

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
 ) WC Docket No. 07-244  
Numbering Resource Optimization ) CC Docket No. 95-116

**COMMENTS OF CENTURYLINK**

CenturyLink here responds to the *Public Notice* (DA 11-1954), dated November 29, 2011, seeking comment on a report submitted to the Commission by the NANC on local number portability, Best Practice Number 70 (BP70).<sup>1</sup> CenturyLink supports BP70 and actively participated in the discussions at the Local Number Portability Administration Working Group (LNPA-WG) leading up to the promulgation of the best practice. CenturyLink believes that industry practices aligned with BP70 would stop some of the port-in delays that CenturyLink experiences – delays that frustrate our customers and possibly our relationships with them -- without imposing significant burdens on CenturyLink and other providers that are processing large volumes of port-out requests. Accordingly, CenturyLink urges the Commission to adopt BP70 as a number portability rule.

As the *Public Notice* pointed out, as accurately reported by the NANC, there currently is no industry-wide standard on what information a transferring service provider (also called old local service provider or OLSP) may require from a new service provider (also called new local service provider or NLSP) when the NLSP requests a Customer Service Record (CSR) from the OLSP. The NANC BP70 fills that gap by establishing specific information elements that an OLSP may require from a NLSP in the context of the NLSP requesting an end user CSR. Those

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<sup>1</sup> Letter from Betty Ann Kane, Chairman, North American Numbering Council, to Sharon E. Gillett, Chief, Wireline Competition Bureau, Federal Communications Commission, filed October 3, 2011.

information elements are: any working telephone number associated with the customer's account; a positive indication that the NLSP has the authority from the customer; and the date the customer gave that authority.

There was near-unanimous support of BP70 at the LNPA-WG. Based on the discussions there, however, CenturyLink anticipates that at least one filing will be made objecting to BP70, on several grounds. We take this opportunity to address those objections in this filing.

First, an argument was made that an OLSP should be able to require a NLSP to provide a customer's **account number** before the OLSP should have to return a CSR. In CenturyLink's opinion, this objection is not sound and can add unwarranted delay to the porting process. Most customers do not have their account number handy if the account number consists of something more than their phone number (which many account numbers do). Indeed, a primary reason that NLSPs request CSRs is to secure the customer's account number, so they can provide it to OLSPs who demand it. If a NLSP cannot even secure the CSR without the account number, the porting process is frustrated by a type of Catch 22 scenario.

Given that a NLSP must have authority from the end user to process the port, such authority necessarily includes securing the end user information necessary to accomplish the port, including access to the end user's CSR. Moreover, eliminating such a requirement (or prohibiting it) will increase porting efficiency because NLSPs may not need to request CSRs at all under BP70 (unless they need to review the CSR for some other reason).

Second, an argument was made that an end user's account number was CPNI under 47 U.S.C. Section 222 and implementing Commission rules. This argument is incorrect as an account number is not CPNI. To the extent an end user has authorized a carrier to access the user's CSR to process a port on behalf of the user, an OLSP should not be permitted to refuse the

carrier/agent’s request.<sup>2</sup> Moreover, given that the BP70 would require the date the user’s authority was granted to be provided by the NLSP, information is available should there be a later dispute.

Third, an argument was made that a State PUC order allowing a carrier to request an end user’s account number validated the information demand. The fundamental processes and operations around number portability are federal in nature. The fact that a single state may have permitted a carrier to require a particular piece of information before a NLSP can access a CSR sets no precedent that must be followed or accommodated by the Commission. This is

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<sup>2</sup> See NANC OPS Flows Narratives v4.0, which the Commission has required carriers to adhere to. *In the Matters of Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability*, 25 FCC Rcd 6953, 6962-63 ¶ 18 (2010) (“We adopt the NANC’s recommended provisioning flows in support of the porting process and require the industry to adhere to them. Specifically, the NANC recommends provisioning flows that consist of diagrams and accompanying narratives setting forth the processes to be used by service providers and database administrators in specific scenarios . . . As with previous flows, we find that the provisioning process flows recommended by the NANC will ensure that communications between service providers and database administrators proceed in a clear and orderly fashion so that porting requests can be handled in an efficient and timely manner.”) (Footnotes omitted.) In those process flows, the issue of end user authority is addressed as follows:

3.NLSP obtains end user authorization	<ul style="list-style-type: none"> <li>• NLSP obtains verifiable authority (e.g., Letter of Authorization – [LOA], third-party verification – [TPV], etc.) from end user to act as the official agent on behalf of the end user. The OLSP cannot require a physical copy of the end user authorization to be provided before processing the Customer Service Request (CSR) or the port request. The NLSP is responsible for demonstrating verifiable authority in the case of a dispute.</li> </ul>
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Inter-Service Provider LNP Operations Flows – Narratives, Figure 1, Step 3. Similar language is re-iterated in the BP70 Decisions/Recommendations at pages 3-4 (“The NLSP must obtain verifiable authority (e.g., Letter of Authorization – [LOA], third-party verification – [TPV], etc.) from the end user to act as the official agent on behalf of the end user prior to requesting the CSR from the OLSP. The NLSP is responsible for indicating positively on the CSR request that they have obtained the necessary verifiable authority from the end user and the date that authority was obtained. The NLSP is responsible for demonstrating verifiable authority in the case of a dispute.”).

particularly the case when a numbering authority such as the NANC does not support such a requirement, and the Commission looks to the NANC for direction in LNP process matters.<sup>3</sup>

For the above reasons, and because adoption of BP70 will promote number portability efficiency and inure to the benefit of NLSPs and their prospective customers as well, CenturyLink urges the Commission to adopt BP70 as a number portability rule.

Respectfully submitted,

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January 23, 2012

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<sup>3</sup> The duties of the NANC include “[c]arrying out the duties described in [the Commission’s rule § 52.25, Database architecture and administration].” 47 C.F.R. § 52.11(f).