

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

In the Matter of)	
)	
Petition of Telcordia Technologies, Inc. to Reform or Strike Amendment 70, to Institute Competitive Bidding for Number Portability Administration, and to End the NAPM LLC's Interim Role in Number Portability Administration Contract Management)	WC Docket No. 09-109
)	
Petition of Telcordia Technologies, Inc. to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration)	WC Docket No. 07-149
)	
Telephone Number Portability)	CC Docket No. 95-116

COMMENTS OF COMCAST CORPORATION

The Telecommunications Act of 1996 changed the paradigm governing communications policy in this country from one based on regulating monopolies to one that promotes competition whenever possible. The benefits that this shift has produced for American consumers are evident in almost every segment of the industry – increased investment, lower prices, innovative services and features, and higher quality service.¹ The administration of the local number porting process, however, has remained under the control of a single firm. Comcast Corporation and its affiliates (“Comcast”) urge the Wireline Competition Bureau (“Bureau”) to create an opportunity to rectify this situation by ensuring that the Request for Proposal (“RFP”) under consideration in the above-captioned proceeding does not preclude a peered architecture that will allow multiple

¹ See, e.g., FCC, “Connecting America: The National Broadband Plan,” at 30 (rel. March 16, 2010), *available at*: <<http://download.broadband.gov/plan/national-broadband-plan.pdf>>.

local number portability administrators (“LNPA”) to compete to furnish porting services to voice providers in each region.²

I. THE RFP SHOULD BE REVISED TO PERMIT A PEERED ARCHITECTURE FOR NUMBER PORTING SERVICES IN THE FUTURE

Comcast supports and has actively participated in recent collaborative efforts to develop an RFP for a successor to the current LNPA, and recognizes the good work by the Federal Communications Commission (“FCC” or “Commission”), North American Portability Management, LLC, and North American Numbering Council (“NANC”) in this regard. Today, Neustar, Inc. (“NeuStar”) is the sole provider of such services under all seven regional Master Agreements that comprise the Number Portability Administration Center’s (“NPAC’s”) Service Management System. The current draft of the RFP would perpetuate this non-competitive approach to the provision of LNP services, because it would authorize the selection of only a single LNPA in each region.³ Comcast favors the use of a competitive model whenever possible and regards the issuance of this RFP as an opportunity to bring the benefits of a competitive marketplace to the provision of local number portability services.

The FCC originally designed the administrative system for porting telephone numbers to enable voice providers to choose among competing database administrators. In its initial implementing orders more than fifteen years ago, the Commission embraced a competitive paradigm for porting administrative services, finding that “there are clear advantages to having at

² *Wireline Competition Bureau Seeks Comment on Procurement Documents for the Local Number Portability (LNP) Administration Contract*, WC Docket Nos. 09-109 & 07-149 & CC Docket No. 95-116, Public Notice, DA 12-1333 (rel. Aug. 13, 2012) (“Public Notice”).

³ The RFP currently permits bidders to submit proposals for “one, all, or any combination of some but not all of the seven regions, either individually or in combinations.” The RFP, however, makes clear that only a single LNPA will be selected in each of the seven regions. Public Notice, Attachment 1, 2015 LNPA RFP, at 62-63, § 14.1 (“RFP”).

least two experienced number portability database administrators that can compete with and substitute for each other, thereby promoting cost-effectiveness and reliability in the provision of Number Portability Administration Center services.”⁴ Despite the Commission’s stated goal, a series of unanticipated events eventually led to NeuStar becoming the sole LNPA.⁵

The issuance of the RFP provides an opportunity for the Commission now to create a competitive marketplace for the provision of LNP administrative services. Specifically, the RFP can and should be structured in a way that permits a peered architecture outcome. Although the use of a single nationwide vendor offers certain advantages vis-à-vis administrative simplicity, this approach would not create the same performance incentives for a vendor that a competitive regime would produce. Similarly, a non-peered regional approach would fail to subject the administrator(s) to the discipline of head-to-head competition. Under either regime, NPAC users would be forced to work with the chosen vendor in each region regardless of price, customer service, use of updated technologies, or other selection criteria. In contrast to either of these models, a peered architecture would require the chosen administrators to compete head-to-head

⁴ *Telephone Number Portability*, Second Report and Order, 12 FCC Rcd 12281, ¶ 38 (1997) (“*Second LNP R&O*”); see also *Telephone Number Portability*, First Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 8352, ¶ 92 (1996) (concluding that “it is in the public interest for the number portability databases to be administered by one *or more* neutral third parties”) (emphasis supplied); *Second LNP R&O* ¶ 36 (noting the NANC’s finding that: (1) employing multiple administrators would enable carriers “to obtain more favorable terms and conditions than if only one database administrator had been selected” and provide a useful back-up should one administrator fail to or be unable to perform its obligations; and (2) using “two database administrators is consistent with the Commission’s directive that the NANC recommend the most cost-effective number portability methods”).

⁵ The Commission ultimately approved the selection of two administrators, Lockheed Martin IMS and Perot Systems, Inc. *Second LNP R&O* ¶¶ 3, 38. Perot Systems was unable to begin operations on time, and NeuStar succeeded Lockheed Martin as administrator pursuant to a transfer approved by the Commission. *Telephone Number Portability*, Second Memorandum Opinion and Order on Reconsideration, 13 FCC Rcd 21204, ¶¶ 7-9 (1998); *Request of Lockheed Martin Corp.*, Order, 14 FCC Rcd 19792, ¶ 1 (1999).

to attract voice providers to their LNP administration services in one or more of the seven regions.

The FCC repeatedly has recognized that a competitive marketplace encourages innovation, leads to improved service quality, and fosters responsiveness to customer needs.⁶ A competitive marketplace for number portability administration should produce similar benefits. Indeed, members of the industry have recognized that a competitive porting system has “the potential to not only capitalize on the significant advances in technology that have taken place since the initial implementation of local number portability in 1997, but also to accelerate those advances in the future to the benefit of all consumers of telecommunications services.”⁷

Some segments of the industry have raised concerns about the impact of a peered architecture on the costs of providing LNP services. Others have questioned whether it is operationally feasible to provide LNP services using a peered architecture.⁸ As an initial matter,

⁶ See, e.g., *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993; Annual Report and Analysis of Competitive Market Conditions with Respect to Mobile Wireless, Including Commercial Mobile Services*, Fifteenth Report, 26 FCC Rcd 9664, ¶ 272 (2011) (noting that “[w]ith increased competition came increased innovation”); *Policy for Licensing Domestic Satellite Earth Stations in the Bush Communities of Alaska*, Report and Order, 18 FCC Rcd 16874, ¶ 1 (2003) (allowing competition “will encourage improvement in the quality of service available . . . [and] promote more efficient delivery of service”); *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, Third Report and Order and Fourth Further Notice of Proposed Rulemaking, 15 FCC Rcd 3696, ¶ 399 (1999) (promoting competition will “thereby encourage investment and innovation”). See also *Report on NANC Change Order 437 Feasibility Analysis*, North American Numbering Council, Local Number Portability Administration Working Group, at 11, App. B (Jan. 11, 2011), available at: <http://www.npac.com/media/npac/files/public/change-order-documents/lnpa-wg_report_on_nanc_change_order_437-feasibility_analysis> (“*Feasibility Analysis*”) (“The ability for the industry to support vendor choice will . . . promote competition for improved service quality . . . [and] a peered NPAC architecture [also would serve] as a foundation that would foster innovation and facilitate rapid adoption of new technologies, products and services.”).

⁷ *Feasibility Analysis* at 13, App. B.

⁸ *Id.* at 5, § 5.2.

Comcast and other industry group participants have explained why they reasonably believe that these concerns are speculative⁹ and can be satisfactorily resolved.¹⁰ Moreover, it is clear that every outstanding issue need not be resolved for an option to be included in the RFP at this initial procurement stage. Notably, the current RFP includes numerous outstanding questions regarding how a non-peered regional approach would be implemented and nonetheless seeks proposals that would result in administration by non-peered regional LNPAs.¹¹ Given the potential benefits that the availability of competitive LNP services would offer to voice providers, there is no sound reason to design an RFP that precludes the potential use of a peered architecture. To the contrary, broadly designed and flexible procurement documents will allow NANC to make an

⁹ As long as the RFP adopted makes clear that development costs are to be borne by the vendor, Comcast believes that concerns regarding cost are speculative. *Id.* at 12-13, App. B. In the majority of cases, an NPAC user company will opt to select a single LNPA that best fits its needs under a peered model. Accordingly, there will be no increase in implementation or administrative costs to the user company, and overall prices likely will decrease by virtue of having more than one competing LNPA.

¹⁰ For example, the numerous concerns regarding the lack of existing Methods and Procedures (“M&Ps”) for “troubleshooting specific problems that may potentially arise in a peered NPAC environment” can be addressed. Rather than simply finding that a peered architecture is not operationally feasible because such M&Ps are not in place, “a better approach is to define in detail the specific M&Ps that will require development in a peered NPAC architecture, and then ensure prospective NPAC vendors fully and completely address handling of specific trouble types as part of the RFP process.” *Feasibility Analysis* at 12, App. B. Similarly, including enforcement provisions in all NPAC contracts easily and quickly can address any concerns regarding NPAC performance. *Id.*; *see also id.* at 11, App. B (noting, *inter alia*, that “similar concerns to those raised about the operational feasibility of [a peered architecture] were considered by the industry [in 1997] and deemed surmountable”).

¹¹ RFP at 62-63, § 14.1 (questioning, *inter alia*, how national providers could “connect their test bed platforms to multiple NPAC LNPA test beds in different Regions” and how to deal with the “additional complexities, costs, and support necessary for [such providers] to obtain reports and data from NPAC solutions of different LNPAs in different regions”).

informed decision when it chooses the NPAC administration system based on “which proposal(s) offers the greatest overall value and is most advantageous to the industry.”¹²

II. CONCLUSION

While the current single provider NPAC service largely has worked effectively, opening the provision of number portability administrative services to competition and allowing carriers to have a choice of vendors in each NPAC region via a peered architecture can provide enhanced benefits to the industry. For the reasons explained above, therefore, the Bureau should ensure that the RFP for a new LNPA or LNPAs would permit such services in the future to be offered under a pro-competitive peered NPAC architecture.

Respectfully submitted,

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¹² *Id.* at 64, § 14.1.1.