, and have routinely imposed a range of burdensome conditions precedent to the porting of

² See, e.g., 47 U.S.C. § 251(b)(2) (requiring local exchange carriers to provide number portability); *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352, ¶ 2 (1996) (“Number portability is one of the obligations that Congress imposed on all local exchange carriers, both incumbents and new entrants, in order to promote the pro-competitive, deregulatory markets it envisioned. Congress has recognized that number portability will lower barriers to entry and promote competition in the local exchange marketplace.”); Senate Comm. on Commerce, Science, and Transportation Report on S. 652 at 19-20 (Mar. 30, 1995) (recognizing LNP as one of the “minimum requirements [that] are necessary for opening the local exchange market to competition”).

numbers.³ The Commission in its recent *Order* adopted needed reforms to the local number porting (“LNP”) process, including a requirement that validation for simple ports may require no more than four fields.⁴ In the companion *Notice*, the Commission also sought comment on whether it should adopt any additional rules to streamline or otherwise improve the LNP process, including rules specifying the length of the porting intervals.⁵

As explained below, additional reforms are in fact urgently needed. In particular, the Commission should adopt the following measures:

- Clarify that all porting requirements adopted by the Commission apply without exception to interconnected voice providers, including competitive local exchange carriers (“CLECs”);
- Require next-day number porting for carriers that have implemented electronic-bonding solutions;
- Establish a two-day porting interval for providers that are not electronically bonded, and adopt a schedule for gradually reducing the interval for manually-processed port requests from two days to next-day within two years;
- Make clear that porting-out providers may not require porting-in providers to submit CPNI passwords;
- Make clear that porting-out providers may not reject valid port requests based on their business practices or asserted limits on their operations support systems;
- Make clear that porting-out providers may not delay the porting process by requiring the porting-in carrier to provide a physical copy of evidence of the subscriber’s authorization or a blanket letter of agency (“LOA”); and
- Take steps to ensure that customers do not lose voice service, including access to 911 or E911, during the porting process.

³ *Order* ¶ 42.

⁴ *Id.* ¶ 48.

⁵ *Id.* ¶ 4; *Notice* ¶ 66 (seeking comment on “any other concerns” regarding the LNP process).

Adopting these reforms will ensure that consumers are consistently able to enjoy an efficient number porting process that facilitates, rather than thwarts, local voice competition.

II. ARGUMENT

The Commission must ensure that the number porting process permits consumers quickly and seamlessly to switch service providers. As the Commission has recognized, it is “critical that customers be able to port their telephone numbers in an efficient manner in order for LNP to fulfill its promise of giving ‘customers flexibility in the quality, price, and variety of telecommunications services.’”⁶ Clearly, consumers benefit directly from expeditious porting because it enables them to change voice providers quickly and efficiently. The current standard interval of four days was developed over ten years ago, long before technological and marketplace changes made speedier porting feasible and consumer expectations were shaped by their ability to port their numbers to a new wireless carrier within hours. Moreover, in many instances, the process of porting a number between wireline voice providers requires more than four days because of intervening weekends.

The Commission’s recent *Order* adopted overdue reforms to the current number porting process, particularly a requirement that LNP validation for simple ports may require no more than four fields: (1) 10-digit telephone number; (2) customer account number; (3) 5-digit zip code; and (4) pass code (if applicable).⁷ As discussed below,

⁶ *Order* ¶ 54.

⁷ *Id.* ¶ 48.

however, additional reforms are needed to protect the number porting process for simple ports against other potential and existing abuses.

As a threshold matter, the FCC should clarify that its existing and any newly adopted porting requirements, including maximum intervals, apply to all interconnected voice providers, including CLEC voice providers.⁸ As a porting-in provider, Comcast has repeatedly encountered competitive LECs that claim not to be bound by the Commission's established porting requirements. In such situations, customers are often forced to endure unreasonable delays before their numbers are ported, in many cases well beyond the four-day interval. The Commission should make clear that, because its porting rules apply without exception to all interconnected providers, such delaying tactics violate those obligations.

A. The FCC Should Require Next-Day Number Porting for Providers that Have Implemented Electronic Bonding Solutions

A number of voice providers have implemented electronic bonding ("e-bonding") solutions that provide a near real-time electronic interface between the operations support systems of the porting-in and porting-out providers.⁹ Because these solutions enable the

⁸ See 47 C.F.R. § 52.23 (requiring "all local exchange carriers" to provide number porting in compliance with prescribed performance criteria); *id.* § 52.21 (defining "local exchange carrier" as "any person that is engaged in the provisioning of telephone exchange service or exchange access").

⁹ Currently, Verizon, AT&T, and Qwest offer e-bonding solutions, including Electronic Data Interchange ("EDI") and eXtensible Markup Language ("XML") gateways. The computer-to-computer interface established by e-bonding is distinct from a graphical user interface ("GUI"), which exists between a computer and a user. See *SWE-DISH Satellite Communications, Inc.; Application for Authority to Operate a Single Temporary-Fixed Earth Station in the Ku-Band Fixed-Satellite Service*, Order and Authorization, 19 FCC Rcd 16314, ¶ 6 n.19 (IB 2004), citing *Newton's Telecom Dictionary*, CMP Books (18th Ed. 2002) (a GUI is between a computer and a user,

essentially automatic exchange of porting-related information between the providers, they allow the companies involved to process porting requests much more quickly than manual arrangements. For example, when porting requests are submitted via an e-bonded solution, the fields in the request are automatically populated and electronic exchange of order information occurs without the need for human intervention or processing. As a result, providers with e-bonding solutions can process porting requests much more quickly than the four-day interval permitted under the FCC's current rules, which was adopted more than ten years ago.¹⁰

This conclusion is supported by empirical data. Comcast recently reviewed a sample of more than 375,000 simple porting requests that were executed between Comcast and established e-bonded carriers between October 2007 and February 2008. In more than 82 percent of the instances sampled, the provider receiving the port request within their standard business hours validated the request and then issued a firm order confirmation ("FOC") within less than two hours of receipt. Upon receipt of a FOC, Comcast sent a "create subscription" message to the Number Portability Administration Center ("NPAC"); the former service provider receiving the port had already sent a "create" concurrence message to NPAC. In 95 percent of the instances sampled, both of these steps (the "create" and "concurrence" messages) occurred within fifteen minutes of FOC issuance. At that point, the only significant remaining step prior to activating the transfer of the phone number to the new service provider in the porting process is the assignment of the unconditional ten-digit trigger by the former service provider. The

substitutes graphics for characters, and usually works with a mouse or a trackball). Thus, although e-bonding solutions may incorporate GUIs, the two are not the same.

¹⁰ See Notice ¶ 61.

unconditional ten-digit trigger allows the ported number to reside concurrently in the switches of both the new and former service providers to ensure that calls to the customer's ported number are completed properly during the remainder of the porting process.¹¹ In Comcast's view, porting-out carriers generally process the files needed to assign the requisite ten-digit triggers for FOCs issued during the day in a "batch file," typically on a nightly basis or in near-real time. Regardless of the particular method employed, upon issuance of the FOC and the "concurrence," a porting-out carrier with an e-bonding solution is able to set the unconditional ten-digit trigger so that it will be in place prior to the following business day, thus accommodating a next-day port request.

The results of Comcast's analysis confirm that a provider with e-bonding capability can easily complete simple number ports by the next business day, as Comcast proposed previously in this proceeding. Under Comcast's proposal, such providers would comply with the following porting intervals: (i) a port request received between 7 a.m. and 3 p.m. local time on Day 1 could be activated on the next day at 12:01 a.m. (or later as requested by the customer); and (ii) a port request received after 3 p.m. local time on Day 1 could be activated after 12:01 a.m. on Day 3.¹² Comcast's "next day" standard would require only one simple modification to the systems that voice providers currently

¹¹ An unconditional ten-digit trigger is a software translation that forces the porting-out switch to query the LNP database for any new routing instructions each time a call is made to the ported number. Setting the trigger allows calls to connect to the newly ported number without requiring the simultaneous disconnect of the number from the porting-out provider's switch. See North American Numbering Council ("NANC"), Intermodal Porting Interval Issue Management Group, *NANC Report and Recommendation on Intermodal Porting Intervals* (May 3, 2004), attached to Letter from Robert C. Atkinson, NANC Chair, to William Maher, FCC, CC Docket No. 95-116, at 7 (May 3, 2004, filed May 7, 2004) ("NANC Report"), also found at 2004 FCC LEXIS 5392 at *9-10.

¹² Comcast Comments, CC Docket No. 95-116, at 9 (Feb. 8, 2007).

use for porting numbers. Specifically, carriers with e-bonding capability would have to reset the business rule governing “Due Date Interval Validation” from the existing four-day porting interval to a minimum next day porting interval.

Today, the vast majority of Comcast’s new subscribers who choose to retain their existing number are ported to Comcast through e-bonding arrangements. Adopting Comcast’s next day porting interval, thus, would accelerate the porting process for thousands of consumers across the country and intensify competition among providers of voice service.¹³

B. For Providers that Are Not Electronically Bonded, the FCC Should Adopt Its Tentative Conclusion to Set a Two-Day Porting Interval

The Commission also can and should reduce the maximum interval for simple ports between voice providers that are not electronically bonded. For such ports, the Commission should adopt, as an initial step, its tentative conclusion to establish a two-day interval for wireline-to-wireline and wireline-to-wireless simple port requests.¹⁴

The current four-day interval was established over ten years ago, at the beginning of the local competition era. Since then, systems, processes and the competitive marketplace have changed substantially. The wireless industry has been successful in streamlining the process for wireless-to-wireless porting, and adheres to a voluntary porting interval of only two and one-half hours. This short timeframe has in turn shaped customer expectations about how quickly wireline ports should occur. Industry evaluations further have confirmed that similar streamlining measures would work for

¹³ As a practical matter, a next day porting interval would also limit the opportunity for anti-competitive activities by the porting out provider.

¹⁴ *Notice* ¶ 63.

wireline-to-wireline and wireline-to-wireless porting. In 2004, for example, NANC concluded that the four-day wireline porting interval could easily be cut nearly in half, to 53 hours, at a relatively modest expense.¹⁵ The additional changes recently adopted by the Commission, including in particular the four-field limit on validation data, coupled with recent technological advances, should make it even easier for carriers to comply with the proposed two-day interval.

Nor is Comcast aware of any technical limitation that would prevent non-electronically bonded providers from processing simple ports within two days. Indeed, providers in other countries already are doing so. Almost five years ago, the Canadian Radio-Television and Telecommunications Commission (CRTC) prescribed a two-day porting interval for voice providers that use a database similar to the NPAC.¹⁶ In so ruling, the CRTC concluded that “number porting is a fairly simple operation,” and directed that “the service interval for the provision of all stand-alone ports be two days.”¹⁷ Moreover, since July 2004, Comcast itself voluntarily has offered, and if requested, has processed porting-out requests from any provider by the next day after receipt of a valid LSR if submitted by 3:00 p.m. Mountain Time during a business day. Comcast processes these requests manually via a GUI.

In sum, there is no technical or policy concern that should deter the Commission from imposing a two-day porting interval for a simple port between non-electronically bonded carriers. In addition, the Commission should adopt a schedule for gradually

¹⁵ See NANC Report at 4.

¹⁶ See *Incumbent Local Exchange Carrier Service Intervals For Various Competitor Services*, Telecom Decision CRTC 2003-48, ¶¶ 33-34 (July 18, 2003), located at: <http://www.crtc.gc.ca/archive/ENG/Decisions/2003/dt2003-48.htm>.

¹⁷ *Id.*

reducing the interval for manually-processed port requests from two days to next-day within two years.

C. The Commission Should Modify or Clarify Three Aspects of Its Rules Governing LNP Validation for Simple Ports

In the *Order*, the Commission stated that it had been “persuaded by the record that burdensome porting-related procedures play a role in the difficulties providers experience when seeking to fulfill customers’ desire to port their numbers, particularly given the incentives that providers have to obstruct the porting process.”¹⁸ The Commission sought to constrain providers’ ability to engage in any such obstruction by mandating that carriers may require no more than four fields for validation of a simple port. Since this requirement by itself might not be sufficient to eliminate the delays caused by onerous processing requirements, the Commission also sought comment “on any other considerations that the Commission should evaluate in the simple port validation process.”¹⁹

Comcast has identified three additional measures that the Commission should implement to facilitate the prompt and efficient porting of numbers. Adopting these recommendations will further minimize the extent to which porting-out providers can use the validation process to delay and obstruct the process for simple ports.²⁰

¹⁸ *Order* ¶ 42 (citations omitted).

¹⁹ *Notice* ¶ 56.

²⁰ The Commission may address these concerns by modifying or clarifying its existing rules.

1. The FCC Should Make Clear that Porting-Out Providers May Not Require Porting-In Providers to Submit CPNI Passwords

As noted above, the Commission has concluded that LNP validation for simple ports may require no more than four fields, including a pass code, “if applicable.”²¹ The Commission should make clear that the only instance in which disclosure of a pass code may be required by a porting-out provider is when the requested port involves a wireless telephone number and the wireless customer has password-protected at least one of the other three validation fields associated with that number. In all other instances, the Commission should specify that voice providers submitting port requests may not be required to furnish any pass code, including a customer’s CPNI password, to complete the “pass code” field.

In their petition urging the Commission to adopt no more than four validation fields, Sprint Nextel and T-Mobile identified the “pass code” field as an *optional* data field.²² That designation was appropriate because a wireless customer has the option to “password protect” his or her entire account from unauthorized access.²³ Accordingly, in some instances in which a port has been requested for a wireless telephone number, the porting-out provider will need to receive the customer’s password in order to validate one or more of the other three validation fields – *i.e.*, the 10-digit telephone number, customer account number, and 5-digit zip code. For such ports, it makes sense to require a porting-in provider to supply a pass code as part of the porting validation process.

²¹ *Order* ¶ 48.

²² *See* Sprint/T-Mobile Petition for Declaratory Ruling, CC Docket No. 95-116, at 7 (Dec. 20, 2006).

²³ The wireless industry uses a password to protect a customer’s entire account and such password is not a CPNI password or PIN.

Absent a Commission statement, however, Comcast is concerned that a porting-out carrier may try to use the presence of the optional “pass code” field to delay ports by requiring a porting-in provider to include a subscriber’s CPNI password with each port request even when the customer involved has not password protected information needed for the three validation fields. Permitting porting-out carriers to require disclosure of a wireline customer’s CPNI security PIN would add a totally unnecessary pre-condition to the execution of a simple port and needlessly delay the process. Wireline customers undoubtedly would be confused and concerned by a request that they disclose their CPNI PINs since none of the information protected by their passwords would be needed to execute the port of their numbers to a new provider.²⁴ The inevitable result of permitting providers to require the disclosure of a customer’s password when it is not needed to execute a simple port would be delay and the likely loss by the porting-in provider of customers who are unable or unwilling to disclose their CPNI passwords. Moreover, the porting-out carrier could use the failure to include a password as an excuse to contact the customer and, during that call, engage in illegal customer retention activities.²⁵

²⁴ See *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information*, Report and Order and Further Notice of Proposed Rulemaking, 22 FCC Rcd 6927, ¶ 13 (2007) (“2007 CPNI Order”).

²⁵ See, e.g., *Policies and Rules Concerning Unauthorized Changes of Customers’ Long Distance Carriers*, Second Report and Order, 14 FCC Rcd 1508, ¶ 106 (1998); *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information*, Order on Reconsideration and Petitions for Forbearance, 14 FCC Rcd 14409, ¶¶ 77-78 (1999).

There is no sound legal or policy basis for permitting porting-out providers to require completion of the pass code field as a pre-condition to executing a simple port.²⁶ Since the Sprint/T-Mobile Petition was filed, the FCC has adopted mandatory password protection requirements in only two limited situations: (i) before a customer may access call detail information during a customer-initiated telephone call; and (ii) before a customer may access his or her telephone account online.²⁷ These CPNI password requirements were adopted to prevent unauthorized access to consumer call detail records by unauthorized third-party individuals.²⁸ Porting a phone number, however, is a carrier-to-carrier process that does not involve access to a subscriber's call detail records.

In short, the FCC should clarify that porting-out carriers may not require the disclosure of CPNI passwords as a condition precedent to executing simple port requests. Requests for passwords should be limited to instances when the requested port involves a wireless telephone number and the wireless customer has password-protected at least one of the other three validation fields associated with that number.

²⁶ Privacy concerns have previously prompted authorities to advise against allowing providers to require submission of a customer's sensitive information as a prerequisite to validating a port. In May 2005, the NANC endorsed the Local Number Portability Administration Working Group ("LNPA WG") position that a Social Security Number cannot be required to port a telephone number if an Account Number is provided on the LSR form. Although this position was taken primarily in the context of wireless ports, it was formulated due to concerns about identity theft. North American Numbering Council Meeting Minutes, 2005 FCC LEXIS 7140 at *26 (May 17, 2005) (endorsing the position of the LNPA WG that the consumer's Social Security Number/Tax Identification Number shall not be required to port that consumer's telephone number if the consumer's Account Number associated with the Old Local Service Provider is provided for identification).

²⁷ *2007 CPNI Order*, 22 FCC Rcd 6927, ¶¶ 13, 20.

²⁸ *Id.* ¶ 14.

2. The FCC Should Make Clear that Porting-Out Providers May Not Reject Valid Port Requests Based on Their Business Practices or Operations Support System Processes

The Commission should make clear that incumbent carriers may not rely on business practices included in their unilaterally determined service guides or other documents to avoid compliance with the new LNP validation rules. For example, the Commission should not permit carriers to rely on pre-existing business procedures to continue to require porting-in carrier to provide information that is not mandated by the FCC's new LNP validation rules. Some ILECs, for example, produce service guides, which they provide to interconnecting carriers, or they post their porting rules on web sites. In many instances, the guides can be unilaterally modified at the discretion of the ILECs. Other carriers require circuit IDs or other carrier-specific information to be included in the LSR. Because submitting carriers typically do not have direct access to this kind of information, they must delay their acquisition of new customers until they can obtain that information.²⁹ Moreover, in any event, there is no basis for permitting porting-out carriers to expand the validation fields beyond the four identified by the Commission in the *Order*. The Commission therefore should make clear that the absence of information in any field other than the four approved by the Commission should not be grounds for rejecting a port request.³⁰

The Commission also should make clear that porting-out carriers may not use alleged limitations in their operations support systems as a basis for rejecting a valid port request. For example, some carriers have designed their order processing systems to

²⁹ For instance, Comcast does not know other carriers' circuit IDs.

³⁰ See Comcast Opposition to the Petition for Clarification of One Communications Corp., WC Docket No. 07-243, *et al.*, at 2-3 (Feb .15, 2008).

reject a port request if the customer's account has been placed in "pending disconnection status" due to payment delinquency on the account, or if there is a pending work order on the customer's account. If a customer of such a carrier called to cancel his or her DSL service, the carrier's order processing system would create a pending disconnect order. If another voice service provider subsequently submitted a port request for a telephone number associated with that customer's account while the DSL disconnect order remained pending, the carrier's order processing system would reject the port request. The Commission should make clear that porting-out carriers may not reject valid port requests under such circumstances. Rather, they are obligated to make whatever remedial changes to their operations support systems are needed to prevent such unlawful rejections.

Further, other carriers have attempted to subvert the FCC's rules regarding accounts in pending disconnection status by including contrary business rules in their service guides. One service guide sent to Comcast on March 11, 2008 states:

Porting Temporary or Permanent Disconnected Telephone Numbers

Temporary Disconnect

Neither the Ringgold Telephone Company nor the New Service Provider will port temporarily disconnected telephone numbers until the account is paid in full and service has been reestablished.

Clearly, the FCC should take this opportunity to reiterate that carriers may not create their own rules to hinder or even prevent the porting process.

3. The FCC Should Make Clear that Porting-Out Providers May Not Require Porting-In Providers to Furnish a Physical Copy of an LOA or TPV, or a Blanket LOA

Under the Commission's slamming rules, a porting-in carrier must verify the subscriber's carrier change request using certain prescribed methods, including obtaining

a letter of agency (“LOA”) from the subscriber or the subscriber’s oral authorization pursuant to the FCC’s third party verification (“TPV”) procedures.³¹ In addition, section 64.1120(a) of the FCC’s rules prohibits a porting-out carrier from independently attempting to verify the port request, and directs that carrier to ensure “prompt execution” of a verified port request, “without any unreasonable delay.”³² Notwithstanding these provisions, some porting-out carriers have delayed the porting process by refusing to issue a FOC for a port request, or refusing to return the subscriber’s CSR information, until the porting-in carrier has provided the porting-out carrier physical evidence of the subscriber’s authorization of the change, such as a copy of an LOA or TPV.³³

Both the LNPA WG and NANC have adopted a position that issuance of a FOC, or return of requested customer information (*e.g.*, CSR), may not be predicated on the porting-out provider obtaining a physical copy of evidence of a subscriber’s authorization

³¹ 47 C.F.R. §§ 64.1120, 64.1130.

³² 47 C.F.R. § 64.1120(a)(2) (“An executing carrier shall not verify the submission of a change in a subscriber’s selection of a provider of telecommunications service received from a submitting carrier. For an executing carrier, compliance with the procedures described in this part shall be defined as prompt execution, without any unreasonable delay, of changes that have been verified by a submitting carrier.”); *see also Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996*, Declaratory Ruling, 20 FCC Rcd 10599, ¶ 5 (2005) (“[A]n executing carrier’s rejection of carrier change submissions by a submitting carrier, based on the executing carrier’s own conclusion that the customer contacted by the submitting carrier was not authorized to make a long distance carrier change, violates section 64.1120(a)(2) of the Commission’s rules.”).

³³ *See* North American Numbering Council Meeting Minutes, 2005 FCC LEXIS 7124, at *19-20 (Nov. 30, 2005). For some ports, obtaining the CSR from the porting-out provider is necessary for the porting-in provider to obtain customer information to properly complete the LSR to begin the porting process. *Id.*

(whether an LOA or a TPV) from the porting-in provider.³⁴ The NANC also has requested that the Commission “take appropriate action” to support this position.³⁵ The time is ripe for the Commission to take concrete steps to support the NANC/LNPA WG position.

Just two months ago, the FCC clarified – for the third time – that an “executing” provider (the equivalent of a porting-out provider in the LNP context) is not permitted to take additional steps to re-verify a submitting carrier’s (the equivalent of a porting-in provider’s) initial verification of a subscriber’s carrier change request.³⁶ The Commission should similarly clarify that requiring the porting-in carrier to provide change order verification prior to processing a port request is a violation of the LNP rules.

Finally, the FCC also should make clear that its rules prohibit a porting-out provider from requiring a porting-in provider to furnish a “blanket LOA” to cover all ports. A blanket LOA is a document in which a porting-in carrier certifies that it will not submit to a porting-out carrier any port requests or requests for customer service information unless the porting-in carrier has first obtained authorization required by the FCC’s rules from the customer. In Comcast’s experience, both incumbent LECs and competitive LECs from time to time have insisted on receiving such a blanket LOA prior

³⁴ *Id.* at *20; Letter from Robert C. Atkinson, NANC Chair, to Thomas Navin, FCC (Jan. 5, 2006), *located at*: http://www.nanc-chair.org/docs/nowg/Jan06_Cover_Letter_-_Evidence_of_Authorization_Document.doc (“Atkinson Letter”).

³⁵ Atkinson Letter at 2.

³⁶ *Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996*, Order, 23 FCC Rcd 486, ¶ 5 (2008); Declaratory Ruling, 20 FCC Rcd 10599, ¶ 5 (2005); Third Order on Reconsideration and Second Further Notice of Proposed Rulemaking, 18 FCC Rcd 10997, ¶ 91 (2003); *see also* Second Report and Order, 14 FCC Rcd 1508, ¶ 98 (1998); 47 C.F.R. § 64.1120(a)(2).

to processing any port requests from Comcast. The primary effect of this practice is to delay the processing of the ports requested by Comcast.

Blanket LOAs serve no legal or useful policy purpose because Comcast and other voice providers are already bound by the FCC's slamming rules. The Commission should make clear that blanket LOAs are superfluous in the porting context, and that porting-out carriers may not require porting-in providers to submit those documents as a precondition to porting the number or providing customer service information requested by Comcast as part of the porting process.

D. The Commission Should Take Steps to Ensure that Consumers Do Not Lose Service, Including Access to 911/E911, During the Porting Process

As noted above, the unconditional ten-digit trigger is assigned on the porting-out switch during the transition period when the number is physically moved to the switch of the porting-in carrier. This safeguard provides for incoming call routing between switches during the porting process and is increasingly important for new technologies that require the service provider to enter the customer premises to complete an installation. If the telephone number is removed from the porting-out carrier's switch before the installation occurs with the new carrier, then service will be lost, including access to 911. To prevent subscribers from being inconvenienced and endangered in this manner, the Commission should require all carriers not to remove the existing customer's service translations for their serving switch until verification is received from NPAC that the new service provider has activated the pending port request.

III. CONCLUSION

For the foregoing reasons, the Commission should adopt additional reforms to the local number porting process, as described herein.

Respectfully submitted,

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Certificate of Service

I hereby certify that on this 24th day of March, 2008, true and correct copies of the foregoing Comments of Comcast Corporation were mailed by electronic mail to:

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