

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Local Number Portability Porting Interval and Validation Requirements</b>	)	<b>WC Docket No. 07-244</b>
	)	
<b>Telephone Number Portability</b>	)	<b>CC Docket No. 95-116</b>

**COMMENTS OF T-MOBILE USA, INC.**

T-Mobile USA, Inc. (“T-Mobile”) hereby submits its comments on the Federal Communication Commission’s Further Notice of Proposed Rulemaking in the above-captioned dockets.<sup>1</sup>

**INTRODUCTION AND SUMMARY**

The Commission’s goal in implementing number portability was to promote consumer choice by allowing customers to change communications providers easily in a timely manner. The Commission and industry learned over time, however, that simply permitting consumers to retain telephone numbers when switching providers was not enough to break down barriers to competition. Delays by certain carriers in processing requests for number porting were in many cases so long and drawn out that frustrated consumers abandoned their efforts to switch carriers. While the wireless industry voluntarily implemented a two and a half hour porting interval for wireless-to-wireless ports, the wireline carriers were not able to achieve consensus on a voluntary interval for

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<sup>1</sup> Local Number Portability Porting Interval and Validation Requirements, Report *and Order and Further Notice of Proposed Rulemaking* (rel. May 13, 2009) (“*Porting Interval Order*” or “*Porting Interval Further Notice*”).

wireline-to-wireline and intermodal simple ports shorter than the four-business day interval first adopted by the Commission in 1997. Therefore, the Commission began considering shortening the porting interval.

In November 2003, the Commission mandated wireline-to-wireless porting and sought comment on the appropriate interval for these ports. Again in September 2004, the Commission asked for comment on reducing the timeframe for intermodal porting. No action was taken in response to those notices but, in October 2007, the Commission took a first important step in streamlining the porting process by requiring providers to validate a consumer's porting request based upon no more than four specified criteria.<sup>2</sup> Although this helped ensure that consumers are able to exercise their right to keep their phone numbers when switching to a new communications provider, it was not enough to alleviate the porting delays that frustrate consumer choice. Recognizing this continuing problem, the Commission took a second and more significant step to enhance the welfare of consumers and promote the growth of telecommunications competition in May of this year: It reduced the interval for simple wireline and intermodal porting requests to one business day.<sup>3</sup> There is no doubt that once implemented by the majority of carriers, this shorter interval will facilitate consumer choice as well as help give wireless providers and other entities a fair opportunity to compete with the incumbent local exchange carriers ("ILECs") in the telecommunications marketplace.

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<sup>2</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).

<sup>3</sup> *Porting Interval Order* ¶ 8.

Because local number portability allows consumers to choose a provider based on quality, price, and innovation, the Commission recognizes that it must remain vigilant in its efforts to improve the effectiveness and efficiency of the porting process as technological and market developments demand.<sup>4</sup> Therefore, in response to the *Porting Interval Further Notice*, T-Mobile recommends the following additional ways to streamline number porting processes and improve efficiencies for simple and non-simple ports: (1) mandate a uniform set of administrative criteria for porting, (2) require immediate disconnection upon NPAC activation notification, and (3) redefine “simple” ports and adopt a standard interval for “complex” or non-simple ports.

A more efficient porting process ultimately will lower all providers’ costs. Both large and small carriers—and more importantly, their customers—will reap the benefits of systems standardized across the industry.

## DISCUSSION

### **I. The Commission Should Adopt Additional Measures To Streamline Number Porting Processes and Improve Efficiencies.**

A variety of alternatives to traditional wireline service and new ways to stay connected to friends and family have been introduced in recent years, including T-Mobile’s @Home offering. The ability of companies like T-Mobile to develop and deploy these telephony services, and the willingness of consumers to accept them, however, depends on cost-effective and expeditious number porting. Therefore, T-Mobile urges the Commission to streamline porting processes and improve efficiencies for simple and non-simple ports as described below.

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<sup>4</sup> *Porting Interval Order* ¶ 19.

### **A. Limit administrative criteria**

The Commission should mandate that a uniform set of administrative criteria for porting (in addition to uniform validation criteria already adopted by the Commission) be used and limited to information strictly necessary to complete the port. This means that even if each ILEC uses a different Local Service Request form, it should only be able to require the porting-in carrier to complete the fields contained on a list of approved administrative criteria.<sup>5</sup>

Although the Commission did not direct the North American Numbering Commission (“NANC”) in the *Porting Interval Order* to make recommendations on standardizing the provisioning process, it is our understanding that the NANC intends to include such recommendations in its report.<sup>6</sup> In particular, the NANC intends to provide the Commission with a list of administrative fields (in addition to the validation information) that a porting-out carrier may demand from the new service provider. T-Mobile urges the Commission to incorporate this upcoming NANC recommendation into its rules. And, if the industry process is derailed for some reason, the Commission should immediately mandate a uniform list of administrative information to be exchanged between porting providers. When carriers demand information not required to accomplish the port, they unnecessarily increase the time and resources necessary to process a port request, multiply the likelihood of errors in completing the forms, and

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<sup>5</sup> As with the validation criteria, carriers should have the discretion to port out numbers using some or all of, but no more than, the approved administrative fields.

<sup>6</sup> See *Porting Interval Order* ¶ 10. The Commission directed NANC to develop new LNP provisioning process flows that take into account the shortened porting interval and to submit these flows no later than 90 days after the effective date of the *Porting Interval Order*.

unfairly position themselves to retain customers who cannot wait or grow impatient waiting for their numbers to be ported.

**B. Require immediate disconnection**

Once automated systems are in place, carriers should be required to disconnect the customer porting out a number from their billing systems as soon as the port has been activated. This would help ensure that customers are not double billed and forced to call customer service, which is frustrating for consumers and unnecessarily consumes carrier resources that drive up costs.

**C. Redefine “simple” ports and adopt a standard interval for “complex” or non-simple ports**

In 2000, the NANC defined simple ports as single line ports that do not include, among other things, complex switch translations, such as remote call forwarding or multiple services on the loop, or a reseller.<sup>7</sup> This definition no longer matches the technology or carrier systems available today and provides a broad loophole for carriers that have an interest in delaying porting. Therefore, T-Mobile urges the Commission to remove from the “complex” or non-simple category the following porting scenarios: (1) lines that contain Custom Local Area Signaling Services (“CLASS”) and custom calling features, such as remote call forwarding and caller identification; (2) multiple-line accounts that do not require special coordination between providers; (3) lines involving resellers or interconnected VoIP providers who purchase interconnection services from a facilities-based provider; and (4) home telephone lines bundled with DSL services.

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<sup>7</sup> *Porting Interval Order* at n.11.

A decade ago, Caller ID and call forwarding may have been novel offerings, but today CLASS and custom calling services are standard on virtually all ILEC feature lineups. Their presence on a customer account does not complicate the porting process in any appreciable manner and they do not require complex switch translations to disconnect. Similarly, many consumers and small businesses have more than one line on their accounts and, when they choose a new carrier, they wish to port all lines at the same time. While large enterprise transfers require special and non-automated coordination between the old and new service providers, there is no reason all multiple-line accounts should be considered complex. The same is true for accounts serviced by resellers or interconnected VoIP providers.

Consumers who use these providers should not have to wait days or weeks to port out their numbers merely because the reseller/VoIP provider and its own underlying facilities-based carrier have communication problems. In addition, the fact that an ILEC may have to unbundle its DSL service from a home telephone line on a customer account in order to port the home phone number has no bearing on the port itself. Quite a few ILECs already treat porting of numbers attached to DSL services as a simple port, but other T-Mobile porting partners have taken the position that the unbundling must occur before the port request can be processed. Consumers are not served when carriers insist on using dated definitions to escape porting obligations. The Commission should revise the definitions of “simple” and “complex” accordingly.

T-Mobile acknowledges that there still are circumstances in which porting is appropriately classified as complex. Nevertheless, these ports should not be entirely excluded from the Commission’s porting rules. This opens the door to the same

anticompetitive mischief that the Commission's adoption of a mandatory porting interval was intended to stop. T-Mobile recommends, therefore, that the Commission establish a standard porting interval of four business days for complex or non-simple ports, unless the customer or new service provider requests a different due date and time.

## **II. The Benefits to Small Entities of Adopting New Porting Rules Outweigh the Potential Burdens.**

A more efficient porting process ultimately will lower all providers' costs. When processes are standardized across the industry, carriers—both large and small—can take advantage of the systems that are developed for the industry instead of having to accommodate each individual carrier's porting requirements. This is illustrated by wireless providers, virtually all of whom use the same Wireless Intercarrier Communication Interface Specifications ("WICIS")<sup>8</sup> porting forms, requiring the same information. By automating the entire wireless-to-wireless porting process and for all practical purposes eliminating the need for human intervention (except in cases where port requests fall out), the wireless industry removed inefficiencies and reduced costs. If adopted by the Commission, the measures recommended above will help do the same for wireline and intermodal ports, irrespective of the size of the carrier or the level of automation.

## **CONCLUSION**

The ability to retain telephone numbers has proven over the years to be a key decision point for consumers when they are shopping for a new telecommunications

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<sup>8</sup> The WICIS defines the operational requirements and technical specifications for the exchange of information needed for wireless number portability.

provider. Accordingly, T-Mobile urges the Commission to take the actions outlined above to further increase the effectiveness and efficiency of the porting process as technological and market developments demand.

Respectfully submitted,

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