

**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
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200

**REPLY COMMENTS OF THE  
NATIONAL TELECOMMUNICATIONS COOPERATIVE ASSOCIATION**

The National Telecommunications Cooperative Association (NTCA) hereby submits reply comments in response to the November 8, 2007, Notice of Proposed Rulemaking (NPRM) regarding local number portability and its accompanying initial regulatory flexibility analysis.<sup>1</sup> Due to the inherent complexity of the porting process and the differences between and among wireline and wireless carriers, NTCA supports those commenters who urge the Commission to reject the proposed 48-hour porting interval requirement.

NTCA is a national association representing the interests of more than 580 rural independent telecommunications providers. All of NTCA's members are rural incumbent local exchange carriers (ILECs), but the vast majority also provides wireless,

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<sup>1</sup> Telephone Number Requirements for IP-Enabled Service Providers, *Report and Order, Declaratory Ruling, Order on Remand, and Notice of Proposed Rulemaking*, 22 FCC Rcd 19531 (2007).

video, and broadband service to their rural communities. NTCA has several ILEC members who serve fewer than 1,000 access lines and have less than half of a dozen full-time employees. Any regulatory mandate that requires significant or immediate changes to procedures will strain the resources of these small companies.

As the Alliance for Telecommunications Industry Solutions (ATIS) points out in its comments, service migration is a complex process involving the integration of different procedures between multiple service providers.<sup>2</sup> ATIS describes the inherent problems of trying to rush a port when providers use different processes.<sup>3</sup> Further complicating the issue for small carriers is the fact that unlike large carriers, many rely on manual procedures to process number ports in and out of the company. The porting process consists of many tasks and carriers legitimately need time to verify, validate, confirm and complete a port.

The current porting intervals are efficient and manageable. Mandating a shorter timeframe would require an expensive automated porting system and/or the devotion and commitment of substantial personnel. There is scant evidence of consumer complaints about the porting interval and any perceived benefit of a shorter time frame is far outweighed by what would be substantial capital expenditures by small and rural carriers.

Assuming *arguendo* the Commission does reduce the porting intervals, it must recognize the differing resources and capabilities of small carriers. Small carriers simply lack the resources necessary to port numbers in such a short time frame. NTCA submits that small carriers that meet the definition of a “small business,” as that term is defined

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<sup>2</sup> See Comments of ATIS, p. 5 (filed March 24, 2008).

<sup>3</sup> ATIS explains that wireline providers may use the customer’s service address to accomplish a port while a wireless carrier uses the customer’s billing address. Differences like these mean that there can be no single set of fields that can be established for all porting. See, Comments of ATIS, p. 5.

by the Small Business Administration, should be permitted to continue to port numbers according to the current guidelines. The overall impact on the market would be minimal, as small wireline carriers serve only 2% of this country's customers and any perceived inconvenience to consumers would be inconsequential as ports would still be accomplished in a timely manner. If the Commission rejects arguments to exempt small companies from a shorter porting requirement, it should work with small carrier representatives to develop a transition period and reasonable time frame for small carriers to upgrade their systems and procedures. There should also be an automatic waiver provision for the smallest carriers for whom a shortened time frame would be unduly burdensome.

### **Conclusion**

For the above state reasons, the Commission should reject its proposed 48-hour porting interval, or in the alternative, exempt rural ILECs who meet the definition of a "small business" from the requirement.

Respectfully submitted,

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April 21, 2008

## CERTIFICATE OF SERVICE

I, Adrienne L. Rolls, certify that a copy of the foregoing Reply Comments of the National Telecommunications Cooperative Association in WC 07-243, WC 07-244, WC 04-36, CC 95-116, and CC 99-200, FCC 07-188, was served on this 21<sup>st</sup> day of April 2008 via electronic mail to the following persons:

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