

**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 VERIZON AND VERIZON WIRELESS**

Providers often must obtain a Customer Service Record from competing providers before they can submit a request to port a customer’s telephone number. Because certain providers have established unreasonably burdensome requirements to obtain a Customer Service Record, the Commission should adopt rules that streamline the Customer Service Record exchange process.

As the Commission has recognized, “the Commission’s efforts to streamline and make the porting process more efficient . . . may be frustrated by the [Customer Service Record] process, which is often a prelude to porting.”<sup>1</sup> This obstacle still exists even after the implementation of the Commission’s *May 2010 LNP Order* that requires providers to return Customer Service Records within 24 hours of a request.<sup>2</sup> To help remove this impediment, Verizon and Verizon Wireless (“Verizon”)<sup>3</sup> participated in the North American Numbering Council’s (NANC) Local Number Portability Administration Working Group (LNPA-WG) to

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<sup>1</sup> *Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability*, Report and Order, 25 FCC Rcd 6953, ¶ 19 (2010) (“*May 2010 LNP Order*”).

<sup>2</sup> *Id.*

develop Best Practice 70, which, *inter alia*, limits the information a porting-out service provider can require from the new service provider before providing a Customer Service Record. The Commission should adopt Best Practice 70 as a rule.

As Verizon has previously explained,<sup>4</sup> certain providers require porting-in providers to include the customer's account number on the Local Service Request (LSR) that initiates the port. If the LSR lacks that information, the porting-out provider will reject the LSR and not process the port. Typically, porting-in providers will first seek that information from the customer. But at the time the customer places his or her order, the customer may not have the account number available. The account number is often a lengthy number that few customers take the time to memorize, and customers may not have old bills that show the account number in front of them.

If a customer cannot convey that information, the next best source is the porting-out provider's Customer Service Record. Yet some providers require that *requests* for Customer Service Records include the account number. In the vast majority of cases, if the porting-in provider had the account number, it would not need a Customer Service Record. The provider would simply complete the fields in the LSR and begin its tasks to complete the port. As a result of these porting-out providers' Customer Service Record requirements, the customer's port is delayed until the customer can obtain the account number and convey it to the new provider.

Best Practice 70 eliminates this potential delay by limiting the information a provider can require before providing a Customer Service Record to the porting-in provider. In particular, only three items are permissible: (1) any working telephone number associated with the account;

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<sup>3</sup> With the exception of Verizon Wireless, the Verizon companies participating in this filing are the regulated, wholly-owned subsidiaries of Verizon Communications Inc. ("Verizon").

<sup>4</sup> See Verizon Comments at 4 (Aug. 3, 2009); Verizon Reply Comments at 6 (Aug. 23, 2009).

(2) a positive indication that the requesting provider has authority from the customer; and (3) the date the authority was obtained. Since this approach is consistent with the Commission’s call to “limit[] carriers to requiring a minimum but reasonable amount of information” on requests for Customer Service Records,<sup>5</sup> the Commission should adopt this simplified process.

The Commission should reject claims from some providers that the obstacles they place to obtaining Customer Service Records are simply safeguards that are necessary to protect customer information from unscrupulous providers.<sup>6</sup> While Customer Service Records do indicate the services to which a customer subscribes and thus contain CPNI, Section 222(c)(1) of the Act allows carriers to disclose CPNI “with the approval of the customer.”<sup>7</sup> As such, Best Practice 70 appropriately focuses on the authority granted by the customer to the provider to obtain the Customer Service Record. Specifically, the requesting provider must obtain “verifiable authority (e.g., Letter of Authorization – [LOA], third-party verification – [TPV], etc.) from the end user” and be able to demonstrate that authority in the case of a dispute.<sup>8</sup> The porting-out provider cannot require a physical copy of the end user authorization or otherwise verify the request before providing the Customer Service Record.<sup>9</sup> The Commission has adopted

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<sup>5</sup> *May 2010 LNP Order*, ¶ 21.

<sup>6</sup> *See* Windstream Comments at 3-4 (Feb. 16, 2010) (filed with CenturyLink and Iowa Telecommunications).

<sup>7</sup> 47 U.S.C. § 222(c)(1). While § 222(c)(2) requires a carrier to disclose a customer’s CPNI upon receipt of the customer’s written authorization, that section does not *require* a carrier to possess written authorization before it can disclose CPNI at a customer’s request. *See Implementation of the Telecommunications Act of 1996; Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information; Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as Amended*, Second Report and Order and Further Notice of Proposed Rulemaking, 13 FCC Rcd 8061, ¶ 84 (1998) (“[U]pon the *oral approval* of the customer to a competing carrier . . . section 222(c)(1) permits any sharing of customer records necessary for the provisioning of service by a competitive carrier . . . .”) (emphasis added).

<sup>8</sup> LNPA-WG Best Practice 70 at 3.

<sup>9</sup> *See id.* at 2.

an analogous approach in the slamming context “to ensure that subscribers’ carrier changes are executed as soon . . . as possible.”<sup>10</sup>

To the extent there is concern that carriers may submit fraudulent, unauthorized requests for Customer Service Records if Best Practice 70 were adopted, such activity would pose a risk of criminal prosecution under the Telephone Records and Privacy Protection Act of 2006.<sup>11</sup> In any event, Verizon has not observed improper Customer Service Record requests even though its wireline business already utilizes a simplified Customer Service Record process that typically allows providers to receive Customer Service Records instantaneously.

For these reasons, the requirements of Best Practice 70 strike a proper balance between “making porting easy for consumers” and protecting their personal information.<sup>12</sup> The Commission should therefore codify Best Practice 70 in its rules and make clear that a provider’s compliance with these requirements meets any obligations under Section 222 and its associated rules.

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<sup>10</sup> *Implementation of the Subscriber Carrier Selection Changes Provisions of the Telecommunications Act of 1996; Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers*, Second Report and Order and Further Notice of Proposed Rulemaking, 14 FCC Rcd 1508 ¶ 98 (1998).

<sup>11</sup> *See* Pub. L. 109-476, 20 Stat. 3568 (2007), codified at 18 U.S.C. § 1039.

<sup>12</sup> *May 2010 LNP Order* ¶ 21.

Respectfully submitted,

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