



NEWS

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See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC CLEARS WAY FOR LOCAL NUMBER PORTABILITY BETWEEN WIRELINE AND WIRELESS CARRIERS

Washington, D.C. – The Federal Communications Commission (FCC) today reaffirmed that wireline carriers must port numbers to wireless carriers under its current rules. The Order provides guidance to the wireless and wireline industries on issues related to “intermodal” local number portability (LNP), *i.e.*, the ability of customers to switch from a wireline carrier to a wireless carrier, or from a wireless to a wireline carrier, without changing telephone numbers. In a Memorandum Opinion and Order (Order) and Further Notice of Proposed Rulemaking (Further Notice), the FCC clarified that porting from a wireline carrier to a wireless carrier is required where the requesting wireless carrier’s coverage area overlaps the geographic location in which the wireline number is provisioned, including cases where the wireless carrier does not have a point of interconnection or numbering resources in the rate center to which the phone number is assigned. The FCC also sought comment on how to facilitate wireless-to-wireline porting in cases where the rate center associated with the wireless number is different from the rate center in which the wireline carrier seeks to serve the customer. Finally, the FCC sought comment on whether to reduce the duration of the porting interval for ports between wireline and wireless carriers.

Today’s order follows up on a prior order released by the FCC on October 7, 2003, that addressed similar issues with respect to the implementation of wireless-to-wireless LNP. Under Commission rules, wireless carriers in the 100 largest metropolitan statistical areas (MSAs) must begin supporting LNP on November 24, 2003, which will enable consumers to begin both wireless-to-wireless and intermodal porting in those markets. A list of these MSAs can be found on the FCC’s website at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-240702A3.pdf.

A “rate center” is the geographic area served by a wireline carrier’s central office switch, and is used to determine the rating of calls to and from that switch as local or toll calls. Blocks of telephone numbers used by both wireline and wireless carriers are assigned to particular rate centers. However, while wireline local exchange carriers (LECs) have numbering resources in most rate centers, wireless carriers, because of the nature of their networks, typically do not, but instead serve customers over a wider geographic area from a single rate center in that area.

Today’s Order requires wireline carriers to port phone numbers to wireless carriers in cases where the wireless carrier’s coverage area – the area in which wireless service can be received from that carrier – overlaps the rate center in which the wireline phone number is assigned, provided that the wireless carrier maintains the number’s original rate center designation following the port.

Wireline carriers operating in the 100 largest MSAs must support wireline-to-wireless number porting in accordance with today’s order by November 24, 2003, unless they can demonstrate that

complying with these requirements would be technically infeasible. Wireline carriers operating outside the 100 largest MSAs are not required to comply with the order until May 24, 2004, which is the earliest date that wireless carriers serving these areas are required to implement LNP.

The Order also clarifies that wireless carriers do not need to negotiate interconnection agreements with wireline carriers solely for the purpose of porting numbers. In cases where parties are unable to reach an agreement on porting terms, the FCC requires that carriers port numbers upon request and receipt of appropriate technical information, with no conditions.

Regarding the length of time it will take to port a number from a wireline to a wireless phone, the FCC has not adopted a mandatory porting interval in today's order, but is instead seeking comment on this issue. Wireline carriers are currently required to port numbers to other carriers within four business days, and the FCC asks whether this interval should be reduced. The Further Notice also seeks comment on issues related to wireless-to-wireline porting, such as the technical and regulatory obstacles associated with wireless-to-wireline porting when the rate center associated with the wireless number and the rate center in which the wireline carrier seeks to serve the customer do not match.

Action by the Commission, November 7, 2003, by Memorandum Opinion and Order and Further Notice of Proposed Rulemaking (FCC 03-284). Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein, with separate statements issued by Chairman Powell, Commissioners Abernathy, Copps, Martin, and Adelstein.

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