

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|--|---|----------------------|
| In the Matter of |) | |
| |) | |
| Numbering Policies for Modern Communications |) | WC Docket No. 13-97 |
| |) | |
| IP-Enabled Services |) | WC Docket No. 04-36 |
| |) | |
| Telephone Number Requirements for IP-Enabled Services Providers |) | WC Docket No. 07-243 |
| |) | |
| Telephone Number Portability |) | CC Docket No. 95-116 |
| |) | |
| Developing a Unified Intercarrier Compensation Regime |) | CC Docket No. 01-92 |
| |) | |
| Connect America Fund |) | WC Docket No. 10-90 |
| |) | |
| Numbering Resource Optimization |) | CC Docket No. 99-200 |
| |) | |
| Petition of WilTel Communications, LLC for Limited Waiver of Section 52.15(g)(2)(i) of the Commission’s Rules Regarding Access to Numbering Resources |) | |

WilTel Trial Proposal

Level 3 Communications, LLC (FRN 0003723822) (“Level 3”), on behalf of its wholly owned subsidiary WilTel Communications, LLC (FRN 0003716511) (“WilTel”), respectfully submits this Trial Proposal to obtain access to telephone numbers, pursuant to the Commission’s *VoIP Numbering Waiver Order*.¹

In 2005, the Commission granted SBC Internet Services (SBCIS), a provider of IP-enabled services, including VoIP services, a limited waiver of section 52.15(g)(2)(i) of the

¹ *Numbering Policies for Modern Communications*, WC Docket No. 13-97, *et al.*, Notice of Proposed Rulemaking, Order and Notice of Inquiry, FCC 13-51 (rel. Apr. 18, 2013) (“*VoIP Numbering Waiver Order*” or “*Order*”).

Commission's rules, to enable SBCIS to obtain direct access to telephone numbers.² The Commission stated that, to the extent other entities sought similar relief, it would grant such relief to a comparable extent.³ A number of providers, including, among others, Vonage Holdings Corp. ("Vonage") and WilTel, filed petitions seeking similar relief.⁴

In the *VoIP Numbering Waiver Order*, the Commission acted on those pending petitions, "grant[ing] Vonage and other interconnected VoIP providers that have pending petitions for waiver of section 52.15(g)(2)(i) of the Commission's rules, and that meet the terms and conditions outlined [in the *Order*], a time-limited waiver, subject to a number of conditions and limitations, to obtain a small pool of telephone numbers directly from the [numbering] administrators for use in providing IP services, including VoIP services, on a commercial basis to residential and business customers."⁵ The Commission further explained that entities with pending petitions "may participate on the same terms and conditions and proportionate scale as Vonage so long as they file a proposal with the Wireline Competition Bureau and proceed on the same schedule as Vonage does."⁶ The Commission noted that WilTel was among the entities with pending petitions whose petitions were granted.⁷

² See *Administration of the North American Numbering Plan*, CC Docket No. 99-200, Order, 20 FCC Rcd 2957 (2005).

³ *Id.* at 2959, ¶ 4. See also *VoIP Numbering Waiver Order* at ¶ 12.

⁴ See *VoIP Numbering Waiver Order* at ¶ 13 n.35.

⁵ *Id.* at ¶ 87.

⁶ See *id.* at ¶ 89.

⁷ See *id.* at ¶ 13 n.35 (identifying pending petitions, including WilTel's); ¶ 89 & n. 227 (stating that entities with pending petitions "may participate on the same terms and conditions . . . so long as they file a proposal with the Wireline Competition Bureau" and citing a Public Notice identifying pending petitions, including WilTel's).

In 2005, while its petition was pending, WilTel was acquired by Level 3.⁸ Level 3, which provides services through itself and its affiliates, including WilTel, is a leading, worldwide provider of IP-based voice, data, and video services. Currently, the wholesale and enterprise interconnected VoIP services that are the subject of the WilTel petition are provided through Level 3 and WilTel's affiliate, Level 3 Communications Enhanced Services, LLC ("Level 3 ES"). Accordingly, this Proposal, on behalf of WilTel, encompasses services provided through its affiliate, Level 3 ES.⁹

For the purposes of the trial, the Commission explained, Vonage would be permitted to port 125,000 telephone numbers, or approximately five percent of its total worldwide subscriber lines; the Commission also provided that Vonage would be eligible to receive a smaller quantity of new numbers.¹⁰ Other providers, the Commission stated, would be permitted to port up to five percent of their interconnected VoIP service customers as of the date of release of the

⁸ See Authorizations Granted, Applications for Consent to Transfer Control of WilTel Communications, LLC, and Vyvx, LLC from Leucadia National Corporation to Level 3 Communications, LLC, 20 FCC Rcd 20312 (IB 2005); Domestic Section 214 Application Filed for Transfer of Control of WilTel Communications, LLC, and Vyvx, LLC, to Level 3 Communications, LLC, WC Docket No. 05-313, Public Notice, 20 FCC Rcd 18000 (WCB 2005).

⁹ Providing services through affiliated operating companies is common in the industry. Indeed, while Vonage's petition for waiver was filed in the name of Vonage Holdings Corp., Vonage provides interconnected VoIP services to customers and obtains network services through various operating affiliates of Vonage Holdings Corp. both in the United States and abroad. There is no dispute that the Commission's grant of the waiver to Vonage Holdings Corp. entitles Vonage's operating affiliates to obtain direct access to telephone numbers.

¹⁰ See *VoIP Numbering Waiver Order* at ¶100 & n.250 (Vonage may port up to 125,000 numbers, approximately five percent of its total number of subscriber lines). See also *id.* ¶ 100 n.250 (citing Vonage Holdings Corp. Reports Fourth Quarter and Full Year 2012 Results, <http://pr.vonage.com/releasedetail.cfm?ReleaseID=739997>) (noting that Vonage's technology serves approximately 2.4 million subscriber lines); Vonage Holdings Corporation Annual Report 2012, at 24, 25 (<http://www.sec.gov/Archives/edgar/data/1272830/000127283013000018/a10-k2012.htm>) (noting that Vonage has approximately 2.4 million subscriber lines, including both business and residential customers; that Vonage bills customers in the United States, Canada, and the United Kingdom, and that customers in the United States represent 93 percent of total subscriber lines).

Order.¹¹ As with the Commission's calculation of how many numbers Vonage was entitled to port, the number of customers for these purposes is the number of lines served through the service provider's technology.¹²

For this Trial Proposal, Level 3 ES proposes to port 200,000 numbers and to obtain no more than 25 new 1,000-blocks of numbers in pooling rate centers.¹³

FCC 13-51 Proposal Requirements

Pursuant to the requirements set forth in the *Order*, Level 3, on behalf of WilTel and Level 3 ES, provides the following details, certifications, and commitments.

1. Neither Level 3 nor WilTel nor any affiliate is subject to red-light status at the Commission.¹⁴
2. Neither Level 3 nor WilTel nor any of their affiliates is out of compliance with any Commission obligation.¹⁵
3. The benefits of approving this Trial Proposal greatly outweigh any risks.¹⁶ Level 3 is a leading provider of IP-based voice and data services. Level 3 provides services both to enterprise and wholesale customers; as the Commission has indicated a desire to have trials inform its NPRM, the Level 3 proposed trial will provide the kinds of information the Commission believes will be helpful, and that Vonage's test alone is unlikely to generate. In addition, the Commission will

¹¹ See *VoIP Numbering Waiver Order* at ¶100.

¹² See *supra* note 10.

¹³ As of the date of the *Order*, more than 4,000,000 lines were served through Level 3 technology.

¹⁴ See *VoIP Numbering Waiver Order* at ¶ 99.

¹⁵ See *id.*

¹⁶ See *id.*

benefit from Level 3's experience obtaining (or its inability to obtain, as the case may be) IP interconnection with other carriers and providers as part of the trial.

Because of Level 3's extensive experience providing voice and data services, the risks of permitting direct access to numbers in connection with this proposal are, if anything, less substantial than any risks associated with providing direct access to numbers to other VoIP providers.

4. The certification of Andrea Pierantozzi, Vice President, Voice Services, for Level 3, on behalf of Level 3, WilTel, and Level 3 ES, that the companies will comply with the terms and conditions of the *VoIP Numbering Waiver Order* is attached below.¹⁷
5. Attached as Attachment 1 is a table identifying rate centers that will be included in the trial and the number of new and ported in numbers in each.¹⁸
6. Attached as Attachment 2 is a description of the phase-in process to implement the trial.¹⁹
7. Level 3 will submit, on behalf of its affiliate, monthly reports beginning 60 days after any request for direct access to numbers from a numbering administrator.²⁰

Those reports will include:

- a. the total number of new numbers placed in service;
- b. the total number of port-in requests (including existing and newly won customers) and the percentage of successful port-ins;

¹⁷ *See id.* at ¶ 101.

¹⁸ *See id.*

¹⁹ *See id.*

²⁰ *See id.* at ¶ 103.

- c. the number of requests to port-out numbers held directly rather than through a CLEC partner and the percentage of successful port-outs;
 - d. the total number of routing failures, along with the causes of those failures; and
 - e. a description of any billing or compensation disputes.
8. Level 3, on behalf of Level 3 ES, commits to comply with the Commission's numbering utilization and optimization requirements and industry guidelines and practices, including abiding by the numbering authority delegated to state commissions and filing NRUF reports.²¹
9. Level 3 ES will maintain at least 65 percent number utilization across the telephone number inventory assigned as part of the trial; offer IP interconnection to other carriers and providers ; work to ensure that its carrier partners comply with applicable law, including intercarrier compensation obligations; and comply with the Commission's numbering requirements.²²
10. Level 3 ES will: (1) provide the relevant State commission with regulatory and numbering contacts when requesting numbers in that State; (2) consolidate and report all numbers under its own unique Operating Company Number (OCN); (3) provide customers with the ability to access all N11 numbers in use in a State; and (4) maintain the original rate center designation of all numbers in its inventory.

²¹ *See id.* at ¶ 105.

²² *See id.* at ¶ 106.

Level 3 respectfully requests the Bureau approve this Trial Proposal.

Respectfully submitted,

/s/ Joseph C. Cavender

Joseph C. Cavender

Vice President, Federal Regulatory Affairs

Level 3 Communications, LLC

1120 L Street, NW, Suite 660

Washington, DC 20005

(571) 730-6533

CERTIFICATION

I, Andrea Pierantozzi, Vice President, Voice Services for Level 3 Communications, LLC, certify that I have read the foregoing WilTel Trial Proposal, and the statements therein are true and correct. I further certify that Level 3, WilTel, and Level 3 ES will comply with the terms of its waiver, as set forth in the *VoIP Numbering Waiver Order*, FCC 13-51 (rel. Apr. 18, 2013), and as described herein.



Andrea Pierantozzi

ATTACHMENT 1

| LATA | LATA NAME | RC ABBRE | RC STATE | Total New TN Blocks | Total To Be Ported |
|------|--------------------|------------|----------|---------------------|--------------------|
| 128 | EASTERN MASS | BOSTON | MA | 8 | 45,000 |
| 422 | CHARLOTTE NC | CHARLOTTE | NC | 5 | 10,000 |
| 422 | CHARLOTTE NC | CONCORD | NC | 1 | 1,000 |
| 552 | DALLAS TEXAS | DALLAS | TX | 1 | 25,000 |
| 656 | DENVER CO | DENVER | CO | 1 | 17,000 |
| 730 | LOS ANGELES CA | LSAN DA 01 | CA | 8 | 95,000 |
| 974 | ROCHESTER NEW YORK | ROCHESTER | NY | 1 | 7,000 |
| | | | | 25 | 200,000 |

ATTACHMENT 2

- 1) Level 3 is in the process of establishing an OCN for Level 3 Enhanced Services, LLC to comply with existing industry practices.
- 2) Level 3 will request Telephone Numbers with NANPA and the particular State PUCs immediately following approval of its Trial Plan and Waiver. Level 3 will identify Customer need for Telephone Numbers within the geography of selected rate centers and identify target customers for trial. We will be capable of providing service within 60 days of activating the numbers we request from NANPA. The chart below (reproduced from Attachment 1) outlines the rate centers and new Telephone Numbers being requested as well as the total number of Telephone Numbers to be ported.

| LATA | LATA NAME | RC ABBRE | RC STATE | Total New TN Blocks | Total To Be Ported |
|------|--------------------|------------|----------|---------------------|--------------------|
| 128 | EASTERN MASS | BOSTON | MA | 8 | 45,000 |
| 422 | CHARLOTTE NC | CHARLOTTE | NC | 5 | 10,000 |
| 422 | CHARLOTTE NC | CONCORD | NC | 1 | 1,000 |
| 552 | DALLAS TEXAS | DALLAS | TX | 1 | 25,000 |
| 656 | DENVER CO | DENVER | CO | 1 | 17,000 |
| 730 | LOS ANGELES CA | LSAN DA 01 | CA | 8 | 95,000 |
| 974 | ROCHESTER NEW YORK | ROCHESTER | NY | 1 | 7,000 |
| | | | | 25 | 200,000 |

- 3) To effectively test the capabilities and workability of the Telephone Numbers received via waiver, Level 3 ES desires to obtain Network Interconnection with the Carriers identified in the chart below:

| OCN_NAME* | CATEGORY |
|--|----------|
| AT&T | RBOC |
| CELLCO PARTNERSHIP DBA VERIZON WIRELESS | WIRELESS |
| COMCAST PHONE OF COLORADO, LLC - CO | CLEC |
| FRONTIER TELEPHONE OF ROCHESTER INC | ILEC |
| NEW CINGULAR WIRELESS PCS, LLC | WIRELESS |
| QWEST CORPORATION | RBOC |
| SBC INTERNET SERVICES, INC. | IPES |
| VERIZON NEW ENGLAND INC. | RBOC |
| WINDSTREAM CONCORD TELEPHONE INC. | ILEC |
| <i>*As applicable in particular LATA</i> | |

While it is possible to utilize various Tandem providers to route these calls we feel a better test will be achieved if direct network IP interconnection is obtained. This will prove that non-Carriers can request and obtain IP interconnection from legacy Carriers as well as test the functionality. Level 3 ES will seek direct IP Interconnection with the legacy carriers we have identified but if they refuse to make this possible within the defined timeframes we intend to utilize Tandem and Local Interconnect products from legacy CLECs, and will advise the FCC.

- a. As part of Level 3's IP Interconnect Agreement we will incorporate TDM interconnect language for cases where the Carrier cannot implement IP interconnects at this time. Our IP Agreement will address methods of interconnection, define IP interconnection, address 2 way exchange of traffic for both direct and indirect interconnection, and address the applicable Telephone Numbers arrangement as well as compensation.
- b. Level 3 is requesting an efficient IP interconnection via the Public Internet capable of the exchange of local and LD traffic to each Carrier's Telephone Numbers.
 - i. As part of the negotiations, it will be critical to schedule Network Planning meetings with the carrier's technical staff to determine technical specifications and interconnection points within the first week of contact.
 - ii. The following SIP specifications will be requested by Level 3:
 - G.711 only (no DSP required), also preferred method for fax transfer
 - SIP-T
 - IP VPN via the public internet
 - Transport UDP
 - SIP Methods: INVITE, ACK, CANCEL, BYE
 - Number Formatting for SIP headers: SURI 'user part' MUST be in e.164 number format. SIP URIs are used in 'Request-URI', 'To', 'From', 'Contact', 'P-Asserted-ID', 'Record-Route', 'Route', 'Refer-To', 'Referred-By', and 'Diversion' headers.
 - iii. Alternate Interconnection approach – if the carrier cannot meet the above specifications or does not have ability to interconnect via IP within prescribed timeframe, Level 3 will agree to perform the trial via TDM utilizing efficient interconnection methods.
- c. Where we will obtain Direct Interconnects for the exchange of traffic, Level 3 ES will also require Indirect interconnection to exchange calls with non-directly interconnected Carriers. To accommodate this, we will do the following:
 - i. Level 3 ES will subtend the Level 3 Communications, LLC tandems for the exchange of LD non-direct interconnected traffic
 - ii. Level 3 ES will subtend the Incumbent LEC tandem for the exchange of local non-direct interconnected traffic. We will request IP Interconnection for this exchange of traffic

but if the Incumbent LECs cannot accommodate this within the defined timeframe of this trial we will accept TDM interconnects.

- 4) Upon execution of the IP Agreement, Parties will implement IP interconnects (order, test, and turn-up service) to enable the exchange of local and LD traffic. We anticipate this to take 45-60 days to complete based upon prior experience. Level 3 proposes a Phased Implementation plan to enable the Companies to validate network performance and quality standards.
 - a. Phase 1: We desire a controlled environment as we embark on testing so will utilize Level 3 Field Offices for initial testing of network capabilities.
 - b. Phase 2: Once successful testing has been completed with Level 3 Field Offices, Level 3 ES will begin to use the waiver Telephone Numbers to activate live Customers as outlined below:

| LATA | LATA NAME | RC ABBRE | RC STATE | New 1000 Blocks Requested | | | | TNs to Be Ported | | | |
|------|--------------------|------------|----------|---------------------------|---------|---------|---------------------|------------------|---------|---------|--------------------|
| | | | | Month 2 | Month 3 | Month 4 | Total New TN Blocks | Month 2 | Month 3 | Month 4 | Total To be ported |
| 128 | EASTERN MASS | BOSTON | MA | 3 | 3 | 2 | 8 | 15,000 | 15,000 | 15,000 | 45,000 |
| 422 | CHARLOTTE NC | CHARLOTTE | NC | 2 | 2 | 1 | 5 | 3,333 | 3,333 | 3,334 | 10,000 |
| 422 | CHARLOTTE NC | CONCORD | NC | 1 | 0 | 0 | 1 | 333 | 333 | 334 | 1,000 |
| 552 | DALLAS TEXAS | DALLAS | TX | 1 | 0 | 0 | 1 | 8,333 | 8,333 | 8,334 | 25,000 |
| 656 | DENVER CO | DENVER | CO | 1 | 0 | 0 | 1 | 5,666 | 5,666 | 5,668 | 17,000 |
| 730 | LOS ANGELES CA | LSAN DA 01 | CA | 3 | 3 | 2 | 8 | 31,666 | 31,666 | 31,668 | 95,000 |
| 974 | ROCHESTER NEW YORK | ROCHESTER | NY | 1 | 0 | 0 | 1 | 2,333 | 2,333 | 2,334 | 7,000 |
| | | | | | | | 25 | | | | 200,000 |

- c. Level 3 ES will load new number blocks into industry databases and establish LRNs in the LATAs as shown in the chart above in Section 1b. Level 3 ES will also configure to Switch Homing Arrangement in the LERG and NPAC. Once issued, all new Telephone Numbers will be activated and tested accordingly.
 - d. The port-in orders will be submitted along with digital LOAs, FOC is issued and the port order will be triggered by Level 3 on the assigned date/time.
 - i. Place Telephone Numbers order from customer for ported Telephone Numbers
 - ii. Request FOC from losing carrier for ported Telephone Numbers.
 - iii. Load NPAC database on ported Telephone Numbers.
 - iv. Port Telephone Numbers on date scheduled with Customer.
 - e. The Customer will be closely monitored via Level 3 ES operations processes and any issues noticed or reported by the Customers will be addresses via in place and existing practices.
- 5) Companies will successfully complete interoperability testing to ensure networks can effectively exchange traffic to avoid network failures or call quality issues. Final stage of testing includes 911 call format validations. Upon successful completion of this stage, the Customer will go live with Level 3 ES via this waiver.
- 6) Level 3 will target 30-60 days of traffic exchange to deem the trial a success with each Carrier.

- 7) Level 3 ES will comply with monthly reporting beginning 60 days after Telephone Numbers are requested from the respective Numbering Administrator, the Reports will include:
- a. The total of new Telephone Numbers placed in service.
 - b. The total number of Telephone Number port-in requests, including existing Customers and new Customers.
 - c. The percentage of successful port-ins.
 - d. The number of port-out requests for directly held phone numbers.
 - e. The percentage of successful port-outs of such directly held numbers.
 - f. The total number of routing failures, along with the causes of those failures.
 - g. A description of any billing or compensation disputes
 - f. If we experience delays or difficulty in obtaining interconnection with any carrier we will promptly report this to the FCC.