

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

<b>In the Matter of</b>	)	
	)	
<b>Petition of Verizon and Verizon Wireless for Declaratory Ruling To Assess NPAC Database Intra-Provider Transaction Costs on The Requesting Provider</b>	)	<b>WC Docket No. 11-95</b>
	)	

**COMMENTS OF COMPTTEL**

COMPTTEL respectfully submits these comments, pursuant to the Commission’s Public Notice (“Notice”) released on June 1, 2011 (DA 11-973) in the above-referenced docket.<sup>1</sup> In its *Notice* the Commission seeks comment on the petition of Verizon Communications, Inc. and Verizon Wireless (hereinafter “Verizon”) for declaratory ruling that the costs of certain tasks that use the Number Portability Administration Center (NPAC), specifically those transactions which the NPAC categorizes as LNP Type 1 intra-provider ports and “modifies,” be excluded from the shared NPAC database costs.

The Commission should deny Verizon’s request. While Verizon states that it has been 13 years since the Commission issued the *Third Report and Order* which established the current revenue-based allocation method for distributing the costs of transaction in the NPAC databases, it has only been 5 years since Verizon raised the very

---

<sup>1</sup> These Comments reflect the position of a majority of COMPTTEL members. Individual members, such as Sprint Nextel, may be filing separate comments where they advocate positions that are different from those stated herein.

issue it raises here, excluding certain transactions from the shared NPAC database costs.<sup>2</sup> Verizon merely repeats the same arguments in its current petition that were refuted in the previous proceeding. In addition, seeking any changes to the current method in a Declaratory Ruling is procedurally flawed.

Verizon yet again claims that there are a variety of alternatives to intra-service provider transactions and “modifies.”<sup>3</sup> Specifically, Verizon states that it will typically structure its network migrations so that it uses the Telcordia LERG Routing Guide (“LERG”) to move NXX codes to different serving switches.<sup>4</sup> But as TDS Metrocom previously explained, incumbent LECs such as Verizon still have “a significant proportion of telephone numbers assigned in NPA/NXX codes where they serve as the native code-holder and as a result are implementing routing changes at the NPA/NXX level via tools like the LERG, CNARG, or LARG.”<sup>5</sup> Carriers serving customers with ported numbers, on the other hand, need to utilize the NPAC database to maintain call routing information. Competitive carriers, by the nature of their customer bases (i.e., competitive carriers’ customer base consist of customers won from the ILECs and therefore involve numbers that have been ported/pooled), have a higher percentage of

---

<sup>2</sup> See Verizon Comments, In the Matter of BellSouth Corp. Petition for Rulemaking To Change The Distribution Methodology For Shared Local Number Portability And Thousands-Block Number Pooling Costs, RM-11299 (filed Jan. 5, 2006).

<sup>3</sup> Verizon Petition at 8.

<sup>4</sup> *Id.*

<sup>5</sup> Letter from Sara Cole, TDS Metrocom, to Marlene Dortch, FCC, RM-11299, p. 2, dated May 25, 2007(“TDS Metrocom Letter”)(emphasis added).

their numbers that must be maintained via the NPAC databases in order to ensure proper routing.<sup>6</sup>

The lack of CLEC alternatives to updating routing information in the NPAC, and that this is a direct result of Local Number Portability and Telephone Number Pooling, is confirmed by a North American Numbering Council (“NANC”) Report to the Wireline Competition Bureau. In response to a request from the staff of the Wireline Competition Bureau Pricing Policy Division, the Local Number Portability Group (LNPA WG) of NANC performed a detailed analysis to determine if there were any viable alternatives to modifying Signaling System 7 (SS7), Destination Point Code (DPC) and Subsystem Number (SSN) *data in ported and pooled number records* when changes to the routing of five services’ SS7 Transaction Capabilities Application Part (TCAP) messages become necessary.<sup>7</sup>

The report states that if a 10-digit record is not found in the routing database (meaning the number is NOT ported or pooled), the TCAP message can be default routed at the NPA-NXX level. After the implementation of Local Number Portability and Telephone Number Pooling, however, routing for TCAP messages associated with ported or pooled numbers could no longer be relied upon at the NPA-NXX level. Routing for TCAP messages for ported and pooled numbers utilize the NPAC.<sup>8</sup> The LNPA WG did

---

<sup>6</sup> TDS Metrocom Letter at 2.

<sup>7</sup> Letter of Thomas M. Koutsky, Chair, North American Numbering Council, to Dana Shaffer, Chief, Wireline Competition Bureau, FCC, Attachment: NANC RM-11299 Report, p. 5, filed Oct. 17, 2007 (NANC RM-11299 Report)(emphasis added). The LNP WG looked at the following five SS7 services: CLASS, Line Information Database (LIDB), Calling Name (CNAM), Inter-switch Voice Messaging Message Waiting Indicator (ISVM MWI), and Wireless Short Message Service Center (WSMSC). *Id.*

<sup>8</sup> *Id.* at 6.

not identify any existing reliable and viable alternatives to modifying the NPAC with regard to these data fields when it becomes necessary to change the routing of five services' SS7 TCAP messages *for a number that is in the NPAC database.*<sup>9</sup>

Verizon also again attempts to characterize LNP Type 1 and “modifies” transactions as “elective” transactions that are initiated for the convenience of the carrier or its customers.<sup>10</sup> As TDS Metrocom explained, “[c]arriers serving customers *with ported numbers* must keep routing information within the NPAC database current for the benefit of all customers and carriers. The method by which that routing information is updated is intra-carrier transactions in the NPAC databases described by Verizon, as LNP Type 1 or or Download Reason 2 record modifications.”<sup>11</sup>

As Cox previously explained,

[T]here are significant network management reasons for Type 1 porting events. For instance, reconfiguration, load balancing and porting unassigned numbers to a new switch ***are not steps a carrier undertakes merely for its own convenience; each is a part of proper network management, which benefits all customers.*** In some cases, such as porting unassigned numbers to a new switch, the change will help to conserve numbering resources, which benefits all carriers in the same way as pooling. In addition, ***some of these events are the results of decisions by incumbent carriers or regulators,*** such as changes in rate center boundaries, which may require competitive carriers to modify their number assignment practices.<sup>12</sup>

Another example, as explained by TDS Metrocom:

---

<sup>9</sup> NANC RM-11299 Report at 5 (emphasis added).

<sup>10</sup> See Verizon Petition at 6 and 7.

<sup>11</sup> TDS Metrocom Letter at 2 (emphasis added).

<sup>12</sup> Letter of J.G. Harrington, Cox Communications, to Marlene Dortch, FCC, RM-11299, p.3, filed Jun. 21, 2007 (emphasis added).

TDS Metrocom was required to update CNAM routing information for its customers. This activity was triggered by changes in the CNAM point code made by TDS Metrocom's CNAM provider. In order to ensure accurate routing and continued CNAM functionality, TDS Metrocom was required to update NPAC records to modify the CNAM point code on the NPAC record for every telephone number that had been ported to TDS Metrocom in three states. ... TDS Metrocom merely took the action necessary to maintain the correct CNAM routing information. ***The industry and all customers benefit from accurate routing information and, under no reasonable interpretation, did TDS Metrocom "cause" the change in CNAM point code.***<sup>13</sup>

Lastly, Verizon's request is procedurally flawed. Verizon requests that the Commission declare that LNP Type 1 and intra-provider ports and "modifies" of NPAC records are excluded from the shared NPAC database costs and should be paid for by the cost-causing provider. The Commission, however, would need to initiate a rulemaking proceeding to accommodate Verizon's request.

Specifically, Sec. 52.32(a) of the Commission's rules, 47 CFR 52.32(a), states "...the local number portability administrator shall collect sufficient revenues to fund the operation of the regional database..." and proceeds to discuss the method of doing so. The rules do not, as Verizon implies, distinguish "shared costs" from other costs of the NPAC database. The rules discuss the "shared cost of long-term number portability attributable to the regional database,"<sup>14</sup> meaning the operation of the database is a shared cost of long-term local number portability. While Verizon claims it would not be burdensome for the NPAC database provider to distinguish the various types of transactions performed via the NPAC, the Commission's rules do not allow for

---

<sup>13</sup> TDS Metrocom Letter at 2 (emphasis added).

<sup>14</sup> 47 CFR 52.32(a).

distinctions among the type of operations being performed. Furthermore, as discussed above, the transactions performed via the NPAC are a direct result of Local Number Portability and Number Pooling and therefore are appropriately “shared costs” under any interpretation of the rules.

For the forgoing reasons, the Commission should deny Verizon’s petition.

Respectfully submitted,

/s/

---

Karen Reidy  
COMPTTEL  
900 17th Street, NW  
Suite 400  
Washington, D.C. 20006  
(202) 296-6650 phone

July 15, 2011