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May 6, 2009

**Via ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Notice of Written *Ex Parte* Presentation  
Local Number Portability Porting Internal and Validation  
Requirements -- WC Docket No. 07-244**

Dear Ms. Dortch:

On behalf of XO Communications, Inc., I am writing to urge the Commission, as it considers shortening the standard local number portability (“LNP”) interval, to ensure that the definition for “simple ports” continues to exclude ports that involve resellers.<sup>1</sup> The involvement of an unaffiliated reseller, or any other entity that maintains the relationship with the end user of the telephone number being ported, complicates the porting process and frequently requires additional communications between the relevant parties that can slow the porting process. As such, the measures being considered to shorten the porting interval for “simple ports” would not be appropriate for ports involving an unaffiliated reseller or other entity that maintains the relationship with the end user of the telephone number being ported.

<sup>1</sup> See *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, 22 FCC Rcd 19531, n.153 (2007) (explaining that “simple ports are those ports that: (1) do not involve unbundled network elements; (2) involve an account only for a single line; (3) do not include complex switch translations (e.g., Centrex, ISDN, AIN services, remote call forwarding, or multiple services on the loop); and (4) do not include a reseller.”) (emphasis added).

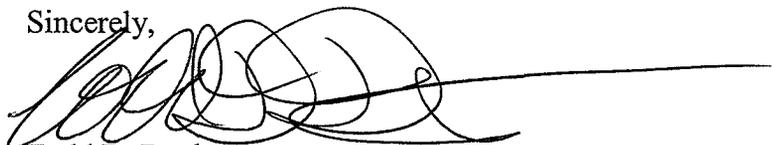
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The industry should continue exploring measures for improving the efficiency and speed with which both simple and complex ports are processed. However, the Commission should not subject ports involving unaffiliated resellers, or other entities that maintain the relationship with the end user of the number, to the same requirements that apply to simple ports as defined today.

As required by Section 1.1206(b), this *ex parte* notification is being filed electronically for inclusion in the public record of the above-referenced proceeding. Please contact me at (202) 342-8602, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd D. Daubert', with a long horizontal line extending to the right.

Todd D. Daubert  
*Counsel to XO Communications, Inc.*

cc (via email):      Acting Chairman Michael Copps  
                          Commissioner Jonathan Adelstein  
                          Commissioner Robert McDowell  
                          Jennifer Schneider  
                          Mark Stone  
                          Nicholas Alexander