

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

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

COMMENTS OF CHARTER COMMUNICATIONS, INC.

Charter Communications, Inc. (“Charter”) respectfully submits these comments in response to the Commission’s December 8, 2009 Public Notice.¹ Charter’s systems span the country, and Charter ports numbers from and to more than 450 different telephone providers. Charter thus has a strong interest in simplifying and standardizing the number porting process as much as possible, so that ports can be processed quickly and opportunities for anticompetitive delay or improper retention marketing can be eliminated. Accordingly, Charter greatly appreciates the efforts of the North American Numbering Council (NANC) Local Number Portability Administration Working Group (LNPA WG) to standardize and streamline the data fields required to complete simple ports within one business day. Charter agrees with Comcast, Cox, and NCTA, however, that the proposed list of data fields can and should be further reduced.²

¹ Public Notice, Comment Sought on Proposals for Standardized Data Fields for Simple Port Requests, WC Docket No. 07-244, DA 09-2569 (Dec. 8, 2009) (“Public Notice”).

² See Letter from Cindy Sheehen, Senior Director, National Customer Activation & Repair, Comcast Corporation, Jose Jimenez, Executive Director, Regulatory Affairs-Policy, Cox Communications, Inc., Jerome F. Candelaria, NANC Representative, NCTA, to Sharon E. Gillett, Chief, Wireline Competition Bureau, Federal Communication Commission, WC Docket No. 07-244, CC Docket No. 95-116 (dated Nov. 19, 2009).

Charter supports the Comcast-Cox-NCTA proposal – although with two important modifications. Specifically, the AN (Account Number) field should also be eliminated, as it is unnecessary to complete a port and provides opportunity for anticompetitive delay and improper retention marketing. At the same time, however, the LNPA WG’s proposed TEL NO (INIT) field, which contains the contact telephone number of the initiator of the LSR, should be retained. A phone call to the proper contact can often resolve problems in the porting process quickly and efficiently, to the benefit of consumers and providers alike. Providing the contact phone number in the LSR greatly facilitates this process, so that companies need not spend extensive time and effort locating the proper contact at the numerous providers (more than 450 in Charter’s case) with whom they port numbers.

I. CHARTER SUPPORTS THE COMCAST-COX-NCTA PROPOSAL IN LARGE PART

Charter believes that it is essential to limit the number of required LSR fields to as few as possible. In Charter’s experience, the numerous disparate fields used by different providers can lead to errors and substantial delays. Such delays harm consumers and thwart competition, as consumers may attribute the delays to their new service providers. Moreover, where carriers require information to port out a number that the customer does not have, the customer may be required to contact his or her old service provider to complete the port. Such contact provides an opportunity for the old service provider to engage in inappropriate retention marketing, rather than performing its “neutral role in the execution process.” *Verizon California, Inc. v. FCC*, 555 F.3d 270, 274 (D.C. Cir. 2009). Accordingly, reducing the number of required LSR fields to “the minimum amount of information needed to complete a port” (Public Notice at 2) is essential.

Building on the work of the LNPA WG, the Comcast-Cox-NCTA proposal does an admirable job of paring the number of required fields down to this minimum. Comcast, Cox, and NCTA explain why most of the additional fields proposed by the LNPA WG are unnecessary,³ and, except as discussed below, Charter agrees fully with their reasoning. Therefore, the Commission should adopt the Comcast-Cox-NCTA proposal – with the changes discussed below.

II. THE ACCOUNT NUMBER FIELD SHOULD ALSO BE ELIMINATED

Although Charter generally agrees with the Comcast-Cox-NCTA proposal, the AN (Account Number) field should also be eliminated. As a number of commenters have explained, the customer's account number is unnecessary to port a number.⁴ With a telephone number and zip code, a provider should easily be able to identify the appropriate account.⁵ The account number is therefore not part of “the minimum amount of information needed to complete a port.” Public Notice at 2.

At the same time, requiring the customer's account number to be provided can lead to delays or anticompetitive abuse. In Charter's experience, many customers do not have the account number of their old provider readily available. This is no doubt due in part to the positive trend of companies doing away with paper billing.⁶ But the result is that when a porting-out provider requires provision of the customer's account number, the customer may give the wrong account number, causing errors in the porting process, or be forced to contact the old service provider in order to obtain the account number. In the latter case, the old provider is

³ See Letter supra note 2.

⁴ See Vonage Comments (filed August 3, 2009) at 8; Level 3 Reply Comments (filed August 31, 2009) at 3-6.

⁵ Accord Level 3 Reply Comments at 4.

⁶ See Vonage Comments at 8.

given an opportunity to engage in improper retention marketing. At best, this often leads to significant delays, and at worst it undermines faith in the number porting process altogether. Particularly given that account number information is unnecessary to complete a port, there is no reason to build these kind of problems into a standardized process.

III. THE TEL NO (INIT) FIELD, WHICH CONTAINS THE CONTACT NUMBER OF THE INITIATOR OF THE LSR, SHOULD BE RETAINED

While Charter believes that, by retaining the AN (Account Number) field, the Comcast-Cox-NCTA proposal did not go far enough in paring down the required fields, the proposal went too far in eliminating another of LNPA WG's proposed fields. Specifically, Comcast, Cox, and NCTA would eliminate the TEL NO (INIT) field, which contains the contact telephone number of the initiator of the LSR. In Charter's experience, however, this information is crucial to resolving problems in the porting process quickly and efficiently. If there is a problem in the porting process, a phone call to the right contact can often resolve the problem without further errors or delays. However, determining the right person and telephone number to contact can take considerable time and effort. As mentioned, Charter deals with over 450 providers in handling number ports, and Charter's personnel are busy performing the tasks necessary to complete number ports quickly and efficiently. In most cases, whether the contact number is readily available makes the difference between resolving a problem quickly by phone or not. Accordingly, Charter believes that this field should be retained.

Moreover, there is zero risk that ports will be delayed or subject to anticompetitive abuse by requiring use of this field. The person initiating the LSR obviously has his or her contact number readily available. A porting-out carrier cannot use this field to generate unnecessary delays. Moreover, even in the rare case where an error is made in entering this telephone

number, it is unlikely to have any affect whatsoever on completion of the port. Therefore, there is little downside in requiring this information.

CONCLUSION

For the foregoing reasons, Charter respectfully asks the Commission to adopt the Comcast-Cox-NCTA proposal, except that the AN (Account Number) field should be eliminated, and the TEL NO (INIT) field, which contains the contact telephone number of the initiator of the LSR, should be retained.

Respectfully submitted,

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