

The Commission has recognized that there are multiple factors which can result in an incomplete call.² Some of these factors are attributable to actions or inactions by the calling party (*e.g.*, telemarketers who use autodialers and predictive dialing, or calls made to unassigned numbers), by the called party (*e.g.*, line already in use, or call not answered), or by a LEC (*e.g.*, incorrect information in its routing table, or insufficient access capacity). The terminating RLEC presumably has ready access to information for each of these broad categories, as it is the RLEC that sends the SS7 or SIP signaling cause codes to the upstream carrier(s).

Requiring RLECs to report such information will help the Commission and the industry to assess the degree to which call completion problems may be due to factors within the control of end users or the RLEC itself, and how much of the problem may be due to the use of intermediate carriers.³ It will also help establish the scope of the claimed rural call completion problem and whether that problem is on-going.

The Commission also asked whether RLEC terminating call answer rate data should be assembled by a third party organization (FNPRM, para. 129). Sprint does not object to an aggregated report for some reasonable time period (such as one quarter), provided that the process is transparent and available for public review. This sort of analysis – a study of the relative impact of various factors on rural call completion – is long overdue, and may well indicate that the new call completion collection, retention and reporting rules are overbroad or excessive. Sprint accordingly recommends that any

² *See, e.g., Rural Call Completion Order*, para.16.

³ The RLECs have been vocal in their insistence that the rural call completion “epidemic” is due largely to long distance carriers’ use of intermediate carriers to avoid RLEC terminating access charges (*see, e.g., Rural Call Completion Order*, paras. 16-17).

aggregated report be submitted before covered carriers are required to start submitting their mandated reports.

2. Autodialer Traffic

The Commission has asked for comment on the ability of a covered provider to identify and aggregate autodialer calls (FNPRM, para. 120). Sprint does not send such calls over dedicated facilities or otherwise treat them differently than other types of traffic, and thus we cannot readily or comprehensively identify autodialer traffic. To Sprint's knowledge, there is no industry "autodialer telephone number" database that could be used to identify autodialer traffic. Thus, even if a patch could be installed to try to identify this one type of traffic (an effort which involves some cost, but which would do nothing to enhance the efficiency of Sprint's network), there is no guarantee that the data pulled would be completely accurate.

There is little apparent benefit to requiring on-going reports on autodialer traffic. If the Commission's intent here is to try to estimate the impact of autodialer calls on rural call completion, a one-time special study would seem to be sufficient. However, even if that limited study indicated that autodialer traffic is a significant factor, the question remains: what subsequent action would the Commission take? Would it, for example, prohibit the use of autodialers or predictive dialing algorithms to rural wireline numbers? The implications of any regulatory actions – especially any extreme actions -- in this regard must be carefully considered.

Given the circumstances described above, the Commission should not require covered carriers to separately identify and routinely report autodialer traffic. Sprint does

not, however, oppose allowing any covered carrier that can separately identify its autodialer traffic to report such information voluntarily.

3. Best Practices Which Warrant Safe Harbor Treatment

In a handful of cases, Sprint has voluntarily restricted its use of an intermediate carrier and routed all toll traffic to a given rural OCN over Sprint's own Feature Group D, simply to address concerns of a consumer and a regulatory body that the intermediate carrier may be negatively impacting rural call completion (regardless of whether this is true or not).⁴ Sprint suggests that in any case in which a covered carrier routes all of its toll traffic to a rural OCN over its Feature Group D network for the relevant reporting period, the covered carrier is exempt from the call completion data reporting obligation for that OCN. The covered carrier would identify any OCN to which it is routing toll traffic exclusively over Feature Group D.

The only covered carrier call completion practice which the Commission has specifically identified as potentially problematic is their use of intermediate carrier(s). Where this practice is not in use, no purpose would be served by subjecting the covered carrier to the new call completion rules.

⁴ Of course, this affects Sprint's cost of doing business. Sprint uses intermediate carriers in part because they are able in some circumstances to terminate calls more cost effectively than Sprint can do using its own network. If Sprint foregoes these efficiencies and instead incurs a higher terminating expense, Sprint will have less money to invest in broadband facilities and services, to develop new service offerings, to improve customer service, etc.

Respectfully submitted,

SPRINT CORPORATION

/s/ Charles W. McKee

Charles W. McKee
Vice President, Government Affairs
Federal and State Regulatory

Norina T. Moy
Director, Government Affairs

900 Seventh St. NW, Suite 700
Washington, DC 20001
(703) 433-4503

January 16, 2014