



PUBLIC NOTICE

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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON WHETHER TO CLARIFY APPENDIX C OF THE RURAL CALL COMPLETION ORDER

WC Docket No. 13-39

Comment Date: (7 days after date of publication in the Federal Register)

The Wireline Competition Bureau seeks comment on whether guidance or additional clarification would assist providers with their filing obligations related to the *Rural Call Completion Order*.¹ Specifically, we seek comment on whether to modify or otherwise provide assistance regarding the criteria described in Appendix C of the *Rural Call Completion Order* for categorizing certain types of call attempts. We release this Public Notice in response to questions raised in the record regarding the “answered” and “ring no answer” categories of call attempts described in Appendix C, pursuant to delegated authority.² These questions raise the possibility that the relevant criteria in Appendix C were inadvertently drafted in a way that fails to reflect the Commission’s clear intent, as expressed in the *Order*.

“Answered” call attempts. The reporting requirements in the *Rural Call Completion Order* require covered providers to categorize call attempts either as “answered” or as one of three types of calls that are not answered: “busy,” “ring no answer,” or “unassigned number.” The *Rural Call Completion Order* defines “answered call” as

a call that was answered by or on behalf of the called party (including calls completed to devices, services or parties that answer the call such as an interactive voice response, answering service, voicemail or call-forwarding system), causing the network to register that the terminating party is prepared to receive information from the calling user.³

The Commission emphasized that “the call answer rate is the data point least susceptible to variations in data reporting or to differences in the quality or accuracy of signaling: the called party either answered the call or did not answer the call.”⁴

¹ *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*).

² *See id.* at 16184, para. 66 (“[Wireline Competition] Bureau staff will work with providers to ensure that the providers have the tools they need to complete and file the form [in Appendix C] in the least burdensome manner possible.”).

³ *Id.* at 16187, para. 72.

⁴ *Id.* at 16186, para. 71.

Appendix C of the *Rural Call Completion Order* provides a spreadsheet that covered providers must use to file the required call completion data with the Commission each quarter.⁵ The legend accompanying the spreadsheet identifies specific “ISUP Cause values and corresponding SIP Response messages” for each category of call attempt.⁶ An “answered” call is described in Appendix C as a call attempt “signaled back with ISUP 16 & 31 and SIP BYE & CANCEL.”⁷

In recent meetings with Commission staff, Level 3 and Verizon explained that release cause code 16—one of the codes identified in Appendix C as denoting an answered call—is also used to indicate that the calling party has hung up before the called party answered.⁸ Level 3 contends that including calling-party hangups as answered calls would result in a “much higher” reported call-completion rate than a provider would report if it excluded them.⁹

In this Public Notice, we seek comment on this contention and on whether it would assist providers if the Bureau clarified that, as specified in the *Order*, covered providers should record and report calls as “answered” only to the extent that such calls satisfy the definition of “answered call” that appears in paragraph 72 of the *Rural Call Completion Order*.¹⁰ Appendix C could be clarified to eliminate any basis for interpreting it inconsistently with the definition of “answered call” in the *Order*. If so, should the description of “answered call” in Appendix C be revised to include a different description (e.g., a different set of release codes) of how networks identify answered calls?¹¹ Or should the legend in Appendix C simply be deleted, allowing each covered provider to identify answered calls in a manner consistent with the definition in the *Rural Call Completion Order* and with industry practice?

“Ring no answer” call attempts. The *Rural Call Completion Order* requires covered providers to record and report “ring no answer” call attempts, which are required to calculate the network effectiveness ratio (NER).¹² A “ring no answer” call is described in Appendix C as a call attempt that is “signaled back with ISUP 18 & 19 and IP 408 & 480.”¹³

Level 3 asserted that some of the criteria in Appendix C for “ring no answer” call attempts will only capture a very small percentage of the intended call attempts.¹⁴ Verizon expressed concern about using call signaling data to identify “ring no answer” calls at all.¹⁵ We therefore seek comment on

⁵ *Id.* at 16218, Appx. C.

⁶ These terms are release cause codes that are used within the network to identify the outcome of a given call.

⁷ *Rural Call Completion Order*, 28 FCC Rcd at 16218, Appx. C.

⁸ See Letter from Maggie McCready, Vice President, Federal Regulatory Affairs, Verizon, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-39 (filed Mar. 24, 2014) (Verizon Mar. 24, 2014 Ex Parte); Letter from Joseph C. Cavender, Vice President, Federal Affairs, Level 3, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 13-39 (filed Jan. 29, 2014) (Level 3 Jan. 29, 2014 Ex Parte).

⁹ *Id.* at 1.

¹⁰ *Rural Call Completion Order*, 28 FCC Rcd at 16187, para. 72.

¹¹ Level 3, for example, states that it “only considers calls answered where it has received an ISUP Answer message (ANM) or the SIP equivalent.” Level 3 Jan. 29, 2014 Ex Parte at 1.

¹² *Rural Call Completion Order*, 28 FCC Rcd at 16185, para. 68.

¹³ *Id.* at 16218, Appx. C.

¹⁴ Level 3 Jan. 29, 2014 Ex Parte at 2 (stating that “release cause codes 18 and 19 are used so infrequently (typically less than 1% of calls), and in Level 3’s experience, only on calls that the terminating LEC disconnects because of excessive ringing, that tracking these codes serves little practical purpose”).

¹⁵ Verizon Mar. 24, 2014 Ex Parte at 1 (stating that “call signaling data, even when combined with switch or conversation duration measures, cannot distinguish between calls where the caller heard ringing before hanging up

whether the description of “ring no answer” call attempts in Appendix C should be revised to provide clearer guidance to covered providers, and if so, how. Alternatively, should the legend in Appendix C be deleted, allowing each covered provider to interpret the required call attempt categories in a manner consistent with industry practice and with the Commission’s stated intent in the *Rural Call Completion Order*?

Interested parties may file comments on or before the date indicated on the first page of this document. Comments should reference WC Docket No. 13-39. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS) or by filing paper copies.¹⁶

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of *before* entering the building.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

- People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules.¹⁷ Persons making ex parte presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral ex parte presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the ex parte presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s

and calls where the caller listened to an announcement or other recording from the terminating LEC before hanging up”).

¹⁶ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1999).

¹⁷ 47 C.F.R. §§ 1.1200 *et seq.*

written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during ex parte meetings are deemed to be written ex parte presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written ex parte presentations and memoranda summarizing oral ex parte presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's ex parte rules.

For further information, please contact Gregory Kwan, Competition Policy Division, Wireline Competition Bureau at (202) 418-1191 or Gregory.Kwan@fcc.gov.