Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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

COMMENTS OF CENTURYLINK ON NANC BEST PRACTICE #67

I. INTRODUCTION: CENTURYLINK SUPPORTS NANC'S BEST PRACTICE #67.

CenturyLink files these comments in support of the North American Numbering Council's (NANC's) proposed "Best Practice #67."[1] That Practice addresses the treatment and timing of number ports for local service requests (LSR) above and below 50 telephone numbers and non-simple (*i.e.*, complex ports) of single numbers, as well as the deadlines for returning Customer Service Records (CSR). CenturyLink actively participated in the development of Best Practice #67 and supports its adoption. Specifically, CenturyLink supports the conclusion that only ports of 50 or fewer numbers (and non-simple ports of single numbers) be subject to a 4-day porting interval. Beyond that, porting intervals should be negotiated by carriers for their common convenience and efficiency.[2] We also support the Best Practices determination that the return of CSRs often requires a period of time longer than 24 hours to process.

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[1] *See* DA 11-1558, Public Notice, WC Docket No. 07-244 and CC Docket No. 95-116, seeking comments on the Best Practices. 76 Fed. Reg. 60789 (Sept. 30, 2011).

[2] The Best Practices, at note 5, indicates that the goal for a "project" (*i.e.*, a porting initiative involving more than 50 numbers), is to have the project completed within 15 business days, unless both providers negotiate a different date that would facilitate both the providers' and the customer's needs.

Both determinations successfully resolve the public interest issues regarding which CenturyLink (then as Qwest) sought clarification and/or reconsideration in July 2010.[3] Consequently, most likely no further Commission action would be necessary on CenturyLink's Petition, should the Bureau adopt the NANC Best Practice #67 recommendation.[4]

II. THE NANC BEST PRACTICE #67 RECOMMENDATION THAT PORTING INTERVALS FOR LSRs INVOLVING MORE THAN 50 LINES BE NEGOTIATED BETWEEN CARRIERS ALIGNS WITH EXISTING INDUSTRY PRACTICE UNDER PRIOR NANC PROVISIONING FLOWS.

The NANC Best Practice #67 states that, if a porting request involves more than 50 numbers (*i.e.*, 51+ numbers), the porting request would be treated as involving a "project," and the porting deadline would be individually negotiated between the carriers. CenturyLink supports the NANC Best Practice #67 because the outlined process successfully balances and resolves the competing interests in efficient, accurate, and timely processing of port requests.

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[3] Petition for Clarification and/or Reconsideration of Qwest Communications International Inc., WC Docket No. 07-244 and CC Docket No. 95-116, filed July 22, 2010 (CenturyLink Petition).

[4] Adoption of Best Practices #67 most likely would render the CenturyLink PFC/PFR moot. In that Petition, CenturyLink argued that the Commission had misread prior NANC Working Reports and associated process flows. Specifically, we argued that the Commission's conclusion that "the porting interval . . . for non-simple wireline-to-wireline and non-simple intermodal ports remains four business days[,]" did not accurately reflect the existing legal requirements at that time. (*Compare* now codified 47 C.F.R. § 52.35(d).) *See* CenturyLink Petition at pages 2 n.3 and 4. CenturyLink asked the Commission to "clarify that complex ports, particularly those that involve many lines, are voluminous or involve complex transactions, should be begun within four business days and completed according to carrier negotiated dates, as is required by the current rules." *Id.* at 3.

To the extent the Bureau adopts the NANC Best Practices #67, pursuant to its delegated authority (*2010 Porting Interval Order* (FCC 10-85), 25 FCC Rcd 6953, 6965 ¶ 22 (2010)) and the "[r]evised provisioning flows . . . are binding on the industry[,] (footnote omitted)" we assume that the language of 47 C.F.R. § 52.35(d) will become superseded. *Id.* In that event, the issues raised in the CenturyLink Petition would no longer be relevant.

This is supported by the fact that Best Practice #67 reflects existing industry conduct, as that conduct has developed under previous NANC Recommendations.[5]

The NANC Best Practice #67 would accomplish the clarification that CenturyLink sought as to ports involving either a substantial number of lines or complex transactions. Accordingly, CenturyLink urges the Bureau to adopt the currently-proposed NANC Best Practice[6] as a clarification of and modification to existing LNP mandates regarding process flows.[7]

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[5] As CenturyLink stated in our Petition, "[n]othing in the current rules (unchanged since 1997) or the NANC 2009 Recommendations, adopted by the Commission in its *2010 Porting Interval/Validation Report and Order*, would require complex ports to be accomplished in four business days. The current rules and industry practices only require the *process to begin* within four business days[,] (emphasis in original)" citing to the *2010 Porting Interval/Validation Report and Order* ¶ 24 and n.89 (referencing the NANC Nov. 2, 2009 *Ex Parte* Letter, Attach. 1, Section 3.2, at 17, which in turn included provisioning flow documents that incorporated prior provisioning flow documents incorporated into Commission rules since 1997). CenturyLink Petition at 2.

[6] In the *2010 Porting Interval Order*, the Commission "delegate[d] authority to the Chief of the Wireline Competition Bureau to approve NANC recommendations for revised provisioning process flows, and direct[ed] the NANC to make any approved, revised porting provisioning flows available online to the public at www.nanc-chair.org. Revised provisioning flows that are approved by the Bureau and made available to the public through the NANC's website are binding on the industry." *2010 Porting Interval Order*, 25 FCC Rcd at 6965 ¶ 22 (footnote omitted).

[7] With respect to the existing process flows, the Commission has stated that "[g]iven the fundamental purpose of the NANC to advise the Commission on numbering issues and its experience with provisioning process flows, we conclude that the NANC is best situated to monitor the continued effectiveness of the provisioning process flows, and make recommendations when changes are needed. Thus, we clarify that [the] porting flows [approved by the Commission in its *2010 Porting Interval Order*] will remain in effect until the Commission approves, upon recommendation by the NANC, revised provisioning flows for the porting process." *Id.*

III. THE NANC BEST PRACTICE #67 RESOLVES AN AMBIGUITY REGARDING THE RETURN OF CSRs AND SHOULD BE ADOPTED.

The NANC Best Practice #67 would also establish deadlines (ranging from 24 to 72 hours) for return of CSRs, which carriers seek in advance of porting in order to complete LNP requests accurately. CenturyLink supports this aspect of the Best Practices #67 as well. In our *2010 Petition*, we urged "clarification that the Commission appreciates that service providers will, of necessity, need to negotiate CSR returns of longer than 24 hours in the case of voluminous or highly complex ports (such as those involving design services)."[8] We, therefore, support the Best Practice #67 resolution of deadlines associated with the provision of CSRs between carriers.

Respectfully submitted,

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[8] CenturyLink Petition at 6.