

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

In the Matter of)	
)	
Connect America Fund)	WC Docket No. 10-90
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
Establishing Just and Reasonable Rates for Local Exchange Carriers)	WC Docket No. 07-135
)	
High-Cost Universal Service Support)	WC Docket No. 05-337
)	
Developing a Unified Intercarrier Compensation Regime)	CC Docket No. 01-92
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Lifeline and Link-Up)	WC Docket No. 03-109
)	
Universal Service Reform – Mobility Fund)	WT Docket No. 10-208

REPLY COMMENTS

C Spire Wireless ("C Spire")¹, Corr Wireless Communications, LLC, Delta Telephone Company, Inc. ("Delta Telephone"), Franklin Telephone Company, Inc. ("Franklin Telephone") and Telepak Networks, Inc. ("Telepak Networks") (collectively, the "LNGS Carriers") jointly file these Reply Comments regarding their Joint Petition² for a limited waiver of the new call signaling rules adopted by the Commission as part of the *USF/ICC Transformation Order*.³ As set forth in the Joint Petition, a limited waiver

¹ C Spire Wireless is the business name under which Cellular South Licenses, LLC provides commercial wireless services.

² See Joint Petition for Limited Waiver (filed June 20, 2012). The Joint Petition was placed on Public Notice by the Commission on June 26, 2012 and established deadlines of July 26, 2012 for Comments and August 10, 2012 for Reply Comments. See Public Notice, DA 12-994 (rel. June 26, 2012).

³ 47 C.F.R. § 64.1601(a)(1)-(2); *Connect America Fund*, WC Docket No. 10-90, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (Nov. 18, 2011) ("*USF/ICC Transformation Order*").

of the rules is necessary because it is not feasible for the LNGS Carriers to implement the new call signaling rules in all circumstances.

No party has expressed opposition to the Joint Petition filed by the LNGS Carriers. Instead, the National Telecommunications Cooperative Association, the Organization for the Promotion and Advancement of Small Telecommunications Companies, the Western Telecommunications Alliance, the Eastern Rural Telecom Association and the National Exchange Carrier Association (collectively, "the Associations") have filed comments requesting that the Commission place certain conditions on any waiver that it may issue to the LNGS Carriers.⁴ The Associations have filed comparable comments to waiver requests filed by other carriers similarly situated to the LNGS Carriers.⁵

The Commission should not impose the conditions sought by the Associations. As set forth in the Joint Petition, like AT&T, CenturyLink, Verizon/Verizon Wireless, Fairpoint, Hawaiian Telecom, Inc., Alaska Communications Systems Group, Inc., Level3, and General Communication, Inc., it is not technically feasible for the LNGS Carriers to pass CPN/CN in accordance with the new MF signaling requirement for

⁴ See Comments of National Telecommunications Cooperative Association (NTCA), the Organization for the Promotion and Advancement of Small Telecommunications Companies (OPASTCO), the Western Telecommunications Alliance (WTA), the Eastern Rural Telecom Association and the National Exchange Carrier Association (NECA) (filed July 26, 2012) ("Associations Comments").

⁵ See, e.g., Comments of NECA, NTCA, OPASTCO, and WTA, WC Docket No. 10-90, *et al.*, at 5-7 (filed Feb. 9, 2012) (Comments on AT&T's Petition); Comments of NECA, NTCA, OPASTCO, and WTA, WC Docket No. 10-90, *et al.*, at 6 (filed Feb. 29, 2012) (Comments on CenturyLink's Petition); Comments of NTCA, OPASTCO, WTA, and NECA, WC Docket No. 10-90, *et al.*, at 5 (filed Apr. 9, 2012) (Comments on Hawaiian Telecom's Petition); Comments of NTCA, OPASTCO, WTA, and NECA, WC Docket No. 10-90, *et al.*, at 6 (filed Mar. 19, 2012) (Comments on Verizon's Petition); Comments of NTCA, OPASTCO, WTA, and NECA, WC Docket No. 10-90, *et al.*, at 6-7 (filed May 4, 2012) (Comments on FairPoint's Petition); Comments of NTCA, OPASTCO, WTA, and NECA, WC Docket No. 10-90, *et al.*, at 6 (filed May 14, 2012) (Comments on Level 3's Petition).

PSTN-bound voice traffic traversing MF trunks.⁶ The LNGS Carriers utilize some legacy MF trunking to support operator services and directory assistance platforms. In addition, the LNGS Carriers deploy trunks using MF signaling to terminate non-equal access (“non-EA”) traffic (e.g., traditional “local” traffic) to some carriers that do not support SS7 signaling.

The LNGS Carriers would need to replace all of their existing MF equipment, with SS7 capable facilities, in order to comply with the new rule. Any replacement of equipment would impose a significant economic burden on the LNGS Carriers. Moreover, as set forth in the Joint Petition, upgrading such equipment may not prove to be a viable option because it is not clear that all terminating carriers have even upgraded their facilities.⁷

While the Associations "do not oppose grant of a waiver to the LNGS Carriers," they advocate that any waiver grant include a requirement that the LNGS Carriers provide lists of the switch locations covered by such a waiver, provide to terminating carriers information necessary to audit Percent Interstate Usage ("PIU") factors and/or call records, and submit reports to the Commission at regular intervals detailing the status of efforts to upgrade their networks to come into compliance with the rules.⁸

The conditions sought by the Associations are not necessary and would in fact undermine the purpose of the waiver being sought in the Joint Petition. Disclosure of the relevant switch locations and providing information necessary to audit PIU factors would

⁶ See, e.g., *AT&T Petition for Limited Waiver of Call Signaling Rules*, CC Docket Nos. 01-92, Public Notice, DA 12-34 (Jan. 10, 2012) (“*AT&T Petition*”); *CenturyLink Petition for Limited Waiver of Call Signaling Rules*, CC Docket Nos. 01-92 *et al.*, Public Notice, DA 12-104 (Jan. 30, 2012); *Petition for Limited Waiver of Verizon*, Feb. 10, 2012 (“*Verizon Petition*”); *GCI Petition for Limited Waiver*, CC Docket Nos. 01-92 *et al.*, Public Notice, DA 12-321 (March 1, 2012).

⁷ See Joint Petition at 4.

⁸ Associations Comments at 3.

serve little purpose since the LNGS Carriers already provide, consistent with standard industry practices, information sufficient for other carriers to settle any interconnection obligations and to audit as necessary. There is no indication in the record, or observed by the Associations, that the conditions sought by the Associations are necessary because the LNGS Carriers somehow have failed (or will fail) to cooperate with other carriers or provide the necessary information to settle any interconnection obligations. As a result, there is no justification to impose the conditions sought by the Associations.

Further, the proposed condition to require the LNGS Carriers to submit reports to the Commission detailing the status of efforts to upgrade their networks makes little sense. The LNGS Carriers have not committed to upgrade their legacy MF signaling equipment. As detailed in the Joint Petition, the point of the waiver being sought is to avoid having the LNGS Carriers invest in developing and replacing the legacy MF signaling equipment now, which would take resources away from the LNGS carriers' continuing efforts to deploy next generation networks.

The conditions proposed by the Associations would impose unnecessary burdens on the LNGS Carriers with few, if any, benefits. The LNGS Carriers have been and continue to be supportive of the goals of the Commission's new call signaling rules -- i.e., eliminating phantom traffic. The LNGS Carriers are committed to working with interconnecting carriers to operate in accordance with the ultimate goal of the new call signaling rules. In light of the significant financial and operational burdens to fully implement the new rule regarding MF signaling, and the relatively small benefit terminating carriers may obtain from receiving CN for all non-EA calls, grant of a limited waiver as set forth in the Joint Petition is warranted.

Accordingly, the Commission should grant the LNGS Carriers' request for a limited waiver of the new call signaling rules with respect to multifrequency (MF) signaling equipment being used that is not capable of complying with the new rules.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Marc A. Paul, of counsel in the law office of Lukas, Nace, Gutierrez & Sachs, LLP, hereby certify that I have on this 10th day of August, 2012, caused to be sent via first-class mail, postage prepaid, a copy of the foregoing Reply Comments, to the following:

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