



REDACTED – FOR PUBLIC INSPECTION

Ex Parte Notice

April 12, 2013

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Ex Parte Notice

In the Matter of Rural Call Completion, WC Docket No. 13-39

Dear Ms. Dortch:

On Wednesday, April 10, 2013, the undersigned and Stephen Pastorkovich from NTCA – The Rural Broadband Association (“NTCA”), Fritz Hendricks from Onvoy Voice Services, and Brent Christensen from the Minnesota Telecom Alliance (collectively, “the Rural Representatives”) met with the following representatives of the Federal Communications Commission (“Commission”) to discuss continuing concerns with respect to call routing and termination: Lynne Engledow, Christopher Koves, John Hunter, Chris Killion, Margaret Dailey, Theo Marcus, John Healy, Jessica Long, William Devers and Richard Hovey (via telephone).

The NTCA representatives described a recent dramatic increase in consumer complaints regarding the failure of calls to complete. Specific harmful scenarios were described including the following:

- A nursing home reported that it could not receive doctor’s orders.
- A veteran’s medical clinic complained that it cannot receive calls from a hospital.
- A trucking company in Nebraska in one morning received complaints from six drivers and 20 customers who could not call the company.
- In addition to complaints from individual consumers, complaints to one rural local exchange carrier were received from a funeral home, a law office, and a realty company.
- NTCA members report that they have received calls from their business customers apologizing about changing service providers because they have no choice in order to continue operations.

The attached presentation was provided to describe efforts to trace the problem. Fritz Hendricks walked FCC staff through the process used and explain his theory about what is happening. The

NTCA-The Rural Broadband Association
4121 Wilson Boulevard, Suite 1000, Arlington, Virginia 20003
(703) 351-2000 (Tel) • (703) 351-2001 (Fax)

Ms. Marlene H. Dortch

April 12, 2013

Page 2

Rural Representatives encouraged the Commission to take immediate action to address continuing call completion problems and assess forfeitures against responsible carriers.

Mr. Hendricks also explained that his analysis is being hampered because carriers cite contractual confidentiality clauses, as well as Customer Proprietary Network Information rules, as not permitting them to share pertinent information. It is requested that the FCC require carriers to provide call detail records to support investigations. Mr. Hendricks offered to serve as a third party and investigate complaints with the information to be shared confidentially with the Commission.

The Rural Representatives also explained that carrier resolution of problems may be hampered because there is currently no obligation for carriers to designate a person as a call completion contact. It was suggested that the Commission, as part of any order, require carriers to file and update contact lists and that the Commission make a call termination carrier contact list publicly available.

Confidential treatment is expressly requested of the exhibit included with this Notice of Ex Parte. Each page of the confidential, non-redacted submission is marked "Proprietary and Confidential." A redacted copy is filed herewith and a confidential version is provided under seal. Confidential treatment is requested as disclosure could cause substantial competitive harm because other competitive entities could assess aspects of the companies' operations and could in turn use that information to undermine their business plans. Providing others with insight into the companies' operations would cause substantial harm as the data and information provided could be used to undermine their competitive positions. There is also a concern that public disclosure might encourage other parties to circumvent Commission rules or hamper an investigation.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS with your office. If you have any questions, please do not hesitate to contact me at (703) 351-2020 or jcanfield@ntca.org

Respectfully submitted,

/s/ Jill Canfield
Jill Canfield

Director, Legal & Industry and Assistant General
Counsel

Attachment

Ms. Marlene H. Dortch

April 12, 2013

Page 3

cc: Margaret Dailey
Chris Killion
Lynne Engledow
Christopher Koves
John Hunter
Theo Marcus
John Healy
Jessica Long
Bill Dever
Richard Hovey

FCC 04/10/2013
Long Distance Call Termination Issues



Agenda

- Consumer Expectations
- Call Termination Issues - Consumer Impacts ¹
- Call Flow Examples – originating call number change
- Originating Call Number Change – Trends
- Call Examples – originating call suspension in the network
- Industry Request for Collaboration with FCC

¹ Failure of carriers to terminate calls in rural areas has a consumer economic and safety impact, this discussion is not intended to quantify or qualify the impacts

Consumer Expectations

Consumers on both ends of a call expect the telecom infrastructure to work as it has for decades regardless of the regulatory or technology changes – in fact they demand it

- The economic, social, and public safety implications of an unreliable communication infrastructure are well documented in this instance – Rural Call Termination Issues
- Business consumers expects a quality communications infrastructure – more importantly – the business viability demands performance
- Consumers expect a telephone device to perform in a universal way: (regardless of device type)
 - When a telephone number is dialed, and the originating device signals that the call is in progress, the consumers (both ends) expect the far end device or dialed number (within milliseconds) to be offered the call (e.g., ring, buzz, vibrate...remain silent at the far end consumer choice)
 - Consumers expect the Caller Name and Number Service purchased will present the actual originating caller information for call screening and other safety options
 - When 911 or the Sheriffs Office the next town over is dialed, the consumer and the public safety office expect the call to complete
- Regulation support the consumers expectations

Call Termination Issues – Consumer Impacts

The originating consumers is not receiving the service purchased which is negatively impacting the terminating consumer – both consumers suffer

■ Originating Consumer Issues:

- Ring No Answer - Originating carrier signals, to their consumer, a call is in progress when in fact the call has not been offered to the far end carrier, consumer, or end user device ^{2,3}

Two typical scenarios:

- Call is never offered to the far end consumer because it was terminated or sent to an announcement by the originating carrier or an intermediate carrier; or the originating consumer hung up (ring no answer)
 - Call is delivered to the far end user after the originating consumer has heard 9 to 10 rings – far end consumer only heard one or two rings (call terminated before far end consumer could not get to the phone and before voice mail (again, ring no answer)
- Originating caller number changed from Intra to Inter State – far end consumer does not accept call because the originating number is not recognized
 - Poor call quality

■ Terminating Consumer Issues:

- Unable to receive calls from outside the local calling area (impacts both residential and business consumers)
- Caller Id and Name on displayed on the device is not accurate – which can impact call screening and personal safety
- Poor call quality

² Originating carriers should not signal to the originating consumer that a call is in progress until the far end device has been offered the call

³ Some intermediate carriers are signaling that the far end device has been offered the call therefore the originating carrier may not know the far end has not been offered the call

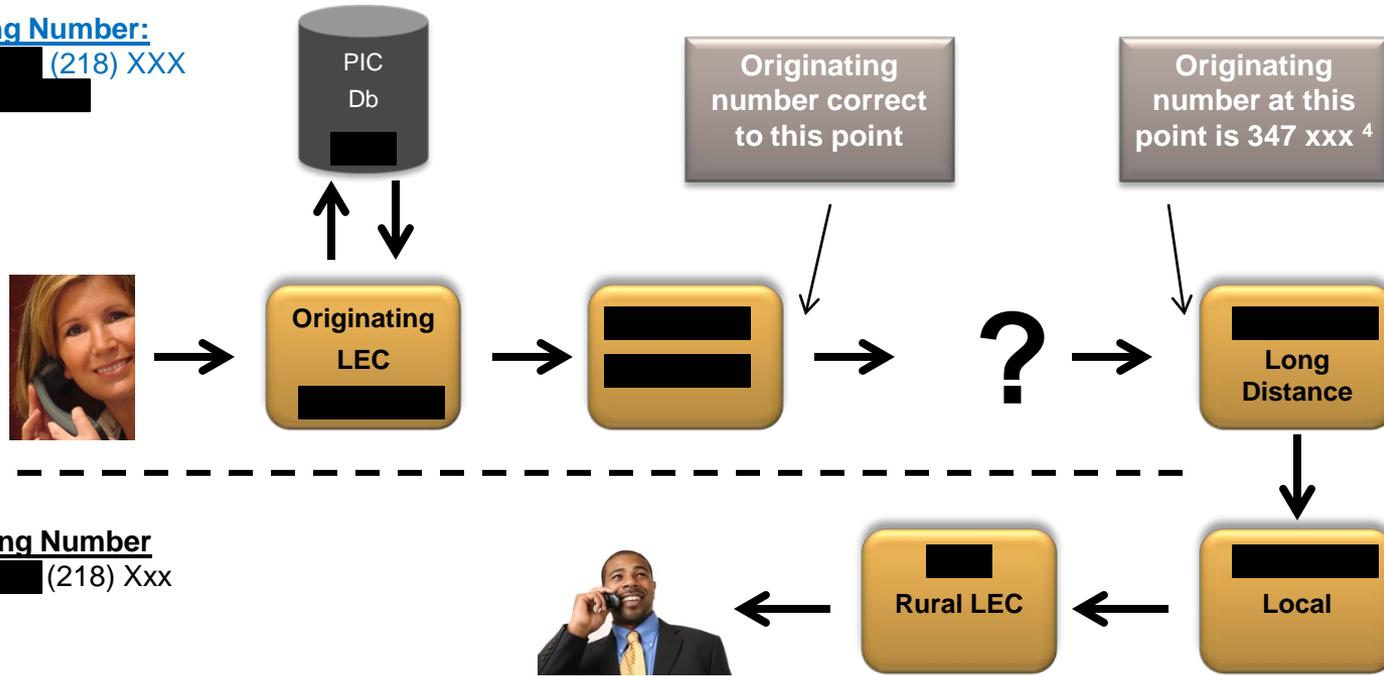
Call Flow Example – Originating Number Change

Originating caller information is being changed, in the middle of the call flow, from Intra to Inter State; terminating carriers has no regulatory authority to trace the call

Originating Number:

Local = [redacted] (218) XXX

Toll = [redacted]



Terminating Number

Local = [redacted] (218) Xxx

Caller ID:

Originating number = (347) xxx

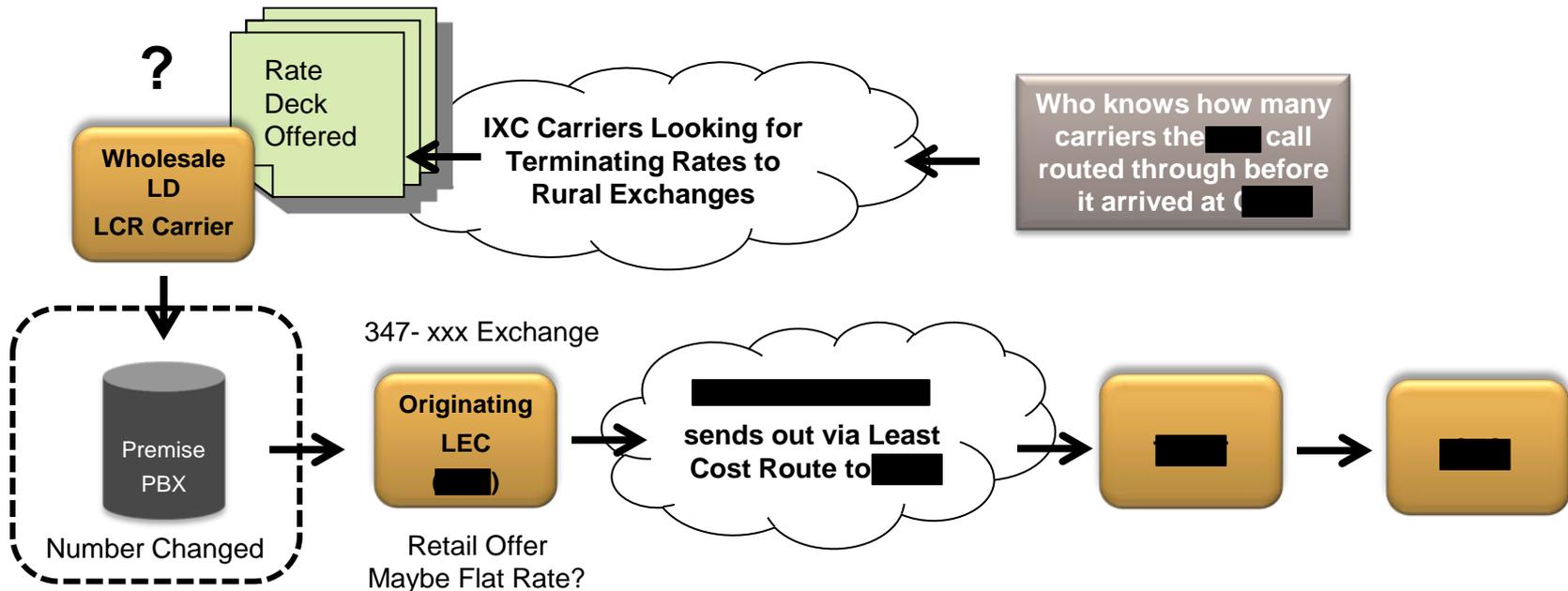
[redacted] or its delegate have no regulatory authority to compel carriers in the call flow to disclose the call routing information required to isolate the carrier converting the call – this trouble is likely correlated to the failed call attempts issue

⁴ [redacted] validated that the number arrived to them as a 347 xxx number – subsequent testing with [redacted] indicated that [redacted] was in the call flow and that the call was handed to them by [redacted] with the 347 xxx number (347 xxx is a [redacted] number) Please note: [redacted] likely picked this up from their consumer.

Originating Number Change - Trends

Calls terminating into the State of Minnesota with a 347 XXX⁵ New York originating number are increasing at an alarming rate - nearly double since January

	Mar-12	Jul-12	Oct-12	Jan-13	Mar-13
MOU from 347 area code to MN companies via Onvoy Tandem	84,000	248,000	426,000	471,000	709,000
MOU from 347 area code to [REDACTED] via Onvoy Tandem	1,200	11,000		14,000	29,000
Count of different telephone numbers with 347 area code calling [REDACTED]				3,712	6,247

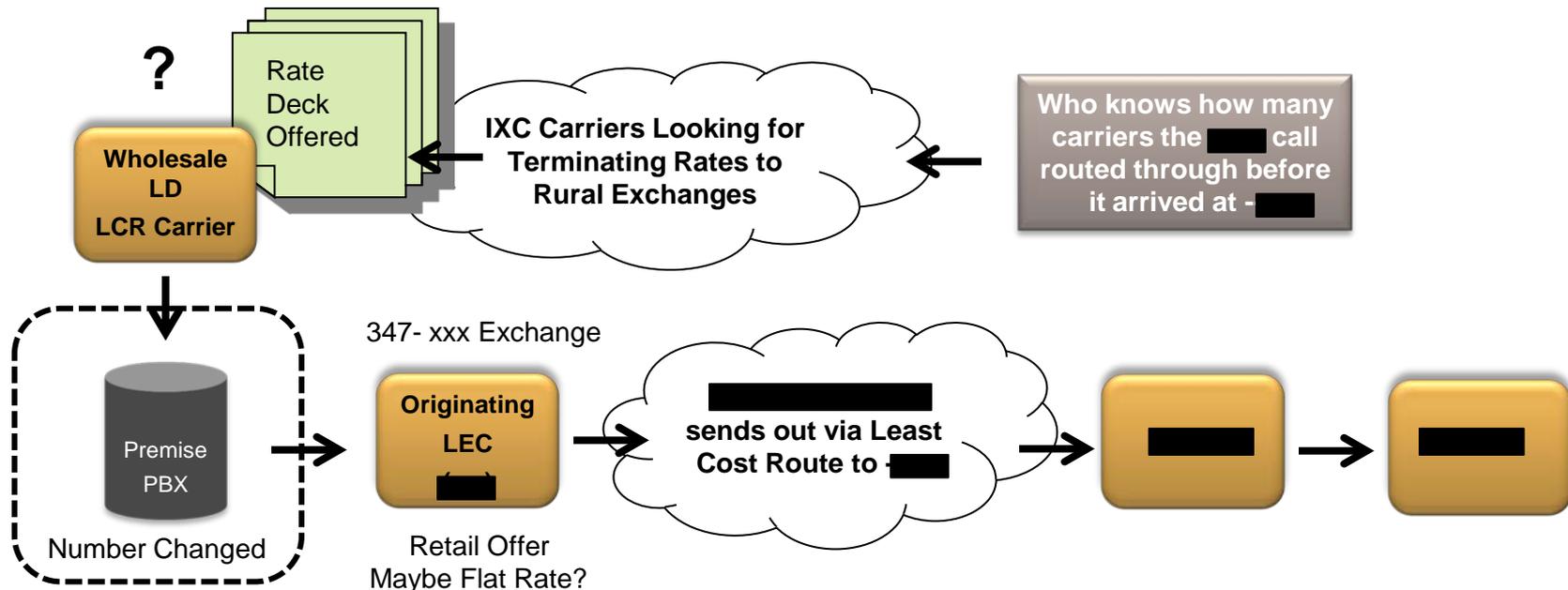


⁵ All numbers tracked to date are [REDACTED] numbers – however this is no indication that [REDACTED] has anything to do with the number change from an Intra to Inter State call. (Could be a consumer PBX is hacked or a consumer of [REDACTED] that is changing the numbers)

Call Example – Originating call suspended in the Network

Originating calls never offered to the rural LEC are considered “Suspended in the Network” – These calls must be isolated from the originating carrier

- Using the call flow from the previous page – the Wholesale LD LCR application is capable of suspending a call while awaiting a route – in this case from [REDACTED]
- The application plays or signals ring back tone to the originating end user office while it looks for an available route to terminate the call
- Originating consumer will hear ringing and think the call is completed to the far end when in reality the call is held up at the Wholesale LD Carrier Application



Industry Request for Collaboration with FCC

Obviously a difficult situation to control, below are conceptual thoughts that can be pursued to help further resolve the issues

- **Originating carriers should be held liable for call completion – which may include fines**
 - Order - Originating carrier must trouble isolate with the terminating carriers upon request (today originating carrier will not open a ticket with the terminating carrier because the terminating carrier is not a customer of record for the originating carrier)
 - Order – Originating carrier must pursue call termination issues to resolution and provide supporting documentation to the FCC upon request
 - Order that all carriers must maintain call records for a set period time (this may be done)
- **FCC designate a third party analysis**
 - FCC – assign an independent third party company to isolate call examples from the originating source
 - Order – carriers required to provide call detail records to support designated third party investigation
 - Order – Information shared with FCC assigned independent third party will remain confidential
- **Carriers in the terminating call flow Ordered to provide call detail records to downstream carriers**
 - Order – (same FCC independent third party) carriers in the termination call flow must provide call detail records and contact information required to trace a call back through the network (determine where number changed)
 - Order – information collected in the call trace to remain confidential