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

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

COMMENTS OF LEVEL 3

Level 3 Communications, LLC ("Level 3") is pleased to offer these comments in response to the Wireline Competition Bureau's Public Notice[1] regarding appendix C of the *Rural Call Completion Order*.[2]

As the Bureau noted in the Public Notice, appendix C provides a template for providers to use to report call data as required by the *Order*. The legend for the template explains how providers must report data in the various categories. Specifically, the legend provides:

> Call attempts are generally categorized as follows based on ISUP Cause values and corresponding SIP Response messages
>
> **Answered** = calls signaled back with ISUP 16 & 31 and SIP BYE & CANCEL
> **Busy** = call attempts signaled back with ISUP 17 and SIP 486
> **Ring No Answer** = call attempts signaled back as ISUP 18 & 19 and SIP 408 & 409
> **Unassigned Number** = call attempts signaled back as ISUP 1 and SIP 404

As Level 3 noted in its January 29, 2014 ex parte, the definition of Answered provided in the legend differs substantially from how Level 3 defines an answered call for the purposes of

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[1] Wireline Competition Bureau Seeks Comment on Whether to Clarify Appendix C of the Rural Call Completion Order, Public Notice, WC Docket No. 13-39, DA 14-526 (released Apr. 21, 2014) (Public Notice).

[2] *Rural Call Completion*, WC Docket No. 13-39, Report and Order and Further Notice of Proposed Rulemaking, 28 FCC Rcd 16154 (2013) (*Rural Call Completion Order* or *Order*).

the Level 3 Consent Decree.[3] Specifically, if a person dials a telephone number, hears ringing, and then hangs up the telephone, that call would be coded with release cause code 16. That call would count as "Answered" for the purposes of appendix C but, consistent with the common understanding of what it means to answer a call, it would not count as answered for the purposes of the Level 3 Consent Decree. As Level 3 explained, for the purposes of the consent decree, a call is considered "Answered" only when Level 3 receives an ISUP Answer Message (ANM) or the SIP equivalent, a definition more consistent with common usage of the term "answered."[4] Accordingly, Level 3 recommends that the Bureau modify the definition of Answered in appendix C of the *Rural Call Completion Order* to be consistent with the definition used in the Level 3 Consent Decree.

In its ex parte, Level 3 also observed that ISUP codes 18 and 19, which are to be reported as Ring No Answer pursuant to appendix C, are used very infrequently—typically around 1% of calls—and that tracking them would serve little practical purpose.[5] Level 3 further noted that those release cause codes are typically reported only when a terminating LEC disconnects a call because of excessive ringing—not when a consumer disconnects because the consumer has heard ringing and has given up waiting for the call to be answered.[6]

Level 3 submits that the definition of Ring No Answer in appendix C, much like its definition of Answered, does not comport with consumers' understanding of the term. Yet unlike with respect to the definition of Answered, there is no clear better alternative. That is

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[3] *See* Letter from Joseph C. Cavender, Vice President, Federal Affairs, Level 3 Communications, LLC, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-39 (filed Jan. 29, 2014) (Level 3 Ex Parte); Level 3 Communications, LLC, Consent Decree, 28 FCC Rcd 2272 (2013) (Level 3 Consent Decree).

[4] *See* Level 3 Ex Parte at 1.

[5] *See id*. at. 2.

[6] *See id*.

because there is no widely deployed technology in the industry that tracks, directly, whether a call has been discontinued while the line was ringing as opposed to being discontinued at another time. For this reason, Level 3 believes that the best approach with respect to the "Ring No Answer" category set forth in appendix C would be to eliminate it, and make appropriate conforming edits to the template. Reporting affirmatively misleading "Ring No Answer" data will serve no useful purpose, and Level 3 is not aware of any proposal in the record that could be readily implemented to provide useful information on the number of calls where a consumer hangs up the telephone while the line is actively ringing.

Respectfully submitted,

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