July 17, 2008

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
12th Street Lobby, TW-A325
Washington, D.C. 20554

Re: Written *Ex Parte*
WC Docket No. 07-244 and CC Docket No. 95-116

Dear Ms. Dortch:

The Commission has made great strides in promoting intermodal competition through the local number portability process. The purpose of LNP is to facilitate competition, both intermodally and intramodally, by giving consumers the ability to retain their phone number when switching telecommunications service providers. CTIA believes the Commission can continue to promote intermodal competition for telecommunications services by adopting rules that reduce the interval for simple intermodal ports.

CTIA supports calls for a shortened porting interval for simple intermodal ports. Currently, wireline-to-wireless simple ports are allowed four (4) business days before completion must occur. This timeframe was adopted as an *interim* solution and has been in place for over a decade.[1] Since then, advances in billing systems and other technology have made such a lengthy timeframe excessive. Such excessive porting intervals now function as a barrier to competition as consumers, frustrated by their attempts to port their phone number to a new carrier, may be inclined to "give up" their attempts to switch providers. The end result is an incentive to delay number porting in the hopes that customers will decide to stay.

In the wireless industry, carriers have recognized the need for a quick and easy process to facilitate consumer choice. Wireless carriers have voluntarily adopted a two and one half-hour (2.5 hour) porting interval for simple wireless ports. A wireless customer switching carriers can go into a retail store in the morning, place a request for service, and by that afternoon receive a call – on their existing wireless number – as a customer on their new carrier's network. CTIA likewise urges the

[1] *See Intermodal Number Porting Interval Second Further Notice*, 19 FCC Rcd 18515, ¶¶ 2, 10 (2004); *see also Intermodal Number Portability Order*, 18 FCC Rcd 23697, 23712-13, ¶ 38 (2003).

Commission to require that wireline carriers satisfy a shorter timeframe for simple intermodal port requests.[2] This change has broad support.[3]

Contrary to claims raised by the rural LEC community, there is no reason to have extended porting intervals. First, there is no technical reason that simple intermodal port requests cannot be completed in a shorter timeframe. The process to complete a simple intermodal port is no more onerous than a simple wireless-to-wireless port. The wireline carrier simply stops billing their (now former) customer and confirms the port request with the regional Number Portability Administration Center ("NPAC"). The NPAC details this process on its website.[4] Claims by rural LECs and their associations that switch visits and other time-consuming measures are necessary to complete a simple port are simply not true – particularly in light of the Commission's decision to limit the information needed for simple port requests to the "four fields."[5]

Second, claims that implementation of a shorter porting interval will impose financial burdens and slow development of broadband buildout plans ignore that the Commission's rules permit the recovery of these costs over a five year period that will minimize any hardship.[6] The Commission has consistently held that intermodal number portability is an important part of competition in the telecommunications arena.[7] As such, the Commission should continue this pro-competition policy and reduce the permitted interval for simple intermodal ports.

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[2] *See* Reply Comments of AT&T, WC Docket No. 07-244, at 2-5 (filed Apr. 21, 2008); Comments of Sprint Nextel Corp., WC Docket No. 07-244, at 22-31 (filed Mar. 24, 2008); Reply Comments of T-Mobile USA, WC Docket No. 07-244, at 3-8 (filed Apr. 21, 2008).

[3] *See, e.g.*, Letter from Senators Daniel Inouye and Ted Stevens, U.S. Senate to Chairman Kevin Martin, FCC dated July 8, 2008; *see also* Letter from Representative Anna Eshoo, *et al.*, U.S. House of Representatives to Chairman Kevin Martin, FCC dated June 20, 2008.

[4] *See* "Frequently Asked Questions", Number Portability Administration Center *available at* http://www.npac.com/cmas/faq.shtml (last accessed July 14, 2008).

[5] Telephone Number Portability, Local Number Portability Porting Interval and Validation Requirements, CTIA Petitions for Declaratory Ruling on Wireline-Wireless Porting Issues, *Report and Order, Declaratory Ruling, Order on Remand and Further Notice of Proposed Rulemaking*, 22 FCC Rcd 19531, 19532 ¶ 2 (2007).

[6] *See* 47 C.F.R. § 52.33.

[7] *See, e.g.* Telephone Number Portability, CC Docket No. 95-116, *First Report and Order and Further Notice of Proposed Rulemaking*, 11 FCC Rcd 8352, ¶ 155 (1996); *see also* Telephone Number Portability, CC Docket No. 95-116, *First Memorandum Opinion & Order on Reconsideration*, 12 FCC Rcd 7236, ¶ 135 (1997); Telephone Number Portability, CC Docket No. 95-116, *Third Report and Order*, 13 FCC Rcd 11701, ¶ 18 (1998).

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being electronically filed with your office. If you have any questions regarding this submission, please contact the undersigned.

Sincerely,

/s/ Paul Garnett

Paul Garnett

cc: Amy Bender
Scott Bergmann
Scott Deutchman
Greg Orlando
John Hunter
Dana Shaffer
Julie Veach
Ann Stevens
Melissa Kirkel
Randy Clarke