



October 24, 2013

**Ex Parte**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: Rural Call Completion, WC Docket No. 13-39

Dear Ms. Dortch:

This is to inform you that on October 23, 2013, Jonathan Banks and Glenn Reynolds of USTelecom spoke by telephone with Rebekah Goodheart, Legal Advisor to Acting-Chairwoman Clyburn, Julie Veach and Travis Litman of the Wireline Competition Bureau, and Christopher Killion of the Enforcement Bureau in connection with the docket identified above.

In this meeting, we discussed various approaches the Commission could take to identify and address the causes of rural call completion problems. USTelecom strongly supports efforts to ensure that residents of rural areas of America receive high quality communications service. In particular, it is imperative that the Commission take appropriate steps to ensure that calls complete to all consumers – no matter where they live.

With this mutual goal in mind, USTelecom expressed concern that the proposed order on circulation, which we understand focuses on extensive industry data collection, may not lead to behavioral changes in the near future that would reduce the percentage of uncompleted calls to rural exchanges. We noted, for example, that the record suggests that – taking into consideration the need to obtain approval under the Paperwork Reduction Act, the time following such approval for providers to modify their systems to collect data, and the time necessary for the actual gathering, reporting and analyzing of data – it would likely take a significant period of time before the Commission would actually be in a position to identify the sources of problems and begin enforcement investigations.

In light of this, we urged that the Commission consider modifying the proposal to create true incentives on the part of originating carriers to implement and, to the extent feasible, follow industry best practices for call routing and completion, such as through the use of safe harbors. Wide-spread adoption of such Best Practices, we believe, is more likely to have a significant substantive impact on call completion over the next 2 years than the proposed data collection approach. During the meeting, we discussed generally the attached list of potential

Best Practices that were drawn from the *ATIS Inter-carrier Call Completion / Call Termination Handbook*.<sup>1</sup> We note that this list largely parallels potential Best Practices previously placed in the record of this proceeding by the National Exchange Carriers Association (NECA) and NTCA – The Rural Broadband Association (NTCA), which was also based upon the ATIS recommendations.<sup>2</sup>

Specifically, based upon industry discussions and because the record developed in this proceeding indicates that there will be significant costs associated with both modifying networks to gather the proposed data and with the storage and reporting of this data, we believe that a significant segment of carriers may be willing to adopt such Best Practices in order to avoid the costs associated with the data gathering. We noted that there are also costs associated with implementing these Best Practices and that such costs are likely to vary significantly among companies depending on factors such as the company size and the types of technologies currently deployed in their networks.<sup>3</sup> Similarly, the record indicates that the costs of complying with the proposed data gathering and storage will vary greatly among companies.<sup>4</sup> By creating meaningful safe harbors, the Commission would be incenting the adoption of Best Practices that may have meaningful short-term impact on call completion rates by those carriers that are in a position to do so,<sup>5</sup> while still obtaining data from the remaining providers.

We suggested that the Commission could effectuate such a proposal by including in its pending order the option for a provider to exercise the safe harbor by filing with the Commission an “opt in” notice by which it details how it intends to satisfy the Best Practices, taking into account the significant technological and other differences between the various networks that will be affected by the proposed order. Providers could look to the ATIS Handbook for guidance on how to satisfy the Best Practices. Those carriers that submitted satisfactory “opt in” notices would thereby be excused from the proposed data collection.

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<sup>1</sup> See *Ex Parte* Letter from Thomas Goode, ATIS General Counsel, WC Docket No. 13-39 (Sept. 10, 2013) (including link to the ATIS Handbook).

<sup>2</sup> See *Ex Parte* Letter from Colin Sandy, NECA, WC Docket No. 13-39 (Oct. 22, 2013) (filed on behalf of NECA and NTCA; identifying a list of potential Best Practices but expressing their concern with the adoption of any safe harbors).

<sup>3</sup> For example, the geographic extent of a company’s long distance facilities will necessarily impact its ability to implement the proposed Best Practice concerning limitations on the number of intermediary providers.

<sup>4</sup> *Cf.*, *Ex Parte* Letter from Brian Benison, AT&T, WC Docket No. 13-39 (Oct. 23, 2013); *Ex Parte* Letter from John Benedict, CenturyLink, WC Docket No. 13-39 (Oct. 23, 2013).

<sup>5</sup> Such an approach would also have the benefit of not imposing significant burdens on companies that are already following these or similar Best Practices and for which there is no basis in the record to believe they are contributing to call completion problems.

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Please do not hesitate to contact me with any questions concerning this filing.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn Reynolds". The signature is fluid and cursive, with a long horizontal stroke at the end.

Glenn Reynolds  
Vice President, Policy

c: Rebekah Goodheart  
Julie Veach  
Travis Litman  
Christopher Killion

## POTENTIAL CALL COMPLETION BEST PRACTICES

In the context of FCC WC Docket No. 13-39, *In the Matter of Rural Call Completion*, the following is a list of potential industry best practices addressing rural call completion issues raised in the FCC proceeding. The practices relate to “originating long distance voice service providers” as defined by the FCC and potentially through contracts, or other vehicles, to intermediary call completion vendors. These practices generally correlate to recommendations in Section 5 of the ATIS *Intercarrier Call Completion / Call Termination Handbook* (approved August 2012).

- Limit number of intermediary providers/call completion vendors on a call path
  - FCC has proposed 2 or fewer
  - A tandem provider only counts as such if the previous carrier hands off to the tandem provider switch which is directly connected to the terminating end office
  - Hand off in event of congestion/network emergency does not count as hand off to an intermediary provider or as a “hop” on a call
- Maintain adequate termination capacity
  - Originating carrier should maintain sufficient capacity to terminate calls, including calls that may be released back
- Signaling should not be manipulated by originating or intermediary providers
  - Improves caller ID reliability
- Call completion vendors should not loop calls back to originating IXC
  - May cause looping and result in delay/setup problems
- Call completion vendors should release calls back to the original IXC if no path to termination
  - Allows originating IXC to attempt to terminate
  - Release of call to originating IXC removes vendor from call path and 2 or fewer limit resets
- Call completion vendors should not terminate and re-originate calls
- Call completion vendors should be managed to standards required of originating long distance voice service provider
- Call completion vendor process requirements
  - Maintenance and repair responsibilities should be specified, including contacts, escalation procedures, repair times and trouble ticket procedures
- Testing requirements
  - Proof of concept testing before handing live traffic to a call completion vendor
- Quality measures and reporting
  - Originating providers should require call completion vendors to provide a sufficient set of quality measures