

**North American Numbering Council
Meeting Transcript
October 15, 2009 (Final)**

I. Time and Place of Meeting. The North American Numbering Council (NANC) held a meeting commencing at 9:30 a.m., at the Federal Communications Commission, 445 12th Street, S.W., TW-C305, Washington, D. C.

II. List of Attendees.

Voting Council Members:

- | | |
|---------------------------------|-----------------------------------|
| 1. Hon. Betty Ann Kane | Chairman |
| 2. Henry Hultquist | AT&T, Inc. |
| 3. John Benedict | CenturyLink |
| 4. Cindy Sheehan | Comcast Corporation |
| 5. Mary Albert | CompTel |
| 6. José Jimenez | Cox Communications, Inc. |
| 7. Matthew Gerst | CTIA – The Wireless Association |
| 8. David Greenhaus | 800 Response Information Services |
| 9. Gregory L. Rogers | Level 3 Communications, LLC |
| 10. Hon. Anthony J. Palermino | NARUC – Connecticut |
| 11. Hon. Robert M. Clayton, III | NARUC - Missouri |
| 12. Don Gray | NARUC – Nebraska |
| 13. Hon. Philip B. Jones | NARUC - Washington |
| 14. Jerome Candelaria | NCTA |
| 15. John McHugh | OPASTCO |
| 16. Mary Retka | Qwest |
| 17. Rosemary Emmer | Sprint Nextel |
| 18. Anna Miller | T-Mobile USA, Inc. |
| 19. Thomas Soroka, Jr. | USTA |
| 20. Kevin Green | Verizon |
| 21. Brendan Kasper | Vonage |
| 22. Tiki Gaugler | XO Communications |

Special Members (Non-voting):

- | | |
|-----------------|-----------------|
| John Manning | NANPA |
| Amy Putnam | PA |
| Faith Marcotte | Welch & Company |
| Jean-Paul Emard | ATIS |

Commission Employees:

Marilyn Jones, Designated Federal Officer (DFO)
Deborah Blue, Special Assistant to the DFO
Ann Stevens, Deputy Chief, Competition Policy Division
Michelle Sclater, Alternate DFO, Competition Policy Division

III. Estimate of Public Attendance. Approximately 40 members of the public attended the meeting as observers.

IV. Documents Introduced.

- (1) Agenda
- (2) NANC Meeting Transcript – July 16, 2009
- (3) North American Numbering Plan Administration (NANPA) Report to the NANC
- (4) National Thousands Block Pooling Administrator Report to the NANC
- (5) Local Number Portability Administration Working Group (LNPA WG) Recommended Plan for Implementation of FCC Order 09-41
- (6) Comments of Windstream on LNPA WG Recommended Plan for Implementation of FCC Order 09-41
- (7) Comments of COMPTEL on LNPA WG Recommended Plan for Implementation of FCC Order 09-41
- (8) Birch Communications, Broadview, Cavalier, Cbeyond, DeltaCom, First Communications, Integra Communications, NuVox, PAETEC, RNK Communications, TDS Metrocom, TelePacific Communications, tw telecom, and XO Communications Position Paper on LNPA WG Recommended Plan for Implementation of FCC Order 09-41
- (9) LNPA WG Recommendation to Supplement the Definition of a Business Day
- (10) North American Portability Management (NAPM) LLC Report to the NANC
- (11) NAPM LLC letter to NANC Chairman Thomas Koutsky regarding the minority position with respect to Amendments 62 and 70
- (12) LNP Presentation to the NANC on Ordering Standardization by the Alliance for Telecommunications Industry Solutions' (ATIS) Ordering and Billing Forum (OBF)
- (13) Cox Communications, Inc. and Comcast Corporation's Minority Report to the LNPA WG Recommended Plan for Implementation of FCC Order 09-41

- (14) Numbering Oversight Working Group (NOWG) Report
- (15) Industry Numbering Committee (INC) Report to the NANC
- (16) Billing and Collection Agent Report
- (17) Billing and Collection Working Group (B&C WG) Report to the NANC
- (18) Future of Numbering (FoN) Working Group Report to the NANC

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- 14. Summary of Action Items --
- 15. Public Comments and Participation (five minutes per speaker) --
- 16. Other Business --

VI. Summary of the Meeting.

CHAIRMAN KANE: If we can all take our seats we can get started.

Thank you. I think we have just about everybody here. We gave a couple of extra minutes because of what happens to Washington traffic when it rains. People decide they're not going to wait for the bus or wait for the Metro, they're going to take the car and it jams up the roads.

Thank you. We will call to order the meeting of the North American Numbering Council. For the record, it's Thursday, October 15, 2009. It is 9:40 a.m. and, we are in the FCC hearing room at 445 12th Street, S.W.

ANNOUNCEMENTS AND RECENT NEWS

This being my first meeting as Chairman, first of all I want to thank all of you who have sent me your congratulations or your condolences, as well as your pledges to work with me and to work together. I'm looking forward to this opportunity and to the chance to lead this group.

I think we've got a terrific group of people here who do work well together in spite of policy differences on issues, but that's what it's all about.

And so I want to let you know that my email address is in the list. I'm open to talking to, meeting with, and hearing from anybody at any time. Your advice, your counsel, your information or whatever, obviously all our decisions and

discussions are going to be in the public and made on the public record, but it's very helpful as you talk to each other, for us all to talk to each other.

I'm passing around the sign in sheets so be sure to sign or initial where that is going around. Yes, it's right there, okay.

And I want to particularly recognize and thank my fellow state commissioners who are here. I think we probably have a record turnout. Commissioner Jones from Washington State, Commissioner Clayton from Missouri, Commissioner Palermino from Connecticut, and Don Gray who is the alternate for Commissioner Anne Boyle from Nebraska.

I think everyone except Commissioner Joyner from North Carolina is here, and I particularly want to thank them because they have to do a lot of travel to come and be here.

The other thing I want to say, two things before we get on to the agenda, as you know, there is one item which is not on the agenda which we did have from last time and that's the issue of the resolution of the dispute which Telcordia raised with the NANC.

With Tom Koutsky going to become a member of the FCC staff in the middle of August, we were in the middle of that process that we outlined at the last meeting of how we were going to deal with that, and as you recall, our plan was to have a draft report somewhere around early September to the members.

We essentially lost two months with the gap that occurred. I'm not going to say it is cracks, it was a big hole, and that was one of the things that really literally

stopped until the new leadership issue, a decision was made, and things moved on.

Don Gray and I, however, have continued to review all the submissions that were made. We have discussed it. In the meantime as you know, the FCC has also opened and closed the comment period on a broader issue that Telcordia brought to them but it does implicate and it contains some of the issues in this dispute also.

Our plan now is to by the end of the year get something to you, hopefully way before the end of the year, taking some recognition of also what was filed in that broader dispute issue with the Commission and get something to you and be able to bring this to resolution at our next meeting.

And speaking of our next meeting, one of the things that I want to do as chairman, is to get us on a schedule so we know ahead of time when the meetings are.

I know today's meeting, and I'm delighted at the turnout, but because of the gap in leadership that had to be scheduled at the last minute, literally almost the last minute.

I want to put out some dates. I would like to get us on a meeting schedule where we are meeting quarterly, in particular to accommodate the state commissioners. Many states have travel restrictions and have limitations on out of state travel.

I would like to try to schedule the next meeting on the Thursday of the week that the New York winter meetings take place and I know a lot of you in the industry also attend some of those New York meetings, so that would be Thursday, February

18th.

And I'm giving you these dates at the beginning of the meeting so if by the end of the meeting you discover it's a problem for any of you please let me know, or if it conflicts with any other industry major event that's going on.

But I want to suggest these dates for 2010, which would be Thursday, February 18th, Thursday, May 20th, Thursday, September 16th, and if we need a December meeting, Thursday, December 17th. I know that's getting a little close to Christmas.

I've checked with the staff. So far it does not look as if there's anything that we need to do between now and the end of the year that would require a meeting. If something comes up we can do it on circulation. But those are the four dates, February 18th, May 20th, September 16th, and December 17th. They are all Thursdays.

So if we don't hear differently we will try to get those to be the dates for the meetings here. I think that will help.

Yes.

MS. EMMER: Rosemary Emmer, Sprint Nextel. Thank you Chairman Kane for giving us some dates so far in advance. Thank you.

CHAIRMAN KANE: I think it will be good for all of us. Let me remind you too, they are recording this for posterity so if you'll bring it close to you, you don't have to take the microphone up, but bring it close and also kind of signal with your card so that the folks who are turning the microphones on and off know who it

is who is going to be speaking.

APPROVAL OF MEETING TRANSCRIPT

Okay, those preliminary matters done, speaking of recording, our next item on the agenda is the approval of the transcript from the last meeting which was the meeting of July 16, 2009. I know this was emailed to all of you and it's also here, 203 pages. Are there any additions or corrections to the minutes from the last meeting? Please identify yourself also for the transcriber.

MS. SHEEHAN: Cindy Sheehan, Comcast. Were all the edits that we submitted before this meeting, are they in the packet that we received today?

CHAIRMAN KANE: Yes.

MS. SHEEHAN: Okay, thank you.

CHAIRMAN KANE: Mr. Clayton.

MR. CLAYTON: Madam Chairman, thank you. Just one addition or correction I think to the front page of the transcript. I believe at that meeting the Missouri representative or designated alternate Sara Buyak was in attendance and that's not noted. If we could just note that for the record.

CHAIRMAN KANE: Very good.

MR. CLAYTON: Thank you.

CHAIRMAN KANE: Thank you. Any other additions or corrections? I'll entertain a motion to approve the minutes.

MR. HULTQUIST: So moved.

CHAIRMAN KANE: Moved by the representative from AT&T.

MR. CLAYTON: Second.

CHAIRMAN KANE: Seconded by Mr. Clayton. All in favor, aye.

COUNCIL MEMBERS: Aye.

CHAIRMAN KANE: Any objections? It is unanimous. Thank you.

REPORT OF THE NORTH AMERICAN NUMBER PLAN

ADMINISTRATOR (NANPA)

CHAIRMAN KANE: Okay, the next issue on the agenda, one of my favorites titles, The Future of the Numbering Working Group Report. I'm looking at the wrong agenda, excuse me. The next report is the report of the NANPA, the North American Numbering Plan Administrator.

MR. MANNING: I've been doing this for so long I was kind of hurt I wasn't first.

(LAUGHTER)

I'm just kidding. This is John Manning with the North American Numbering Plan Administration. I passed around my report. I don't know if you want to put a document number on it, Madam Chairman.

CHAIRMAN KANE: Yes, we'll note it as document number two. Do we have a numbering system here?

DEBORAH BLUE: The proposed agenda should be number one and then the minutes number two.

CHAIRMAN KANE: Right, and then this is number three. Okay, number three, document number three.

MR. MANNING: Thank you. Good morning, everybody. My report is fairly short this morning. It's just really an update from the last time we got together in July. We'll talk a little bit about CO code assignments, NPA Code relief activity, and make the NANC aware of some changes we made in the NANP administration system and just some other items real briefly.

Page two of my report gives you a summary of the CO code activity for January through September of this year, comparing it with 2006, 2007, and 2008, and we put together some figures for 2009, again January through September, annualized those figures, and you can see in terms of the assignments, denials, reclamations, and net assignments that 2009 is going to certainly be a whole lot less than the previous three years.

Not surprising of course with the way things are in the industry and the economy but you can see, around 2100 assignments is what we're forecasting for this year, a little over 700 denials, a little over 500 returns, net assignments for the year around 1585 to 1600 central office codes.

Looking at area code relief planning, we have a number of activities taking place this quarter. California 760 will receive an overlay of the 442 area code. It's already in permissive seven digit one plus ten digit dialing. The time frame for mandatory ten digit dialing is actually a little over a week.

Illinois 773 is actually going to receive an overlay of 872. That's 773 and 312 receiving the 872 overlay. Again they are also already in permissive dialing. Mandatory dialing will begin on November the 7th.

Connecticut 203 is receiving an overlay 475, also already in permissive dialing. Mandatory dialing will start on November 14th. So we've got three area codes right in a row where we'll be seeing a new overlay area code being implemented.

The final one I make note of here is Oregon 541. They just recently started their permissive dialing. Mandatory ten-digit dialing starts at the beginning of next year in January of 2010.

Page three, I just wanted to make note of some other area code relief activities that weren't specifically identified in my July report.

In Arkansas 870, they're in the process of trying to decide specifically what they want to do. There have been some updates in Arkansas. We recently revised the exhaust projection for the 870 area code. It was projected to exhaust in the fourth quarter of 2011. Based on information we received from the latest cycle of our numbering resource utilization and forecast reporting, we move that exhaust timeframe out to the third quarter of 2013.

The next three area codes listed are all in Pennsylvania. They have a lot of activity going on there. The industry has recommended in all three instances an overlay. The Commission of course will be considering that and moving forward with their hearings to determine specifically what they want to do in those three area codes.

And in Nebraska we have the new 531 area code that will service the same geographic territory as the existing 402. Seven digit and ten digit dialing will begin

in June of 2010, mandatory dialing in February 2011.

And one final note, sometime ago I made note of the fact that the Sint Maarten, Netherlands, Antilles, it was agreed that they could go ahead and join the NANP. We were just simply waiting on some specific details as to when they planned to do this. We have that information. NPA 721 was assigned to Sint Maarten. They plan to start permissive dialing of the 721 area code in May of 2010, and mandatory dialing in November of 2010.

We published a planning letter on this on October 2nd which is available on the website.

Any questions of CO code activity or area code relief planning?

Okay, page four. I wanted the NANC to be aware of two items we did with regard to the NANP Administration System. The first item dealt with a new feature we put into the system.

In the system today we can send out mass notices to the industry. You simply sign up and you can get notices on various topics such as things dealing with education, NAS maintenance, changes to INC guidelines, and notifications on NRUF and various activities associated with area code relief planning.

What we did at the end of September is we added the capability that now, in addition to sending the notice, we can also send attachments with those notices with the goal of be able to send this information, not that you have to go to the website even though the information will be there, but we can send that information along with the notice itself.

And second of all, we updated or modified some of the registration features in NAS to add more security to the system. Today if you're a new user or your password expires, you get a password from NANPA.

In the new system what you will have to do is you will have to log into the system within a set period of time, and when you do so, NAS will give you a brand new password and only you, the user, knows that password. Even NANPA will not know that password. It's just an extra security feature we've added to the system to make sure we're doing what we can to insure all information is appropriately safeguarded.

Under the other NANP or NANPA news, I wanted to make note that we did begin assignment of NXX codes out of the new 533 area code. That is for personal communication services. We've been reporting for quite some time that we expected the 500 area code to be exhausting. Well, we assigned the last of the 500 NXXs in September and began assignment of the 533 NXX codes.

And finally, we published our third quarter 2009 NANPA newsletter. In fact that was the first item where we sent out the newsletter rather than just send the notice about the newsletter being available on the website. We included the newsletter in the notification.

The remaining pages are just simply information about specific area code relief activity going out for the next 36 months.

That concludes my presentation. Are there any questions?

MS. MCNAMER: I'm Natalie McNamer, T-Mobile. John, I just had a

question of when the new exhaust projections are expected to come out.

MR. MANNING: Sure. NANPA has done its initial assessment and we've forwarded that on to the FCC. As part of this process we give them the opportunity to take a look at the projections to see if they have any questions, comments, or concerns.

Once we get their approval back, which we expect will be in the next couple of days or at least certainly over the next week, we will be publishing those by the end of this month.

Just to let you know, in that process we have been reaching out to the individual state commissions and making sure that the states know what the exhaust projections are for their specific area code so that when these projections come out, no surprises to them.

CHAIRMAN KANE: Any other questions?

MR. GRAY: Don Gray, Nebraska Public Service Commission.

I'd just like to take this opportunity to thank John and his staff and especially Joe for all the support they've given us in our area code exhaust work. You know, there's the old saying that you can't get blood out of a turnip. I think we came awful close in the 402 area code to doing that. But I really appreciated, and we appreciated it as a commission, all the efforts that they've helped us with and in making the process as easy as possible. It's been a joy so thank you, John.

MR. MANNING: Thank you, Don. And when Don mentioned Joe, that's Joe Cocke. He's one of our senior NPA relief planners who has been us for quite

some time and is very, very good at doing that. So thank you.

CHAIRMAN KANE: Mr. Clayton.

COMMISSIONER CLAYTON: Just very quickly. Robert Clayton, Missouri Public Service Commission. I just wanted to ask what Pennsylvania did to get not one, not two, but three separate exhaust area codes and if they're going through three separate proceedings. Are there any special circumstances that would lead to that?

MR. MANNING: I don't want to call it a coincidence but the fact of the matter is it's just all three of them came around at the same time. Wisconsin had two basically at the same time. It's just unfortunate that Pennsylvania is having to deal with all three but it's just one of the situations, it's the way it's happening.

COMMISSIONER CLAYTON: Gotcha you, thanks.

CHAIRMAN KANE: Any other questions? Okay, thank you. We accept your report for the record.

REPORT OF THE NATIONAL THOUSANDS-BLOCK POOLING

ADMINISTRATOR (PA)

Next is number four, the report of the National Thousands Block Pooling Administrator.

MS. PUTNAM: And before I say what everybody is waiting for me to say, I'd like to say that I live in Pennsylvania, and I'm in one of those area codes, but pooling is fine.

(LAUGHTER)

CHAIRMAN KANE: Put your name for the record.

MS. PUTNAM: This is Amy Putnam, National Pooling Administrator.

You have a document which is the report of the National Thousands-Block Pooling Administrator.

CHAIRMAN KANE: And we'll take that as document number four.

MS. PUTNAM: Thank you, Madam Chairman.

On page two of the report of the Pooling Administrator we have two charts. One is the Pooling Administration activity summary data broken out by months since January, and the other is the summary data since January of the number of applications approved, denied, suspended, or withdrawn.

Page three is the application, the part three summary data sorted by type so you can see how many blocks were modified, disconnected, et cetera.

We opened 353 codes so far this year for LRNs, 97 for dedicated customers, and 964 for pool replenishment.

We are administering 14,450 pools right now and the second chart on page four when it says the summary of rate center file changes, those are changes from excluded to optional or mandatory and optional to mandatory.

For the reclamation summary, that shows the number of blocks we have going forward on a rolling basis with overdue part fours, and the number of due blocks that were overdue that were added each month to the list, and the total number of blocks authorized to be reclaimed.

As the state commissions know, many times between the time we send the

notice of overdue blocks and the directive from the state that a block will be reclaimed, the carriers will send in the part fours and that helps to keep the number down.

PAS was available 100 percent of the time in 2009, and we hope that will look that way for the next few months.

Compliance; all of our contractual reporting requirements have been submitted on time and posted to our website and the list of them is on page six. We submitted our semi-annual NRUF on August 20th.

We conducted a PAS and website refresher training session in September for state regulatory staff. We do that periodically, recognizing that there are changes in staff and that the new folks appreciate the training and questions that we received during the training were documented and we sent the question and answer document out after the training. And of course as always we do one on ones for anybody who needs to have the training.

As requested we have the list of the delegated authority petitions. There are three pending petitions for the FCC at this time and we had no supplemental implementation meetings in 2009.

Nothing has changed with respect to the interim routing number authority administration or the permanent pANI Administration.

We have two pending change orders before the FCC, and on page nine, other items of interest or perhaps the only items of interest unless you'd like to look at the charts.

The FCC issued contract modification, number eight, on August 7th, exercising contract option period one which means that we're still the National Pooling Administrator for another year.

We've been reporting on the very old overdue part four reconciliation process. We did this once before to try to clean up very old overdue part fours where documentation may have been lost, where we didn't have part fours, and that was successful and we went back to the FCC and asked again to bring it -- we had done December 31, 2006 or longer, and then we asked to do it from December 31, 2007 or longer where the carrier can certify that the block is in use and that way we can get those blocks off of the reclamation list.

And overall we've reduced our total number of blocks with overdue part fours since January by 47 percent using this process.

We continue the one time NPAC scrub following the implementation of change order five. Change order five was the one that requires that we check donated blocks or return blocks for contamination levels and we also agreed as part of that change order that we would go and do a comparison of NPAC data and PAS data to make sure that both databases matched with respect to contamination of blocks and also to get over contaminated blocks out of the pool. And so we are working on that right now.

And we have a summary here of our activity with respect to that. We have sent the second emails out. The first emails were sent out by company in an effort to get peoples attention. We sent the second emails out by individual block.

And so there are more emails sent out the second time than the first time and that's why, and that is coming along.

Any questions?

CHAIRMAN KANE: Are there any questions?

MR. CANDELARIA: Jerome Candelaria, NCTA. John Manning described how the industry and the economy have affected the demand for new area codes.

Looking at the numbers here I don't see any obvious decrease in the number of demand for pooling and I'm wondering if you've seen it over the year or compared to last year.

MS. PUTNAM: Compared to last year we are actually down by about 12,000 applications but if you back, the mass modifies out, we're about the same. So on individual applications last year we had some major mergers that had significant mass modifications that were related to them and we have seen considerably less of that this year. The applications are about the same.

CHAIRMAN KANE: Any other questions?

FEMALE SPEAKER: I did have two questions Amy just to clarify. On page five in your reclamation summary, there's a big spike in June, 104 and then 28. Is that the result of some kind of batch work or what?

MS. PUTNAM: No, I think that was just a fluke because we didn't send the new letter out until the end of June for the very old overdue part fours. That was sent out June 29th, so the June was just people responding.

FEMALE SPEAKER: Okay. And then the other question is on page seven on the delegated authority petitions, I note that the one from Indiana was filed in March of '08, for Mississippi about a year ago in October '08, and in Pennsylvania just in July. Maybe you're not the right one to ask but the first two you said is not put out for comment. Is this a normal delay before they're put out or is there something else we should know?

MS. PUTNAM: I suspect that I'm not the person to ask. Perhaps I'd direct that issue to the Commission.

MS. JONES: Marilyn Jones, Federal Communication Commission. I will check with the Wireline Competition Bureau on the status of those petitions.

MS. PUTNAM: Very good, thank you.

CHAIRMAN KANE: Anything else? We'll accept the report. Thank you very much.

MS. PUTNAM: Thank you, Madam Chairman.

CHAIRMAN KANE: Okay, it is now ten o'clock. We will have lunch at 12:00.

**REPORT OF THE LOCAL NUMBER PORTABILITY ADMINISTRATION
WORKING GROUP (LNPA WG) ON THE RECOMMENDED PLAN FOR
IMPLEMENTATION OF FCC ORDER 09-41**

We will now take up the Local Number Portability Administration working group report on their recommendation to the NANC on implementation of FCC Local Number Portability Interval Order, FCC 09-41. We know this is the major

issue before us today and we've allotted hopefully adequate time.

MR. SACRA: Thank you, Madam Chairman. Good morning everyone. I'm Gary Sacra, co-chair of the LNPA working group. And here it is. I promise you I'm not going to go through this entire report in great detail but certainly if you have any questions on any of the sections I'll be happy to entertain those.

I'm going to focus on section three which is the section that outlines the key decisions and recommendations from the working group.

I just wanted to touch on the other sections real quickly, just for your information.

CHAIRMAN KANE: Gary, for the record this will be document number five.

MR. SACRA: Okay, thank you, Madam Chairman.

First off I want to say that this was a huge effort, a huge collaborative effort on the part of a lot of participants, a lot of representatives from service providers, large and small, ILECs, CLECs, wireline/wireless cable providers, interconnected VoIP providers, vendors, regulators, and service bureaus and consultants.

I know and I speak for all, we're very proud of the effort everybody put into this. There was a lot of compromise, a lot of give and take. There were a lot of very complex and complicated issues that we had to get through in a very short period of time and we're very proud of the effort that everybody put in.

Section one of the report and hopefully everybody does have a copy was just an introductory section that has some of the key sites from FCC order 09-41 and the

key dates that the working group was working towards.

And section two is just sort of a little history of the working group effort. We started this effort with the release of the order. In fact it was released while we were actually meeting in May.

Former Chairman Koutsky joined us via the conference bridge and gave us some insight. He attended the FCC meeting. He gave us some insight as to what the order mandated and provided I guess his guidance as to what he felt the working group should undertake. So there's some historical perspective in section two.

There are also some sections on the formation of the sub-teams. Again, I have to recognize my co-chair Paula Jordan from T-Mobile. Jan Doell from Qwest, she chaired the business day definition sub-team, that was a key sub-team. Linda Peterman who I believe is also in the audience from One Communications, she chaired the LSR sub-team.

Sue Tiffany also I believe is in the audience. She chaired the simple port sub-team along with Nancy Sanders from Comcast. Deb Tucker from Verizon Wireless chaired the WICIS sub-team for the wireless inter-carrier communications process.

And last but not least, Teresa Patton from AT&T chaired what we call the out of the box sub-team that was looking at some sort of different and perhaps innovative ideas on doing the inter-carrier communications process.

So in section two it does outline the sub-teams, what the objectives of the sub-teams were, what key issues they were working, what their recommendations

were, and the number of meetings they held and the dates that they met. And as you can see, they met on many, many occasions to bring these issues to the full LNPA working group for consideration. So that was a tremendous job and a job well done by all that participated.

I did want to mention before I get into section three, in section two, also that section 2.2.6 on page 11, there is just a mention of the liaison that we sent to the ATIS ordering and billing form.

The working group was aware that the OBF was working towards standardizing the LSR data fields for I guess what I would call REQTYP C, which is standard alone porting order. We were aware that they were working on that.

We requested that they pull up their schedule to do so. I believe they pulled it up by several months actually to get it in the hands of the working group for inclusion in this implementation plan so I do want to recognize and thank the folks from ATIS and the OBF that did that work. And again, that was another tremendous effort that was done in a very short timeframe.

With the permission of Madam Chairman and the Council members, I will yield some time at the end of my presentation. I believe there was a presentation from ATIS related to the state of listed data fields and I would certainly be willing to yield some time for that at the end of mine.

CHAIRMAN KANE: Yes, that's been handed out.

MR. SACRA: Okay, now the meat of the report, section three, and again these key decisions and recommendations were developed not only with sub-teams

but then brought to the full LNPA working group for consideration and for determination as to whether or not they would be included in this implementation plan.

And I'll say upfront that the working group is respectively requesting that the NANC endorse this implementation plan in its entirety and that the FCC adopt the recommendations in section three in its entirety as well.

Okay, section 3.1, the definition of a business day, and unless I say otherwise, the times that I'm going to be talking about are in the predominant time zone of the NPAC region where the number is being ported and as you can see, there are seven NPAC regions in the U.S. and each of those in section 3.1, each of the regions has its predominant time zone listed against each region.

I participated in the business day definition sub-team and we looked at several options for defining the business day putting the boundaries around the LSR/FOC exchange, you know what the cutoff time was during the business day.

Some of the options we looked at were to use the time zone of the old provider's portability center where the LSR is being submitted to. There are a number of providers that have centers that handle the entire U.S. Obviously there are small providers that have their centers in specific states.

So we looked at a number of options to use the time zone of the center of the old provider, the time zone of the center of the new provider that submitted the LSR.

But most of the options we looked at actually we realized were actually disadvantaging the end user because for example if you had an old provider center, if

you were using their time zone on the east coast to determine the boundaries of the LSR Post C exchange and the cutoff time during the day when the LSR is considered good for that day, if you used the LNP center of the old provider who is on the east coast for the entire country and say their cutoff time was 1:00 p.m. in the afternoon for receipt of the LSR in order to port on a next day basis, that means on the west coast the customer who wants to port, they have to notify the new provider by 10:00 a.m.

So some of the scenarios we looked at where we felt were disadvantaging the end user and cutting them short during the day so that's why we determined and we did it on a consensus basis, both large providers, small providers, wireline and wireless participated in the consensus process to determine the boundaries around the business day.

But what we did come up with was to utilize the predominant time zone in the NPAC region. That sort of makes it equitable across the country for end users in a particular time zone when they have to work with the new provider and get the LSR submitted to the old provider.

So in the next bullet the boundaries, and again this next bullet, I know there is some concern and if folks who have raised a concern want to talk about it now that's perfectly fine with me, but the business day is Monday through Friday, excludes weekends, it excludes the old provider defined company holidays, and it's from 8:00 a.m. to 5:00 p.m., again in the predominant time zone of the NPAC region where the number is being ported.

Now this is not meant to imply any staffing requirements on the part of either the new or the old provider. It doesn't imply staffing hours. What the 8:00 a.m. to 5:00 p.m. is meant to do is set the boundaries around when the clock is running on the LSR Post C Exchange.

We're recommending a requirement that for simple ports that the FOC, the response be returned within four hours, four clock hours. So for example if the LSR comes in at eight o'clock a.m. in the predominant time zone of the NPAC region to the old provider, they're required to return the FOC within four hours for a simple port.

So again, the 8:00 a.m. to 5:00 p.m. is not meant to imply any staffing requirements, only that that is when the clock is running during the business day for the LSR/FOC exchange process.

And I'll get into a little bit more about the cutoff time and the FOC return requirements in a minute.

Yes, Don.

MR. GRAY: Don Gray, Nebraska Public Service Commission. Did you want to have any of the discussion as you go along or wait until you get all the way through?

CHAIRMAN KANE: I think I'd prefer we go through it and then we can peg those issues. I think there are three or four issues but I think in the interest of time and overall presentation, go through it. We'll note those issues, one of which is the one on this in-state carrier.

MR. GRAY: Thank you, just wanted to make sure.

MR. SACRA: Okay and I'm fine with that as well.

Okay, moving on to page 13, the LSR/FOC interval, in today's world as you know there's a 24 hour FOC requirement. That's considered I guess separate then the actual porting interval. There's a 24 hour or one day FOC interval and then there's a three day porting interval.

In the interest of meeting the next day porting requirement the LSR Post C interval for a simple port is included in the business day so again from 8:00 a.m. to 5:00 p.m. in the prominent time zone the four hour FOC requirement for a simple port is included in the business day.

The next bullet, the cutoff time on a business day for receipt of an accurate and complete local service request which is the porting request, the porting order, for receipt by the old provider, in order for a simple port to be eligible for activation at midnight that night, is 1:00 p.m. during the business day.

So for example, if the new provider submits an LSR say by 10:00 a.m. on Monday, and the old provider then is required to FOC that order within four hours so they would be required to FOC it by 2:00 p.m. and because the order was accurate and complete and it came in before the 1:00 p.m. cutoff in the predominant time zone, that means then that the port is eligible for activation at midnight Monday night or the first second click over into Tuesday morning if you will.

Anything that's received after 1:00 p.m., the 1:00 p.m. cutoff again in the predominant time zone is considered received the next business day, and then again

this speaks to the 8:00 a.m. to 5:00 p.m. business day clock, any LSR that comes in after the 1:00 p.m. cutoff is considered received.

And again in this example, if it comes in at 2:00 p.m. on a Monday, it's considered received then on Tuesday morning and the close starts at 8:00 a.m. Tuesday morning in the predominant time zone for the FOC to be returned to the new provider.

So the FOC has to be returned within four hours starting at 8:00 a.m. on Tuesday morning which means it has to be returned back by noon on Tuesday and that means the port then is eligible for activation Tuesday night at midnight.

And again, the cutoff time was another item that had a lot of discussion, some varied input by a number of providers. There were some concerns or some input as to having it later in the day.

There were concerns on the part of a number of providers, a lot of small providers who don't work or perhaps don't have staffing hours late in the evening so we need to insure that they had sufficient time to say if they shut their doors at 5:00 p.m. at night which some do, then we needed to make sure that they had enough time to process an LSR and get it FOC'd back to the new provider by 5:00 p.m. in order for that port to be eligible for activation midnight that night.

So there was a lot of discussion. Again the business day definition sub-team went through a consensus process and the determination was that 1:00 p.m. was the appropriate cutoff time, again in the predominant time zone so we're not disadvantaging customers across the country depending on where the center is.

The next bullet, simple ports are determined based on the current FCC definition of a simple port. I'll get into a little bit later some of the recommendations from the working group on some clarifying text of the current simple port definition.

The perimeters for I guess determining when the FOC or an appropriate response such as a reject is due back to the new provider. If a new service provider requested due date on the LSR is either one or two business days after the LSR receipt then the firm order confirmation or reject, whichever is applicable is due within four hours provided that the LSR is received by the 1:00 p.m. cutoff time, again in the predominant time zone.

If the new service provider requested due date on the LSR is three or more business days then the FOC is not due back until 24 hours.

There was some concern on the part of a number of providers that even though the port may be a simple port, if the new provider based on the end user needs or whatever is not requesting a due date until three or more days out, there was some concern about if we required the response to be due back within four hours that we're putting work into a timeframe that really needs to be focused on ports that are being activated that night and we would be putting work into a timeframe or into a work bucket that doesn't need to be done that night.

But it's adding to the workload, a very hectic workload in order to accomplish that port midnight that night, so the decision was that if it's three or more business days out then just deal with it like we do today, 24 hours for the FOC.

Now again, and this is one of the concern items that we'll get to, in instances

where it's obvious on the LSR that the port request is non-simple, then the FOC or an appropriate response is due back within 24 hours.

One way that it could be very obvious on the LSR that it's non-simple is if multiple TNs are being requested on the LSR, two or more TNs, then that goes into the non-simple bucket and as in today's world the FOC would be due back within 24 hours.

Okay, on page 14, I'm certainly not going to go through this chart but just to let you know that this is just a chart that shows what time the LSR comes in and when the FOC would be due back for a simple port.

And as you can see, just look at the first line, Monday at 8:00 a.m. through 8:59 a.m. if the LSR comes in, then the FOC is due back between 12:00 or 12:59 p.m. which would be four hours later.

And the first line in orange, Monday, the 1:01 p.m., that comes in after the 1:00 p.m. cutoff so if you look on the right column then the FOC is not due back until noon on Tuesday. Because the cutoff was missed, then it's not considered received until Tuesday morning at 8:00 a.m. so four hours later, the FOC would be due back by noon.

Okay, on page 15, the first bullet after the chart at the top, the new service provider must have received the FOC from the old service provider before they send their create message up to the NPAC to start the porting process.

(Tape Interrupted When Changing Sides)

(END OF AUDIOTAPE 1, SIDE A)

* * * * *

(START OF AUDIOTAPE 1, SIDE B)

MR. SACRA: There's agreement on the part of the old provider that this is an appropriate due date for this port request. For example, the port request could have come in as a simple port request but the old provider determined that it was non-simple and then indicated as such on the FOC back to the new provider.

But if the new provider didn't wait for the FOC they would send their create message up as a simple port with a shorter due date which would not be appropriate for this particular port. So we're recommending that the new provider must await the FOC before they send their notification up to the NPAC to start the porting process.

Okay, chart two here, this is very similar to the previous chart, it just adds another column as to when the port is eligible for activation and you can see that based on the LSR Post C Exchange up until the 1:00 p.m. cutoff with the FOC going back no later than 5:00 p.m., that means then that the port is eligible for activation at midnight that very night if the new provider requested a next day port.

On page 16, there are a couple of footnotes. Footnote one, again the FOC interval is four business hours for a simple port, then it speaks to the LSR arriving after the 1:00 p.m. cutoff time. The LSR is considered received at 8:00 a.m. the next business day and then the old provider must respond within four hours or no later than noon on that next business day.

Footnote two, this speaks to no provider is required to allow activation on a

non-business day which would be a Saturday or a Sunday or an old service provider company defined holiday, however we're not saying that that can't happen.

I know there are practices today where there are bilateral agreements between two providers that allow Saturday activations. This footnote just speaks to the fact that the new provider activating on a Saturday with agreement from the old provider understands that the old provider may not have staffing during that weekend should something occur with the port.

Page 17, footnote three, and again Don, I think this is one of the other areas where this very same note was that we'll speak to after I finish going through here, but again this is the business hours of 8:00 a.m. to 5:00 p.m. and not meant to imply any staffing requirements.

Any questions on the definition of the business day? Again LSR, Post C Exchange, 8:00 a.m. to 5:00 p.m. in the predominant time zone of the NPAC region where the number is being ported. LSR cutoff time for eligibility for activation midnight that night is 1:00 p.m. in the predominant time zone. Again the FOC must be returned within four hours consistent with the next day port. All those requirements being met, the port then is eligible for activation midnight that very night or any time thereafter.

Okay, moving to section 3.2, and again one of the other things in the -- I'm sorry, did you have a question?

MR. JIMENEZ: Jose Jimenez with Cox. I had a question about if (unintelligible) confirmation comes back and it is rejected, how does the timing of

that work? In other words, does the new service provider even if they submitted the order before 1:00 p.m. and then the old service provider rejects the order, that doesn't trigger or extend the time to port. How does that work?

MR. SACRA: You say if the old service provider sends a reject back to the new provider?

MR. JIMENEZ: Yes.

MR. SACRA: Then basically that means that the clock starts over. The new provider has to resubmit the LSR and correct whatever the problem is and that's consistent with today's world as well even in the 24 hour timeframe.

MR. JIMENEZ: So if the new provider sends the order before 1:00 p.m. and receives the rejection after 1:00 p.m., the new provider has to wait until the next day?

MR. SACRA: Well, they could resubmit it but it wouldn't be considered received until 8:00 a.m. the next day.

MR. JIMENEZ: Okay, thank you.

MR. SACRA: You're welcome. And again, you know, the caveat with the LSR Post C Exchange was that it's a complete and accurate LSR in order for it to be considered valid if received before 1:00 p.m. for activation midnight that night.

Now, again, that's not to say that some providers would not allow activation. We're not saying that it can't be activated at night. Some providers may decide to do that. In fact we have a statement in the flow narratives that say that we're not precluding any provider from being more liberal with their requirements but these

are basic, I guess, the minimum set of requirements.

Okay, section 3.2, the NANC provisioning flows. For those that received a soft copy which I assume everybody did, the actual Power Point flow diagrams and the accompanying narratives are imbedded in the soft copy.

Again, I'm certainly not going to go through the flows. They are pretty detailed and it would take us all day to do that so what I did was I highlighted the changes that we are recommending to the flows based on order 09-41.

So this is a very high level summary of the recommended changes. Again this was another tremendous effort to go through. We went through every flow, every step in the narrative to insure that all the necessary changes were made for this recommendations.

So figure one, port type determination. This is a brand new flow, something that we didn't really have the necessity for up until now because now we have, especially in the wireline world and in the intermodal porting world, we have now two different types of ports. We have simple ports and we have non-simple ports.

So that on types of wireless to wireless ports and inter-connecting to port and inter-connecting VoIP providers, porting when there is broadband service on the line or needed to be on the line, so we have different types of ports now.

So we thought it was appropriate to have an upfront determination as to what type of port this is in order to point the user to the appropriate flow for that particular type of port.

So the port type determination flow has wireless to wireless determination,

wireline to wireline or inter-module simple or non-simple, or if broadband/DSL is involved in the port at all. So that's a new flow.

Some of the key recommendations contained in this flow and this would be in the narrative and this is related to the CSR which is an optional step some providers - - this doesn't involve wireless providers at all. Wireless providers don't have customer service records but in the wireline world many providers have customer service records for their customers, and the new provider when they're porting out from that provider may request a CSR from that old provider to obtain all the type of information, the account information, account number and things of that nature.

They can determine whether it's a simple or non-simple port based on the features on the customer's line. So in a lot of cases a CSR is obtained by the new provider before they kick off the porting process.

So this added recommendation to the narrative is that the old provider cannot require a physical copy of the end user authorization to be provided before processing or returning a CSR to the new provider.

We did have some cases during the discussion of providers telling stories or telling experiences of some providers would not return a CSR unless they actually saw the physical letter of authorization that the end user had assigned the new provider as their agent.

So we're recommending that that not be allowed, similarly not only with the CSR but not be allowed as well in accepting an LSR and processing the LSR. There is a field on the LSR where the new provider is to check off that they do have on file

either an LOA letter of authorization or a third party verification that they are authorized by the end user to act as their agent but to require a physical copy of that in order to process a CSR or an LSR request we feel is inappropriate and would slow down the porting process drastically.

Moving on to page 18, again some of the other experiences that were discussed during this process, there were cases where the old service provider was requiring that the new provider actually obtain a CSR before they would accept an LSR for them so we're recommending that this is not appropriate, again, will slow up the porting process.

CSRs are optional. It's not always required to obtain a CSR in order to complete a valid, complete, and accurate LSR so it should not be a requirement on the part of an old provider in order to accept an LSR.

I know this is part of the FNPRM and we have a separate section in this implementation plan on FNPRM related items but we are recommending a statement in the flows that says that customer service records must be returned upon request within 24 clock hours unless otherwise negotiated between service providers.

The CSR, again it's an optional step but there are cases when it is necessary and one instance would be if the old provider requires the customer's account number information on the LSR which is legitimate.

It's one of the four end user validations fields in order 07-188 but a lot of times if the customer doesn't know their account number or they're in a kiosk or whatever and don't have their bill with them, they don't know their account number,

one way of obtaining that on the part of the new provider is to request a CSR from the old provider. And because that is actually adding to the porting interval even though it's not part of the porting interval, it's a preorder step, in essence it's adding in some cases in today's world days to the porting interval so the LNPA working group is recommending that if a CSR is requested it be returned within 24 clock hours.

The next bullet, the four end user validation fields required by the old provider on an incoming LSR must be available on the CSR to facilitate and streamline the porting process. The exception is an end user requested and assigned password, and I'll make the distinction in a minute here between an end user assigned password or end user requested password and a service provider assigned password. I believe Madam Chairman, this may be another issue that we'll be talking about as well.

But again, these are passwords that the end user has requested and is fully aware of, the fact that they have a password or a pin on their account and they know what that is and because of privacy concerns we're not recommending that that be on the CSR.

The next bullet, only passwords and pins requested and assigned by the end user may be utilized as an end user validation field on an incoming LSR. Again, this is a recommendation. We're recommending having that placed in the narrative of the NANC flows.

I know of some cases, in fact I had a very recent discussion with one provider

that as a general practice assigns passwords to all of their end user accounts and then they'll put that information in the billing insert to inform the customer that they have a password on their account.

And during the discussions of developing this implementation plan, a number of providers raised this as a major issue where in porting customers from these providers that have this practice, the end user wasn't even aware that they had a password on their account much less what that password was because they just simply didn't read the billing inserts.

So the new provider was not able to get an LSR past the old provider in this case because the customer couldn't tell them what that password was and the only way they could get that is for the customer to call the old provider and request what that password was and again, this perhaps opens up the possibility of retention marketing on the part of the old provider should the customer have to call them to request what that password is.

So the working group felt that it was appropriate to recommend this statement in there, that if it's a service provider assigned password, not one requested by the end user, then it can't be one of the validation fields on an incoming LSR or required in order to obtain a CSR as well.

Okay, any questions so far on that figure?

Okay, figure three, what we've called the broadband --

MR. ROGERS: Excuse me, I do have a question. Greg Rogers with Level 3. You know, your discussion about the optional nature of the CSR process,

the language in the bullet point at the top of page 18 I think is potentially confusing because it says CSRs must be returned and I wonder if it's worth inserting some kind of a clarification that the CSR process is optional because that seems to be somewhat contradictory to me as I read that statement as it's written.

MR. SACRA: Certainly I am not opposed to adding some clarifying text there. I just will say that when you go to the actual flow itself, both the flow and the narrative, it does state that that step for requesting a CSR is an optional step.

MR. ROGERS: And I think that's fine. I just am sort of highlighting that to try to avoid confusion to the extent that this particular statement is something that somebody is going to rely on down the road to try and enforce CSR exchanges when it's an optional process.

CHAIRMAN KANE: Let's note that as an issue rather than getting into a big discussion about it. And I will note that actually as I read it, what is going to go to the FCC from the NANC will be the flow, processing flow and so it's the narrative that's with that that will be the deposited document also. Don Gray.

MR. GRAY: Don Gray, Nebraska Public Service Commission. Since we kind of opened that box just a little bit, when you say must be returned within 24 hours unless otherwise negotiated, was 24 hours to be a cap and you could negotiate something shorter?

MR. SACRA: Certainly, 24 is considered a cap.

MR. GRAY: I would suggest that needs to be because I know of carriers that have used an ICA to get a negotiated 72 hours for the return of a CSR.

MR. SACRA: Maybe I answered it incorrectly then Don. That otherwise negotiated is meant to suggest that if two carriers agree between themselves that it could be anything less or anything more than 24 hours, we're not precluding that but absent any agreement between the two providers the cap is 24 hours.

MR. GRAY: Okay, maybe something for discussion later.

CHAIRMAN KANE: Yes, I've noted that. If we could limit the questions to just factual clarification and then we'll get into the discussion when we're finished. Thank you.

MR. SACRA: Okay, the next bullet again relating to the CSR. I think we've done that. I'm sorry, we're on figure three now, the broadband verification process and this is an optional flow because obviously every port doesn't involve cases where there's either broadband on the line or broadband needed in order to provide voice service.

So this is used to determine again if the porting menu currently has broadband or broadband DSL on their line or if it's necessary in order for the new service provider to provide voice service for the porting end user.

So there are steps in there for interaction between the new provider and the end user to determine number one, do they have broadband on their line. Number two, is it necessary for voice service. If they don't have it then there's steps in there to instruct the end user to obtain broadband service if it's necessary for the new provider to -- and I'm thinking like an inter-connected VoIP provider for instance that needs broadband service to provide voice service to the end user.

So there are steps in there to insure that the end user if they do not have broadband service obtains it if it's necessary for the new provider to provide voice service. There are also steps in there for retaining broadband service if the customers wishes to do so and if the new provider requires it for voice service as well.

Figure four, another new flow and this is the simple port LSR/FOC exchange process. This is to be used for wireline to wireline and inter-module simple ports.

And if anybody noticed, the reason why there's no figure two, not having any figure two discussion, that is actually the wireless inter-carrier communications process and we did not touch that at all. The current wireless to wireless porting process will remain as it was and as it is today.

So that's figure two. So there weren't any changes to figure two. So even though it is included in the flows in the narrative package it's not included in the implementation plans. We didn't make any changes.

Figure four, the key recommendations in this flow, the new service provider whether it's the new local or the new network service provider, whichever is applicable, must make every reasonable effort to determine whether this is a simple port or a non-simple port before they submit the LSR to the old provider.

Certainly there is some concern and we'll discuss it later as well, that the new provider may just perhaps submit an LSR for everything simple, which I'm not quite sure why they would do that because one of the reasons why a port is non-simple is its multiple TNs and it's going to get either rejected or knocked back with a different due date if it's evident on the LSR that it's non-simple.

But there is some concern that the new provider may not make every effort to determine whether the port is upfront simple or non-simple so this is a statement we're recommending placing in the narratives.

It's a requirement that they make every reasonable effort, and there are a number of ways they can do that one of which is to obtain a customer service record to determine whether this would be simple or non-simple port, asking the right questions of their end user that wants to establish service with them.

For example, if the end user has a multi TN account but they are only porting one TN, a single TN port out of a multi TN account is a non-simple port but if the new provider is not aware that either they didn't pull a CSR or they didn't ask the right questions of the end user, if the end user is only porting a single TN, the new provider may mistakenly think this is a simple port and submit it as such.

So we were hoping this statement will make it clear that the new provider must make every reasonable effort and that is either pull a CSR, talk to the customer and get as much information as you can to make a determination of simple versus non-simple before you submit the LSR.

MR. JIMENEZ: Jose Jimenez from Cox. I have a quick question about the figure three. After you spoke about it I just -- it says this is a new optional flow. At whose option? This would be the new provider that would determine whether to do this?

MR. SACRA: Yes, you're absolutely right, it is the new provider. And one of the reasons it is optional is because not every port is going to have broadband

service involved at all so that's one of the reasons why it's optional.

It's optional as you said on the part of the new provider to go through these steps. It doesn't place any requirements on the part of the old provider. These are optional steps for the new provider to work with their porting end user before the port takes place to insure that there is continuity of service. If broadband is required for that provider, to offer voice service to the customer.

MR. JIMENEZ: So if I am a new provider and I do not require broadband for my phone service --

MR. SACRA: You wouldn't even go through that flow.

MR. JIMENEZ: As a new provider I would not go through that flow?

MR. SACRA: That's correct.

MR. JIMENEZ: Thank you.

MR. SACRA: Okay, top of page 19, and again these are all recommended statements that we would like to place in the narratives of the flows. Communication between the old network and the old local service provider with regard to the port must not delay the validation or processing of the port request.

An example would be in the case where the customer is porting out or from a interconnected VoIP provider, the LSR Post C Exchange actually takes place between the new network provider and the old network provider of which the interconnected VoIP provider is hanging off of.

So in some cases there may be information exchanged between the old network provider and their inter-connected VoIP provider like an LSR Post C

Exchange in order to make sure that the inter-connected VoIP provider knows that they're about to lose a customer.

But we're stating that that exchange is not always required as a conditional step in the flows but if it does take place it should not slow up the porting process especially in a next day port scenario.

Next bullet, I think we've already addressed this one. Again, because these are statements in the flows that this is for wireline to wireline ports and ports between wireline and wireless service providers, if the requested due date is one or two business days for simple ports then the firm order confirmation or reject whichever is applicable is due within four hours.

If the new provider requested due date is three or more business days then the LSR or reject whichever is applicable, is due within 24 hours excluding weekends and old service provider holidays. And again, in instances where the LSR is obviously non-simple such as a multi TN port then the FOC is due back within 24 hours.

Okay, for port requests that are submitted to the new service provider as a simple port but are determined to be non-simple by the old provider, this particular flow allows for an option for the old provider to send an FOC back rather than a reject, and that FOC can contain a due date that's appropriate for a non-simple port such as a full business day due date. So that's one of the options, the other option of course being a reject.

I believe the OBF is working on an error code for that reject message that

would tell the new provider that this is a non-simple port and instructs the new provider to re-submit the LSR as a non-simple port request.

CHAIRMAN KANE: Question?

MR. JIMENEZ: Jose Jimenez from Cox again. Are the business day definitions in the two bullets that you just covered the same as you explained before, in other words it's a 1:00 p.m. cutoff and then the clock begins to tick the next day?

MR. SACRA: Right. That is applicable to the first bullet if the due date is one or two business days. With the second bullet we're basically dealing with this port as a non-simple port so regardless of when the LSR comes in the FOC is due back no later than 24 clock hours after receipt of that LSR.

MR. ROGERS: Excuse me, Greg Rogers, Level 3. Is there a time restriction on when a reject notice has to be provided?

MR. SACRA: Within four hours. In the case of the first bullet if it's one or two business days for the due date, the reject is due within four hours. If it's three or more business days then it's due within 24 hours.

MR. ROGERS: Okay, thank you.

MR. SACRA: Okay, any more questions on figure four?

Okay, figure five. This is the wireline non-simple LSR FOC exchange process. This is not a new flow but it's a revised flow and this will be used for the non-simple port case.

There's a jump off point from figure four if the LSR was submitted as a simple port and if the old provider determines that it's non-simple and more

information is needed, there's a jump off point from figure four that goes into figure five to start the non-simple port process, or if it's just flat out a non-simple port, figure five would be used and again this requires the FOC to be returned within 24 hours and that's 24 clock hours excluding weekends and holidays.

Okay, figure six. This is the main porting flow. This is again a revised flow. This depicts the number of steps that are common to all the other flows. Again, there were not a lot of changes to this flow but there are some key recommendations for the narrative.

Again, for wireline simple ports there's a process or a functionality called conflict. If the old provider has an issue with the port request, the create message that went up to the NPAC that was sent by the new provider, there is an opportunity for the old provider to place the port in the conflict to let the new provider know that there's an issue, some of which could be end user service affecting so there is a functionality for the new provider to at least halt the port for a period of time or in some cases depending on the severity of the problem, could halt the port entirely until the problem is fixed and then the old provider can take it out of conflict.

So for the simple port process, the next day or the second business day, the conflict cutoff time which the old provider can place it for in the conflict is 9:00 p.m. in the predominant time zone on the day before the port. So after 9:00 p.m. the old provider has missed the opportunity -- well it's actually the later of 9:00 p.m. in the predominant time zone or the expiration of what's called the NPAC T-2 timer.

And there's a set of timers that run in the NPAC. Their purpose is to number

one insure that the old provider is given sufficient time to process the port request and make sure everything is in place in their network so that when the port takes place the customer service is maintained.

This set of timers while they're running prevents the new provider from activating the port but in order for the control of the port to eventually shift to the new provider, that the old provider can't just simply stop the port from taking place. At the expiration of the T-2 timer then the new provider is able to activate the port.

So the timers have two different purposes, one is to allow the old provider enough time to get their network ready for the port to be activated, and number two it does not allow the old provider to just completely block the port. Once the T2 timer is expired then the control of the port shifts over to the new provider.

Okay, the next bullet for simple and non-simple ports, we're recommending that the old provider must deploy the ten digit trigger in their donor switch if technically feasible, or monitor the NPAC for activation in order to trigger the disconnect of the customers line translations in their donor switch, or that carriers perform a database query on every call origination.

And the importance of this ten digit trigger, it's a transition mechanism during the porting process that is set before the port is activated and it remains in place after the port is activated until the old provider removes their switch translations.

And what it does is, it insures that all calls are routed to the appropriate place whether it's in the old provider's network before the port takes place or to the new

provider's network after the port takes place.

So there's a period of time between port activation and when the old provider disconnects their line translations in their donor switch that without this ten digit trigger then the calls that originate from that donor switch would not route properly to the now ported customer. So this ten digit trigger is a very, very important key function.

And so we're recommending that it must be deployed by the old provider if its technically feasible in their switch, and if it's not technically feasible then they must monitor the NPAC in order to do the disconnect immediately upon activation so that there is no window of opportunity for calls not to be routed properly to the end user now that they've ported.

Okay, any questions on that?

Figure seven, this is the subscription version create flow. This is the create message that I've been speaking about where the new and the old provider send up their create message to the NPAC in order to kick off or create a pending port in order to kick off the porting process within the NPAC. This is a revised flow. It's not a brand new flow.

We do have some key recommendations that we would like placed in the narrative. Well, currently the new provider create message is obviously required because the new provider is sending up the routing information to the NPAC to be broadcast to all the sub-tending service providers, so without the new service provider create message the port cannot take place because that contains all the

routing information.

But in today's world the old provider create message is optional and that's one of the reasons the T-1 and T-2 timers that I spoke of -- if the old provider does not send up their create messages, those timers expire and then the control of the port shifts to the new provider and they can activate on the due date.

What we're recommending is that we place text in the narrative that there is an expectation that in order to facilitate porting, especially in a next day porting scenario that the old provider should send up their create message in order to not allow the T-2 timers to run their course. Just send the create message, stop the timers, and then that allows the new provider to activate at the appropriate time on the appropriate due date.

Okay, the next one is another what we would call a best practice that we would like placed in the narratives and that is that the new provider should not activate early before the due date.

I won't get into great detail on this but the NPAC actually runs on Greenwich mean time. It doesn't run on any of the time zones in the U.S. so because the NPAC runs on Greenwich mean time there is a window of time that once the due date is reached, say at midnight tonight, because the NPAC is running on Greenwich mean time, it actually would allow the new provider to activate before midnight even though the due date has not been reached.

Because the NPAC is running on Greenwich mean time which is a different time than the time that has been set to activate the port at midnight, there is an

opportunity for the new provider to activate actually the night before the due date.

And we're recommending a best practice be placed in the narratives that the new provider should not activate early unless they've been in contact with the old provider and are assured that the old provider has made all the necessary arrangements in their network to make sure that the end user's service is continued, such as setting the ten digit trigger, that any fallout in the ordering process has been resolved just to insure that continuity of service is maintained.

Okay, 21, again a new additional set, in order to accommodate a much shorter interval next day porting, we are developing a new additional set of T-1 and T-2 timers for the NPAC. The current timers for the current four business day intervals are nine business hours each for the T-1 and T-2.

Again, once they expire and there's two ways they expire. One is that both the new and the old providers have sent up their create messages. That stops the timers flat out right there. The other way they expire is if the old provider fails to send up their create message, they'll expire after the two nine business hour intervals.

But obviously nine business hours each for the T-1, T-2 are way too long for a next business day scenario so we are developing a new additional timer set for the one or two business day porting scenario of three business hours each. And the business hours for the NPAC in the context of these timers will run from 7:00 a.m. to midnight, Monday through Friday in the predominate time zone of the NPAC region.

Again now business hours, this is just relevant to the NPAC and when timers run and when they don't run, so we have a much longer interval when these timers are running for the simple port scenario than we do now for the current four business day which is needed in order to make these timers if they are going to run their course, to make sure they expire in time for a port to be activated midnight that night.

Okay, figure eight. This is the scenario where I was talking about where there's another provider and a underlying local service provider such as either a traditional reseller in the public switch telephone network that we know of, and there's also the interconnected VoIP scenario which is not considered in the same context as a reseller per FCC order 09-41 because my read and the working groups read of 09-41 is that any type of interconnected VoIP provider is bound by the simple port next business day porting order in 09-41.

So this particular flow figure eight is the communication process between a network provider and any underlying local service provider such as a reseller or any interconnected VoIP provider.

That communication could be an LSR/FOC like exchange. It could be a loss notification if the network provider -- once the port is activated they would likely send a loss notification to either the reseller or the interconnected VoIP provider to let them know the customer is now gone and one thing, they should stop billing that customer because it's no longer their customer. So that's the type of communication that takes place in this figure.

Key recommendations in this flow, the working group, and this was as a result of FCC order 07-188, the interconnected VoIP order, the working group defined three what we call class or three types of interconnected VoIP providers with the purpose of the NANC flows.

Class one is a stand alone interconnected VoIP provider. This is one that obtains their numbering resources directly from NANPA or the Pooling Administrator and they connect directly to the public switch telephone network, not through a partner's PSTN switch for example. That's what we call a class one in the flows.

A class two interconnected VoIP provider is perhaps what I would call maybe the more traditional interconnected VoIP provider. At least at one time it was perhaps the more traditional, and this would be an interconnected VoIP that does partner with a public switch telephone network or a circuit switch network service provider.

They connect to that providers end office switch and not only do they obtain numbering resources from that PSTN service provider but they also obtain connectivity to the PSTN through that PSTN providers end office switch. That's what we call a class two.

And here we tell which flows that the provider must follow, that type of interconnected VoIP provider must follow depending on whether it's a simple or a non-simple port.

Class three, and I'm told there are examples of this. I'm not aware of one

personally but some of the interconnected VoIP providers that participated in the development of this plan did say that there are examples of, I guess this would be analogous to the PSTN reseller where this is an interconnected VoIP provider.

They are non-facilities based and they partner with another facilities based interconnected VoIP provider not only for numbering resources perhaps but also for interconnectivity to the world. So this is analogous to I guess the traditional PSTN reseller but it is a type of interconnected VoIP provider that we've called a class three.

Questions? Yes.

MR. JIMENEZ: Jose Jimenez from Cox. I just want to make sure that I did not misunderstand. There might be three classes but there is no distinction in what they have to do, is that fair?

MR. SACRA: Let me refresh my memory here. Yes, you're right, there's no distinction what flows they follow. I guess the distinction is that for class two and class three that we're making the distinction that in terms of these flows they're not considered the same as a traditional PSTN reseller because in today's world porting evolving resellers are considered a non-simple port whereas our read, the working groups read of 09-41 was that any type of interconnected VoIP provider if there's a single TN or single line interconnected VoIP provider, that would fall under the mandate of next day porting for a simple port. So that's the distinction I think that's made between class two and class three and then the class one interconnected VoIP provider.

MR. JIMENEZ: But class one, class two, class three, they follow the facilities based regular (unintelligible) flow basically that --

MR. SACRA: Right.

MR. JIMENEZ: Okay, thank you.

MR. SACRA: Yes, you're absolutely right.

Okay, moving on to figure 10 this is the provision with the unconditional ten digit trigger that I spoke of. This is a revised flow and again we are recommending that we place text again in the narrative of this flow as well as that I just walked through, that the old provider must deploy that trigger if technically feasible or monitor the NPAC for activation in order to trigger the disconnect in the donor switch. So we just previously covered that but this is an additional place we would like to place it in the flows.

Okay, figure 11, this is the conflict flow for the service creation provision process. Again, we've addressed this previously but this text is also applicable for this particular flow that for wireline simple ports the cutoff time for the old provider to be able to place the port in the conflict is 9:00 p.m. in the predominant time zone the day before the due date. It's the later of 9:00 p.m. or the expiration of the T-2 timer.

I did want to make mention too, it's actually in the flow narrative but we are also recommending I guess a reciprocity requirement to be placed in the notes at the beginning of the narrative that basically says that if the new provider wishes to port on a next day or a shortened interval basis, then they must also be prepared when

they're acting as the old provider to port out upon request on that same shortened interval as well.

In fact I can read you the exact -- this is the notice actually on page three of the narratives that we're recommending be placed.

“The FCC has allowed that one business day porting must be implemented either within nine months of the NANC report to the FCC or for carriers which qualify implementing within 15 months” and that's paragraph 12 of 09-41.

“The local number portability administration working group provisioning flows and one business day definition require reciprocal implementation where carriers must only port in at the interval which that carrier also ports out.” So again that's a recommended insert into the note section in the beginning of the narratives.

Okay, any questions on the flows?

CHAIRMAN KANE: You stopped on page 22. After that 3.3 I guess to the end, 3.3, 3.4, 3.5, 3.52, 3.53, are labeled recommended industry LNP best practices. Those are being put forward separately from the flow?

MR. SACRA: Actually the intent, and these are the same two best practices that I spoke to earlier that are in the flows, what the working group would like to do is not only insert those two in the flows as I earlier discussed but the working group does have a best practice document that we keep up on our website.

If the NANC endorses these two best practices and if the FCC adopts them we would also like to insert them in our best practices document on our website as well and that's why we've actually separated them out not only from the flows but

also their own section in terms of best practices.

CHAIRMAN KANE: But these best practice are incorporated, you're recommending they be incorporated in the narrative for the flows too?

MR. SACRA: Yes.

CHAIRMAN KANE: Okay, just to clarify that. And just so we're clear, the document also attached to the document or imbedded in the document as you said just for the record are the flow charts.

MR. SACRA: That's correct.

CHAIRMAN KANE: I will note that in some cases because of the way they're imbedded, they were difficult to print out, at least my office had difficulty printing them out so it might in the future be better to just do them as separate documents. It's a mechanical thing. But that's really the document that we would be sending forward to the FCC, is the flows with the narrative, correct?

MR. SACRA: I guess the working group would respectively request that at the very least should the NANC endorse section three in its entirety that it be sent along with the flows as well.

CHAIRMAN KANE: Okay, thank you. And I do want to thank you not only for your report but obviously thank everyone who worked on this. As you read the report you can see the number of people, the number of hours, the number of subgroups, the number of meetings, conference calls, et cetera. Whatever resolution we come to about the substance of it I think there was a tremendous amount of industry effort that was put into it within a relatively short timeframe.

MR. SACRA: The best practice was section 3.3, there was some FNPRM related items if you would allow me to go through it.

CHAIRMAN KANE: Yes, thank you.

MR. SACRA: Thank you very much. Well 3.4, there are two NPAC change orders that we're currently developing technical requirements for. We're well on schedule to get those completed.

We've consulted with the Chairs of the NAPM LLC and they've assured us that when the request gets to them for the two change orders to request a statement of work from our impact vendor NeuStar that they will expedite that request.

So we are well on schedule getting these two change orders completed. One is for the new timer set that I spoke of and the other one is for a method for the NPAC to determine which timer set to use on a port.

Okay, 3.5 which is the last section on the report and this recommendations related to --

(Tape Interrupted When Changing Sides)

(END OF AUDIOTAPE 1, SIDE B)

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(START OF AUDIOTAPE 2, SIDE A)

MR. SACRA: As we're making. The first one is, and again we're going to be discussing this as well after the report but the ATIS OBF based on the work that they had already been doing and the liaison that the working group sent them, they

graciously expedited their work and got the working group a list of standard data elements for an LSR for inclusion in this implementation plan.

It's a standard set that accommodates both simple and non-simple porting. It also accommodates any new provider requested services that may be associated with the port. Again, I guess we can call it not required fields but conditional fields.

For example, if the customer is changing their address, moving during the port there may be some fields that the new provider is submitting to reflect that.

For 911 for example, there's a number portability directional indicator that indicates what the treatment should be for the 911 database.

Directory listing is another example that may drive the new provider to complete some of the conditional fields so it's I guess a set of fields that we are recommending, we being the working group are recommending that not only NANC endorse but that the FCC mandates so that the industry truly has a standard form, a standard format, and a standard set of data fields for porting wireline to wireline and intermodal.

It's my understanding and I believe a representative from ATIS is going to speak after I'm done, but it's my understanding that this has been vetted through the OBF with participation from both wireline and wireless carriers as well.

Okay, 3.5.2 on 25, these are some recommended clarifications to the current simple port definition. Again this was a separate sub-team headed up by Nancy Sanders from Comcast and Sue Tiffany from Sprint Nextel.

What we've done is we've listed the current definition right under section

3.5.2, the header there. With respect to the first criteria on unbundled network elements, we found an FCC document that listed seven definitions of UNEs or unbundled network elements.

One was the loop, an unbundled loop, one was unbundled network interface device, the other one was an unbundled sub-loop, and the fourth one was a UNE-P or UNE platform.

Then there were three that we had a lot of discussion on E-911 Dedicated Transport, one was 911, E-911, and the last one was operational support systems that were included under UNEs and therefore included under the definition of what a simple port is not.

So the clarifying statement that we are recommending for inclusion in the definition of a simple port is that it's the working groups understanding of current industry practices regarding UNE involvement in porting a simple port is that UNEs of dedicated transport, 911/E911 or operational support systems are not a factor in determining or executing a simple port, meaning that we don't think it's appropriate for providers to deny a simple port request based on those three UNE terms that we discovered in this FCC document.

The other four, we're saying like unbundled loops, the other four we're saying are still appropriate for non-simple ports as unbundled network elements.

The second one is the criteria about single line. Our clarifying statement is a simple port is for a single telephone number in a single line account. So it's a single line, single TN.

And then the last one is with respect to complex switch translations which got a lot of discussion. It's somewhat of a nebulous term. The participating providers went back and consulted with their subject matter experts internally and in some cases we couldn't find an example of why a particular service constituted a non-simple port.

One example was advanced intelligent network or AIN services so the clarifying statement we would recommend adding to the simple port definition is for single TN ports the services cited as examples are not necessarily provided utilizing complex switch translations.

If the other criteria defining a simple port would otherwise lead to classifying a port as simple, the porting of the customer with any of these services, these complex switch translation services so-called, could be classified as simple.

Okay, questions there?

And the last one is, these are CSR, customer service record related requirements that we are recommending. I've already gone through these previously. We put them again separately in this implementation plan because the CSR related comments are part of the FNPRM as well.

And to close this out, just for the high level timeline of what the working group is working towards in terms of development of requirements design, and development on the part of vendors, both NPAC, SOA, internal service provider operational support system development, and vendor testing, and industry testing, we've laid out a very high level timeline in section four as well.

And the last section lists the participants. I won't profess that we've captured everybody. I hope that we have but if we've missed anybody, let Paul and I know and we'll certainly be glad to get them on this list so that your participation can be acknowledged.

And I'll entertain questions.

CHAIRMAN KANE: Thank you very much, Gary. Philip Jones.

COMMISSIONER: This is Philip Jones, Commissioner for the Washington UTC. I'm a little confused about the duplication of -- at least on the CSR you're recommending that NANC approve or we approve 3.5.1, these three recommendations to go to the FCC for the further notice of proposed rule making, is that correct?

MR. SACRA: Well, I guess what the working group is requesting is that the FCC adopt those statements and allow us to place them in the narrative of the flows in the appropriate place and certainly for adoption by the FCC of the NANC flows as well.

The reason you see them in two places in this implementation plan is not only that we would like them placed in the flows and adopted by the FCC but we do recognize that it is part of the FNPRM and we wanted to separate out any recommendations that we had that were part of the FNPRM as well, so that it was clear that some of these recommendations are FNPRM related.

COMMISSIONER JONES: So my concern, I'll state it right now without getting into the substance, is I understand the port type determination under flow one

and why you put it in there and I think that makes a great deal of sense and I think you must be referring to a statement in the FNPRM in 09-41 that says if a single standard time interval in which providers must return CSRs, appropriate, you know, broad question.

So that must be what you are referring to but I think if it's not explicit it's pretty implicit in flow one the port type determination of what this handling at least of the CSR requirements are. So I would just note that for the record that to me it's a little bit duplicative. There may not be consensus based on the discussion today what to forward on to the FCC for the further notice of proposed rule making. I'm just noting that right now.

MR. GREEN: Kevin Green, Verizon. I think the group was trying to consider some of the things that were brought up in the FNPRM as they had all of the experts in the room in the area working on these issues and so I believe that they thought to the extent they could resolve some of the things that were, you know, referred to the FNPRM, it made sense to try to do that now.

CHAIRMAN KANE: Thank you for that clarification. Yes.

MS. MILLER: Anna Miller with T-Mobile. I agree with what Verizon said and there is direction given by Chairman Koutsy to provide clarification and there was a lot of debate about that, even the context to the extent that we could provide clarification or recommendations relative to the further notice.

But one other clarification Gary, in this recommendation, the CSR is still always optional, is that correct?

MR. SACRA: That's correct.

MS. MILLER: Okay, thank you.

MR. SACRA: In fact there are statements to that effect in the flows that they are very optional.

CHAIRMAN KANE: We'll go to this side.

MR. JIMENEZ: Jose Jimenez, Cox. You may imagine that I have lots of questions but I'll begin with trying to get an understanding of how the LNP working group determines that there is consensus on an issue. Would you please explain that to me?

MR. SACRA: Yes. The NANC training binder has a section on the consensus voting process that all the working groups are to follow. It uses terms that I'm not personally fond of but it's the lightweight, heavyweight.

I guess an example of a heavyweight would be a participant that is a long time attending participant contributes to the working group, contributes to the industry through discussion, through contributions that they bring into the working group.

And I guess the lightweight would be perhaps a participant that rarely attends, doesn't participate in the discussion or infrequently participates in discussions. But the purpose I guess of those labels is to I guess highlight the somewhat subjective nature of consensus, in fact I think the word subjective is even used in the NANC training binder that it's not a consensus process in the working group, it's not a vote, it's not a majority vote. It's quite possible that a minority of

“heavyweights” could carry the day even over a majority of “lightweights”.

So it boils down to a judgment call on the part of the co-chairs and the co-chairs, we listen to the discussion, we ask for who objects to a particular one side and who objects to the other. Based on the discussion that took place and the way different participants weigh in on their objections, the co-chairs determine whether or not consensus is reached and in which direction consensus is reached.

MR. JIMENEZ: Thank you. In the consideration of the many issues here, I guess I’ll ask for my own company individually, is Cox Communications in your opinion a heavyweight or a lightweight?

(LAUGHTER)

MR. SACRA: Cox has been participating in the discussion. I won’t mention any individuals name but you did have an individual that attended quite a bit for a period of time so I would say that I would feel Cox would be in a heavyweight class.

MR. JIMENEZ: So how does the LNPA working group decide whether it’s a difference of opinion among heavyweights, when is consensus reached?

MR. SACRA: Again, a lot of it is the discussion. I guess how different participants during the discussion advocate their position. It’s not a matter of we’re pitting heavyweights against heavyweights. Again, it’s a judgment call based on the discussion that took place and how different providers weigh in on a particular side of an issue.

MR. JIMENEZ: One last question for now anyway, is it normal for the

LNPA working group or NANC to submit advice to the FCC in the middle of a rule making where parties around this table are providing different opinions?

MR. SACRA: That's a very good question because there were participants that at one point raised that same question, should we be doing that and I'll go back to, and I want to thank Anna for reminding me, that we did have direction from former Chairman Koutsky that if we could reach consensus on any of the FNPRM related items that he felt it would be a positive for the industry.

MR. JIMENEZ: And you of course I am sure are aware of the fact that Cox and I believe Comcast have from the beginning had issues around the size of the LSR form.

MR. SACRA: I am very aware of that, yes.

MR. JIMENEZ: Beginning with the ATIS issues. Thank you. I'll have more.

CHAIRMAN KANE: We'll tee that up as one of the substantive issues that we'll deal with.

Let me just clarify that for the record, when you speak of participation without getting into heavyweight or lightweight, the NANC documents and training refer to participation in the NANC, and the working group, and the sub-group meetings and activities and conference calls that are open to everyone. It does not refer to participation in anything that's proprietary or membership or is outside of this process, correct?

MR. SACRA: Every working group meeting, conference call, and all the

sub-teams are always open to anyone. There's no restriction.

CHAIRMAN KANE: Okay, thank you. Okay, we have half an hour before the lunch break. We have a couple more questions and I'll get to those. We have to figure out how we're going to deal with this because obviously we're not going to finish this up in half an hour.

We have identified four or five different issues that there will be discussion on. We've also requested that the ATIS group which did provide information that became recommendations of the working group, for them to make a presentation on that two.

So we'll take the questions and then I think I will ask ATIS when we get to that issue of the fields, to have ATIS make their presentation. Go ahead.

MS. GAUGLER: Tiki Gaugler with XO Communications. Can you tell me who developed the training binder and the language that's in the consensus? Was that developed in response to heavyweights?

(LAUGHTER)

MR. SACRA: Rosemary, you want to take that?

MS. EMMER: This is Rosemary Emmer with Sprint Nextel. The training binder was developed I think first in 2004 or 2005. It was an action item that the NANC wanted to have done and Beth O'Donnell with Cox and I worked with the entire industry to put that together.

If I remember correctly the consensus piece of that was updated by the then current chairman who I think was Chairman Koutsky in 2006.

MS. GAUGLER: Okay, when you say that all of the industry was included in that, do you have a list of participants you personally (unintelligible) in developing that language?

MS. EMMER: Oh, I see what you're asking. I'm sorry, I was a little confused. The consensus language inside of the training binder was updated by the Chairman, however the language from that came from I think the mission statement, keep me honest, Anna, the NANC mission charter and that sort of thing even prior to that. Does that answer your question?

CHAIRMAN KANE: And the Mission Charter for the record comes from the FCC.

MS. EMMER: And operating procedures, yes, from the FCC.

MS. GAUGLER: I was actually just wondering, who developed the language, this group, this NANC altogether?

CHAIRMAN KANE: It's my understanding that it was a group that developed, that came to the full NANC and it was approved at some time, two, three, four years ago by the group.

One of the things I think on our agenda next year is to take a look at that training binder and update it, different things, but as all group training manuals need to be updated periodically. But for the record the training binder was approved by the full NANC.

MS. EMMER: Absolutely, I believe twice. I think we've had two revisions or at least one revision since the first time and although this isn't an agenda

item it was an action item and the status of the training binder for this particular meeting is I have heard from the industry and I have made the industry updates. I've heard from all the working groups and have the updates for that. There are other sections to the document and references et cetera that still need to be checked.

One of the things I wanted to do Chairman Kane was to get with you on some of the sections that are more chairman related, and so I would assume then that within the next probably month or so the training binder draft will be sent out and then perhaps at the next NANC meeting we could have further discussions on a new version. Thank you.

CHAIRMAN KANE: Put it on the agenda perhaps for the February meeting.

MS. GAUGLER: Noting that there are few CLECs that are currently sitting as NANC members now, XO would definitely support revisions to that language.

CHAIRMAN KANE: So noted. Anna, do you have anything else?

MS. MILLER: Yes. Anna Miller with T-Mobile. Actually I think I was around for the origin of the NANC operating principles and it was pre-wireless number portability so it was part of 2002, and it came out of a situation at a working group where an industry segment was told to leave. And so as a result of that we developed operating principles to encourage respect and I guess an open process for everybody to provide their opinions.

And I just would like to say again thank you to everyone for all the hard work

that has gone into this recommendation. It's obviously very substantive. It will result in a huge improvement in the porting process for the consumer and it's definitely a compromise document.

I don't think there's anybody in this room if we went through all those issues, that their position, their opinion prevailed on every bullet that's in that recommendation.

It was a big compromise by everyone and in terms of operating principle and process I think it's very commendable at the NANC that there is due process, there is fairness whether you're a lightweight or a heavyweight on whatever issue it is because we always allow for minority reports and that that information is discussed here. It's submitted to the FCC.

So you know in situations in the past where T-Mobile, you know, didn't get what it wanted in a recommendation, we always had the opportunity to submit minority reports and have that considered.

So I think that's as open as you can get and I think that what we're doing here is fully vetting this recommendation and that everyone has the opportunity to do that if there's an issue that didn't turn out the way they wanted or that they believe from their perspective should be different. So I think that that is commendable for this Council and all the participants in the working groups. Thank you.

CHAIRMAN KANE: Thank you. Rosemary.

MS. EMMER: Thank you, Chairman Kane. Rosemary Emmer, Sprint Nextel.

I just wanted to thank Gary for rolling the solution out to us today. I don't think there is anyone in the entire industry that's more qualified to do that than Gary and I'm certainly, definitely feeling that everyone in this room is glad that they weren't asked to do what he just did. So we owe you.

(LAUGHTER)

Sprint Nextel supports this document and we'll be able to implement the solution. And while there are many issues inside of this solution that perhaps we opposed and perhaps we don't even particularly care for today we still believe in the process, we believe consensus was reached in this document. We believe in the process in which the consensus was reached. We believe in the way the co-chairs handled this.

You know, there are things we don't like but we're still okay with it. We can implement it. We can do this. I think we're a little shocked. I think we're thrilled that we were actually able to complete this tall order. I mean this was huge. We've been trying to work on these issues for over ten years and haven't been able to come to consensus on one or two of the myriad of issues that we've been able to come to consensus on in the last three and a half months.

We understand that everyone who has developed into this document, everyone who develops to this document is going to have some financial pain and some resource pain but at the end of the day this is a terrific solution to a federal mandate that we've been able to accomplish in a very quick period of time that carriers have agreed to and that carriers in fact can build to. So in and of itself we

think this is a huge step in the right direction. Thank you.

CHAIRMAN KANE: Thank you. Any other questions, comments on the process or any clarification questions about what the recommendation is and then we will get to debating about pros and cons or recommendation changes, suggested changes in the recommendations themselves.

I see we have a person from the audience.

MS. JORDAN: Yes, I'm Paula Jordan. I'm one of the co-chairs with Gary on the LNPA working group. And Rosemary, you stole my thunder.

(LAUGHTER)

I mean everybody knows that all the people that -- we have a lot of people in this room who participated or people from your organizations that participated. I mean it was a tremendous amount of work. There was a lot of compromise, cooperation.

There was a massive amount of discussion but my respect and appreciation goes back to Gary because this report that was put together, Gary accumulated all that information which I don't know how he did it but he did and this is the report. And Gary, thank you from the LNPA working group. We appreciate everything you do and thank goodness that you're one of the co-chairs.

MR. SACRA: Well, right back at you, Paula.

(LAUGHTER)

CHAIRMAN KANE: Two more.

MR. ROGERS: Greg Rogers with Level 3. I do have a clarifying

question about the further notice recommendations with respect to the definition of a simple port and my question is what the intent of the recommendation is with respect to criteria number four, the reseller criteria because it's noticeably absent and I'm just not sure what that means I guess.

MR. SACRA: Quite simply it means that we couldn't reach any consensus on any change or clarifying language on that so we clearly left it up to the NPRM for that to be decided. So we had no recommendation.

MR. ROGERS: There is no recommendation.

MR. SACRA: That's correct.

CHAIRMAN KANE: One more.

MR. JIMENEZ: I should say also thank you. My company was very engaged also in the LNPA working group process but I need to ask a question then about what NANC's role is now. My understanding is that we get to (unintelligible) with this and determine what goes to the FCC. Simply because this document represents a consensus reached at the working group doesn't mean that we don't have an opportunity now to talk about the substance of the document. Do I have that right?

MR. SACRA: I totally agree.

MR. JIMENEZ: Okay, thank you. Regarding the simple port definition, did the LNPA working group discuss -- there's an input in the record in the further notice about changing that definition, increasing the number of fields for example. Did that come up while the LNPA working group was discussing this issue?

MR. SACRA: I'm sorry, number of fields?

MR. JIMENEZ: Yes, number of fields, number of lines, sorry, number of lines.

MR. SACRA: Okay. We did have a discussion.

MR. JIMENEZ: And where did that go?

MR. SACRA: The consensus was that it would remain, at least from the working group standpoint, it would remain a single TN or a single line or a simple port.

MR. JIMENEZ: Okay, so it was brought up but there was no consensus reached to provide clarification to the FCC?

MR. SACRA: There was no consensus reached to raise it from a single TN or a single line.

MR. JIMENEZ: So that issue remains alive only at --

MR. SACRA: In the LNPA.

MR. JIMENEZ: Okay, thank you. So there are issues where the LNPA working group decided that it would not provide further clarification to the FCC?

MR. SACRA: That's correct.

CHAIRMAN KANE: Yes.

MS. SHEEHAN: Cindy Sheehan, Comcast. So Gary on the subcommittee in talking about that, trying to provide any clarification or change in the definition on the simple port, the FCC definition as it stands today indicated a single line and the re-definition from the LNPA was that they want that to be a single

TN even though the definition by the FCC is a single line, which is a lot different.

MR. SACRA: Yes. In fact having participated many years ago it was actually the working group that developed the definition of a simple port that has been referred to now at least twice in footnotes in FCC orders but that definition actually goes back to, I think it's the third wireline/wireless integration report that was produced I think it was September 2000 by the working group and that is the document that actually at least to my knowledge first developed what a simple port is or what a simple port is not.

And I think the only difference between that and what we see now in FCC orders is that back then DSL was listed as an example of multiple services on the loop and for whatever reason, that's probably debatable among providers but for whatever reason, DSL has been removed from that definition in the two footnotes in FCC order 07-188 and 09-41.

So I think back then I believe a line may have been what I would say perhaps an unfortunate choice of words. I think the intent back then was even a single TN but the term line was used so the consensus in the sub-team, the simple port sub-team was that the sub-team believed based on a consensus decision that a single line really didn't mean a single TN.

MS. SHEEHAN: And then just one more, was it unanimous that all the providers on the subcommittee wanted that to be changed to a single TN in that wording versus single line?

MR. SACRA: There were some providers that actually were advocating

raising it from a single to a multiple.

MS. SHEEHAN: Okay, thank you.

MR. HULTQUIST: This is Hank Hultquist, AT&T. Just a clarifying question Gary. Are you saying that there was a consensus that the definition should be limited to a single TN or that there was no consensus to increase it?

(LAUGHTER)

MR. SACRA: I believe there was consensus that it remain a single TN. I didn't chair that group but I did participate in it and my belief is that the consensus was that it remain a single TN.

CHAIRMAN KANE: Thank you. Okay, to be clear on where we are now. We essentially have two things before us. We have a charge from the FCC and let me just read that into the record.

From paragraph ten of FCC 09-41, "Having FCC made their decisions about one porting, we leave it to the industry to work through the mechanics of this new interval".

And this is actually from page three of Gary's report,

"In particular we direct the NANC to develop new LNP provisioning process flows that take into account the shortened porting interval, that's the one day porting.

In developing these flows the NANC must address how a "business day" should be construed for purposes of the porting interval and generally how the porting time should be measured.

NANC must submit these flows to the Commission no later than 90 days after the effective date of this order”. And that’s actually for the record, October 31st.

So those are the two things that the FCC said we must do. We must address how a business day should be construed, we must address generally how the porting time should be measured, we must do this in the context of submitting a new flow to the FCC, and we have to do it by October 31st.

In addition, what we have is a charge from the previous chairman that in the process of addressing those things mandated by the FCC there are other issues in the NPRM that it would be useful or helpful if the NANC could reach consensus on and those go to some of the other issues that are in your report. I just want to be clear.

And what you have done I think in your report is you’ve taken some of those NPRM issues and recommended that they be included in the provisioning flow, is that correct?

MR. SACRA: That’s correct.

CHAIRMAN KANE: Okay, just so we know what we’re dealing with.

Okay, now I’ve got a list of about five or six I would say more substantive issues, and having spent 12 years on the D.C. City Council and been there until midnight sometimes debating rent control and other things, I’m going to take what I think are the easier ones first.

Don Gray, on behalf of Commissioner Boyle from Nebraska, you had a concern about the impact on some small carriers that are within one state and how

some of the timing issues might work with them. Can we take that up first?

MR. GRAY: Thank you. Don Gray, Nebraska Public Service Commission.

While the examples I gave were unique to Nebraska in terms of the number of carriers, I think it has portent to cross over into other states and since I sent out my concerns I've talked to both Gary and other members of the working group, and I think what we have is perhaps a difference in what the believed intent was versus what the verbiage as a regulator would read it.

And first I'd like to as others have said, compliment Gary and the team on the hard work and the cooperation that they have all done. I had the, I'm going to call it the privilege of participating in some of the early calls on one day definition until the NTIA said hello, we're here to talk to you about broadband and all of a sudden we had federal grants and RFPs to get out the door.

My concern is on the implementation not necessarily the substance and as I read the definition of a business day and a business hour it seemed to me that it was talking about what the business day and business hours of a provider, of a carrier were to be.

And before I sent out my concerns I talked to one specific individual and a major carrier that has multi-state presence and that individual is in charge of that porting effort and said this is how I'm reading this, am I missing something?

The response was no, that's the same interpretation I have so it wasn't just a regulator, there was someone in the industry that was interpreting it as that's your

business hours.

On the discussions that I've had it sounds more like what the intent was is that those are the days and the hours that the NPAC database and timers, the system, whatever words you wish to use to describe that, are going to operate and the actual hours that a carrier will have for office hours, that's up to them and should they have need more or less hours to use the timers, will be a decision they will make. So perhaps it's a simple fix of putting something at the front of this that quantifies specifically what it is and is not and that way there's clarity as we go forward.

CHAIRMAN KANE: And we're talking about Gary's report on page 13, page 12 and 13, definition of business day?

MR. GRAY: Correct.

MR. SACRA: If I could clarify one thing. Don, the 8:00 a.m. to 5:00 p.m., if I could clarify, it's not the NPAC business hours. The NPAC business hours for a simple port are 7:00 a.m. to midnight in the predominant time zone.

The 8:00 a.m. to 5:00 p.m., again it's not intended to require any staffing hours or it's not meant to require any staffing on the part of a service provider. The 8:00 a.m. to 5:00 p.m. is just simply to place bounds around when an LSR is received and when it has to be FOC'd.

So if it comes in eight o'clock up until 1:00 p.m. then the FOC is due back the same day within four hours. If it comes in after 1:00 p.m. or if it comes in at 1:00 p.m. the FOC has to be back by 5:00 p.m. So that ends the business day in terms of LSR/FOC exchange.

So those are the three critical times, 8:00 a.m., 1:00 p.m. and 5:00 p.m. in the predominant time zone in terms of LSR/FOC exchange but it's not meant to say that a provider has to be staffed 8:00 a.m. to 5:00 p.m. in any predominant time zone of the NPAC region. That's not what we were trying to do.

We just wanted to place boundaries around when providers -- so they could understand when they had to get the FOC back when the LSR came in at a particular time. Like the example, if it came in at 2:00 p.m. on a Monday, the LSR, well, the 8:00 a.m. now is critical on Tuesday because that's when the clock starts on the FOC, 8:00 a.m. the following day.

Now if the provider, whatever time zone they're in, if they work in a different time zone so they're staffed 9:00 p.m. to 6:00 p.m. in that time zone where the LSR came in, then they would have perhaps one less hour to respond to the LSR but it's not saying they have to have somebody there right at 8:00 a.m. when the FOC clock starts.

CHAIRMAN KANE: Gary, we're looking at where it's talked about in your report which is summary and it does clearly in the report on top of page 13 say caveat, although the examples may show activities happening outside the normal business day definition, no provider is required to have staff support available for those activities which fall outside the one business day 8:00 a.m. to 5:00 p.m. Monday through Friday et cetera. Can you point to where in the flow charts this relevant language is?

MR. SACRA: This chart, the chart that begins on page 15, that has that as

a footnote, that chart is actually embedded in the narratives on I believe the simple port flow. It's one of those where you probably see like an icon that has the business week chart.

CHAIRMAN KANE: The narratives which start again page 1 to 47, right.

MR. SACRA: Right. It's actually embedded in figure four, step 10 which is on page 12 of 47.

CHAIRMAN KANE: Page 12, okay, page 12 of 47, (unintelligible) language there.

MR. SACRA: There's an icon. You won't be able to read it because it's embedded in the soft copy. It's another example but it's that chart that you see in the report.

CHAIRMAN KANE: Where is the language that would explain where that caveat is and that it's not referred to the business?

MR. SACRA: I don't think that explains the detail.

CHAIRMAN KANE: Don.

MR. GRAY: Don Gray, Nebraska Public Service Commission. Might I suggest since we're approaching noon, perhaps over the noon hour Gary and Paula and I and whoever else, maybe we can get together, craft some simple language that could go at the beginning of the definition that addresses all concerns and doesn't cause this issue to get reopened and reworked because that's not my intention.

My concern is as a regulator we have to use the words that are written. That's the record and if it ever comes up I can't go, well, I remember that Gary said -

-
(LAUGHTER)

CHAIRMAN KANE: Right, or that there's a caveat in the port.

MR. GRAY: Or some caveat.

CHAIRMAN KANE: That's where we can put it if we had some clarifying language and put it into the narrative, okay. Excellent suggestion.

MR. SACRA: I think it's a good idea.

CHAIRMAN KANE: I think lunch is also an excellent suggestion but let me just be sure what I see as the other issues. There is the issue that has been raised by Cox and Comcast and perhaps some others about the LSR fields. There is an issue by a number of the CLECs about simple ports and non-simple ports. Is there an issue about the CSR in 24 hours and it being negotiated shorter or longer? Is that an issue? Anybody? Okay, so maybe that was just a question. It's a language issue as to clarify. Does that mean that you can negotiate a longer time period?

MR. GRAY: Don Gray, Nebraska Public Service Commission. That was a question. But, there is a concern that I would raise as to where you negotiate that, and, where is it documented. I'll be very specific. We have a carrier that uses ICAs or has used the ICAs, put that language in. Number one it's buried. Number two who has the upper hand when you're negotiating an inter-connection agreement.

CHAIRMAN KANE: Okay, so that does remain an issue. Are there other issues?

MR. BENEDICT: Yes, Jeb Benedict with Embarq, now part of CenturyLink.

CHAIRMAN KANE: Yes, we will get your name tag changed, your table tag.

MR. BENEDICT: One of these days we'll be branded everywhere.

We have a particular concern with the password treatment and in addition I think there may be appropriate discussion on section 222 on the legal question of whether it is appropriate to in effect say you can't have any written authorization requirement. I think that also warrants some discussion.

CHAIRMAN KANE: Okay. Other issues? Yes. Identify yourself please.

MS. TIFFANY: Sue Tiffany, Sprint Nextel. Don, when I read the information that was sent out, I got it yesterday, about the concerns about the timing, I may have misunderstood what you were saying but I thought there was some concern about the states that were in like central time zones but happened to be supported by the western NPAC region to where their business hours might have to be adjusted from 8:00 a.m. to 5:00 p.m. because of the NPAC region they were in. Is that not part of the concern?

MR. GRAY: That was part of the concern. The concern Sue is that depending on where a carrier is and where their NPAC region is, there can be an offset of the predominant time zone of the carrier and of the NPAC database.

For a carrier that has multi-state presence they usually have some type of

centralized or rolling support center that takes care of that. For small carriers who have a presence only in a single state, they usually are not big enough to have that and (B), the number of ports they're going to handle is perhaps going to be greatly reduced from others.

So my read of it was, for example in Nebraska, the eastern portion of Nebraska is central time zone. My read and as I said others got the same read, it meant that a carrier had to have office hours from a minimum of 7:00 a.m. to 4:00 p.m. to be able to support portability.

CHAIRMAN KANE: And that's what is going to be clarified, that issue.

MR. GRAY: Yes, and that's what I would like to get clarified.

CHAIRMAN KANE: We've got two other cards up for other issues. Yes.

MR. KASPER: Brendan Kasper with Vonage. I would also like to discuss the impact of figure 3 of the flows on stand alone (unintelligible) carrier customers.

CHAIRMAN KANE: All right, so we have business day issue that Don et cetera are going to work on over lunch, the simple, the non-simple port issue, LSR fields, the password issue, negotiating shorter or a longer CSR 24 hour turnaround, the section 222 issue, and the impact of figure three.

MR. JIMENEZ: This is Jose from Cox. I thought that we were going to go back to the bullet at the top of page 18 regarding customer service records must be returned. I thought there was a question around that if I recall from an earlier discussion.

CHAIRMAN KANE: Okay, we'll add that. Anything else? Yes.

MR. CANDELARIA: Jerome Candelaria from NCTA. I did plan to touch upon the consensus issue again but hopefully in the context of the other discussions.

CHAIRMAN KANE: I'm sure it will come up in the context of the other issues. Okay, lots to think about over lunch. We will come back at 1:05 p.m. Thank you.

(Lunch Break)

CHAIRMAN KANE: Come back into session, please. We're going to start up again.

(Tape Interrupted When Changing Sides)

(END OF AUDIOTAPE 2, SIDE A)

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(START OF AUDIOTAPE 2, SIDE B)

CHAIRMAN KANE: Okay, if we can come back into order please.

We are back on the record. It is 1:10 p.m. I hope you all had a good lunch and hopefully some good discussions and we're focused.

It is 1:10 p.m. I know that there are a number of people who have flights at 5:00 p.m. or 5:40 p.m. I would like to be able to wrap this up not too far after 4:00 p.m. so people can get out and get their flights.

We have in addition to the issue that's still before us which is our recommendation, one, two, three, four, five, six reports that don't take action but we

do need to have people have a little time to make those reports and have any questions.

So what I'm going to do is go back to the issue of the portability at least a little after 2:00 p.m. and see how much we can get done in an hour. Then if there are any people who are doing those reports that are at the end who have to make a flight and have to leave, we can take up a couple of those reports and then we will take a quick break and come back and finish up and hopefully get out of here by 4:00 p.m., and get out of here with a recommendation as what we are required to do.

So let's go back to the issue we left with which is the business day issue for the single state carriers. We had some progress?

MR. GRAY: We have. Don Gray, Nebraska Public Service Commission. Gary, John, Paula and I worked through the lunch hour. We came up with some language that would be inserted at the start of the existing definition of mandatory business days, minimum business hours and would allow the caveat to be dropped.

And the language is, the following definition of mandatory business days and minimum business hours relate to the LSR/FOC exchange process and do not establish any mandatory staffing hours of a carrier.

CHAIRMAN KANE: Okay, and where does that go, is that in the flow charts, the flow process?

MR. GRAY: I don't know, would that be part of the flow charts also or the explanation, Gary?

CHAIRMAN KANE: The narrative.

MR. SACRA: I would say both. In the business week chart that is embedded in the narratives as well as in the beginning of section three in the report.

MR. GRAY: That's section 3.1 of the report, the second bullet that begins "mandatory business days", the sentence would go ahead of that.

CHAIRMAN KANE: Okay, very good. Questions? Do you need the language read again? Don, would you read the language again slowly?

MR. GRAY: Sure. "The following definitions of mandatory business days and minimum business hours relate to the LSR/FOC exchange process and do not establish any mandatory staffing hours of a carrier."

CHAIRMAN KANE: Okay, thank you. Questions on that. Rosemary.

MS. EMMER: Sprint Nextel, Rosemary Emmer. We just had a quick question. Do we still get the port response by 1:00 p.m.?

MR. SACRA: You mean the cutoff time? The cutoff time is still 1:00 p.m. It's still a four hour FOC, all that remains the same.

MS. EMMER: Okay, thank you.

CHAIRMAN KANE: Is there any objection to this additional language? Thank you.

MR. SACRA: How is that change going to be affected? I mean I'd be happy to volunteer to do it.

CHAIRMAN KANE: Well, I think in any of the changes or any of the things that we agree to today, if we make any other additional modifications they would need to be incorporated into the revised recommendation which hopefully we

would then be able to circulate to everybody if they just wanted to see it one more time, not for changes but just to sure that everything that was agreed to here today was properly incorporated like the final version of a bill and then it will be sent to the FCC.

MR. SACRA: Okay. Don, could I ask please, could you email that to me?

MR. GRAY: Already sent it.

MR. SACRA: Okay, thank you, sir.

(LAUGHTER)

CHAIRMAN KANE: I already got it too. Thank you very, very much for working that clarification out and solving it.

There are two other very small ones. If I can take up perhaps the issue of the pass codes, those folks who want to talk on the pass code issue.

MR. BENEDICT: Well, again this is Jeb Benedict from Embarq as part of the CenturyLink.

The pass code issue is a concern for us and we assume for some other parties in the working group and in the industry.

Frankly the wireless industry is highly competitive and uses the password validation and it's why the wireless port field approach which people were complaining about was adopted for wireline and inter-module porting in the first place.

You know, passwords are meant to protect customers and not to be a hindrance to competition and frankly competition seems to be working pretty well

from our angle given that there are now more wireless phones than wireline phones, you know, cable and VoIP providers, Vonage among them growing fast.

Our company alone loses on average about a thousand customers every day so we do a lot of porting, mostly out, more out than in, but validation is essential or we're going to have a problem akin to the slamming that plagued the long distance consumers.

In much of our footprint we're highly rural. Customers have the same zip codes over entire counties even multiple counties so account number and password really are the only screening to prevent inadvertent porting due to human error and if a wrong number is ported the consumer harm can be substantial. We may never be able to get that number back. We actually have consumer complaints on that issue.

The way this is written and indeed the other anti-password proposals, we don't think that's beneficial to consumers. We need to be able to protect consumers from unwanted account changes through passwords and this is what happens in many industries and frankly what the consumers want.

We also think it's consistent with what the FCC wants for CPNI protection. Customers may not want the multiple passwords but they appreciate the importance of password protection.

We think that this standard, and frankly other anti-passwords proposals, aren't realistically implementable from an operational perspective as well because an operator isn't really in a position to distinguish customer selected from assigned passwords and our systems frankly aren't set up that way.

Also if a provider doesn't provide adequate notice to a customer of a password then that's a separate problem and that can be addressed appropriately through provider specific complaints and remedies instead of disabling consumer protection for the entire industry which is really what we're proposing here.

Additionally we are troubled by this as a process issue. In effect an industry best practice has now become a part of the process flow which is sort of jumping the gun and in effect we, however well intentioned, have NANC dictating opt in versus opt out.

So we would encourage the NANC to remove this aspect of the recommendation.

CHAIRMAN KANE: And for the record it's on page 18, it's the third paragraph reading, "Only passwords or pins requested and assigned by the end user may be utilized as an end user validation field on an incoming LSR by the old network service provider/old local service provider. Any service provider assigned password/pin may not be utilized as a requirement in order to obtain a CSR". That is the language you are concerned about?

MR. BENEDICT: Yes.

CHAIRMAN KANE: And your proposal is to simply delete that language?

MR. BENEDICT: Definitely. And again, Windstream, judging from the letter they have submitted is of the same view and set out the issue nicely.

CHAIRMAN KANE: Yes, thank you and I do have for the record and should mark it as whatever number we're up to, number six, which was sent by

electronic mail, a letter from Windstream signed by Tana Henson making this point that you've made as well as about the physical copy of the CSR. I don't know if that's been distributed, if everybody received that letter from Windstream. Okay, so we'll put that in record as number six.

All right, discussion on the proposal to delete the reference to passwords.

MR. JIMENEZ: Jose Jimenez from Cox. Just to help me understand, does CenturyLink today assign passwords to customers whether they have asked for them or not?

MR. BENEDICT: We may assign passwords to customers, yes.

MR. JIMENEZ: In the process that the FCC adopted in '07, since then does CenturyLink reject an LSR if the password that Embarq or CenturyLink now assigned to that customer account is not provided by the new service provider?

MR. BENEDICT: We'd expect to see the password. I will point out that Century Link is now a combination of companies and there is some inconsistency historically but the use of passwords has been a practice at both companies.

MR. JIMENEZ: That's it for now. I'll probably have more.

CHAIRMAN KANE: Okay. And the issue here really comes down to, you're suggesting deleting it totally because it refers to only passwords assigned by the end user, is that the concern?

MR. BENEDICT: Yes.

CHAIRMAN KANE: Discussion? Commissioner Jones.

COMMISSIONER JONES: This is Commissioner Jones, Washington.

Point of clarification, are you also suggesting then deletion for the recommendations for the FNPRM to be consistent?

MR. BENEDICT: Yes, absolutely.

COMMISSIONER JONES: So you're talking about you want page 26, you want that specific reference to passwords and PINs deleted?

MR. BENEDICT: In 3.2.

COMMISSIONER JONES: No, 3.5.

MR. BENEDICT: Yes, excuse me, yes.

COMMISSIONER JONES: 3.5.3 under customer records.

CHAIRMAN KANE: Thank you, it's the same language.

MR. BENEDICT: That's right, as a matter in both places.

CHAIRMAN KANE: Okay, we've got a lot of cards up. Cindy.

MS. SHEEHAN: Cindy Sheehan, Comcast. So just for clarification, you're wanting to delete that from the proposal that you don't want to have passwords addressed at all? I'm just clarifying what your proposal is.

MR. BENEDICT: Don't necessarily object to having passwords addressed at all in the recommendation. Our concern however is in effect being prohibited from having an opt out system of password protection.

MS. SHEEHAN: So are you suggesting that the individual provider can assign a password to the customers without their knowledge or are you saying that if the customer does have it you don't want to provide it on the CSR? I just wanted to clarify.

MR. BENEDICT: Just to clarify, yes a provider should be able to assign a password if we choose and again if the concern is that the use of that process complicates or slows porting because customers don't know about the password or if they have a password, that could be addressed differently by insuring that through the complaints process or otherwise, that consumers are made aware of that. Frankly even porting of a wireless phone, you may be obliged to make a call to the carrier to get your number.

MS. SHEEHAN: Right, because I can tell you it definitely is slowing the porting process today and I'm definitely concerned going to a one day porting process it's going to make it even worse because the customers are not aware that service providers are assigning a password to their account so it definitely slows down the process. They have no idea so they're having to go back, contact their provider and it definitely I think is delaying the process and would make it even worse for one day.

MR. BENEDICT: We can understand that although again we're looking at more of a best practices recommendation than what an affect would be, a recommendation toward a rule that would strip away all of the benefits of the password protection system.

We take the consumers privacy and CPNI very seriously.

CHAIRMAN KANE: So to clarify, your objection is to restricting it to end user designated passwords.

MR. BENEDICT: Exactly.

CHAIRMAN KANE: And to excluding the use of passwords that have been assigned to a customer by the provider.

MR. BENEDICT: Correct. And the bulk of the cases with us, the end-user does not seek a password and many of these consumers may have been with us for a long time without ever having any reason to have set one up. It'd be assigned by the company in order to protect CPNI as part of its protection of consumer privacy.

CHAIRMAN KANE: And for understanding, what does it get used for then if the customer doesn't know what it is?

MR. BENEDICT: Well, frankly if a customer doesn't know what it is and they are seeking information about their account or changes to their account that require validation, then we go through those validation steps and that password can be changed or shared with the customer. It actually is provided to the customer through billing inserts and notifications and frankly in our experience typically a customer who was porting out will have his bill information accessible and if not we certainly can provide that readily by phone.

MR. SACRA: Madam Chairman, just to clarify so that everybody understands, the working groups recommendation is not to prohibit providers from assigning passwords or pins but what we are recommending is that they not be allowed to require that on an incoming LSR presumably because the new provider that's submitting that LSR has authorization from the end user to act as their agent.

CHAIRMAN KANE: Anna.

MS. MILLER: Anna Miller with T-Mobile. I agree with most of the concerns that Comcast stated. When T-Mobile petitions a (unintelligible) the validation fields with regard to password, we always promoted the concept that password if applicable.

So the wireless carriers validate on passwords that are designated by the customer, not passwords that may be just generated by the company and the reason that we differentiate that, we made that clarification and support his recommendation is because if you start generating pass codes as authorizations like changes to account and the customer has no idea what those are, what the result was earlier when we first began porting, there were some products that did that, I won't mention their names, but the result of that was unnecessary fallout.

So if a company gave everybody a pass code and the customer didn't designate them themselves, were unaware of it, what would happen is when they made that port request that port would fall out because that information was unknown and we had tremendous fallout.

So all of a sudden when we're trying to port that customer we have to make a call for every customer and get that clarified so again resulting in delay which I think would make one day porting very difficult.

So to me many companies, T-Mobile included, assign passwords to protect unauthorized changes to accounts but I think we need to differentiate then between provisioning service and doing a port request.

And the net impact is if we start generating pass codes for different parts, you

know, to customers for different functions and they're unaware of it, for instance I'm a CenturyTel customer, I'm glad to find today that I've been generated a password that I have no idea about so I guess I'm going to need to call and find out what that is, but the net effect of that is again if I didn't designate it to protect my account for whatever reason and I have no idea what it is, it's going to result in a tremendous fallout of the porting process and that's going to result in delay and really undermine the intent of the one day porting process. Thank you.

CHAIRMAN KANE: Yes.

MS. TIFFANY: Sue Tiffany, Sprint Nextel. I would agree with Comcast and with T-Mobile. There are some companies who have already done this, Century Link just said that they assign their customers a password.

It has significantly increased the length of time it takes to port those numbers because in many cases, maybe not with CenturyLink, but in many cases the other company won't share the password with the new service provider representative.

They require that the customer go and talk to them separately to validate who they are. That might mean they have to go a store, whatever, but it significantly delays the port and in some cases it offers the carrier an opportunity to do wind back.

If all carriers have permission to assign passwords on their accounts and that password is required on a port, one day porting is going to be very difficult if not impossible.

CHAIRMAN KANE: Yes.

MR. CLANCY: Did you say your name was Jeff?

CHAIRMAN KANE: Name for the record please.

MR. CLANCY: Mike Clancy from Comcast.

MR. BENEDICT: Yes, my name is Jeb Benedict.

MR. CLANCY: Jeb?

MR. BENEDICT: Yes, technically John.

(LAUGHTER)

MR. CLANCY: Jeb, I think I wrote down you said you port out a 1000 a week.

MR. BENEDICT: We port 1000 numbers a day actually, not a week.

MR. CLANCY: Oh, okay. And how many slamming complaints per day do you get?

MR. BENEDICT: How many slamming complaints do we get per day?

MR. CLANCY: Yes.

MR. BENEDICT: In terms of local issues?

MR. CLANCY: No, in terms of port outs. You said you assign the pass code because you're concerned about the customer's privacy and increased slamming that impinged on the long distance environment some years ago. So how many slamming complaints have you had in the last year?

MR. BENEDICT: I don't know the number of slamming complaints.

MR. CLANCY: Okay, so that's not really a problem then?

MR. BENEDICT: I wouldn't take any issue of consumer privacy or consumer complaints as not an issue.

MR. CLANCY: All right, but from an operations perspective I'm saying, you would have to add workforce to deal with managing the slamming complaints so it would be a cost to your business.

MR. BENEDICT: I suppose that may be but that's not what's driving the decision.

MR. CLANCY: So your concern is more about the privacy of your customers that your customers aren't concerned about.

MR. BENEDICT: It's a concern about consumer privacy. I think consumers would share that concern as well. Bear in mind also that these port requests come in not only from the new provider but also through agents or even agents of agents, which raises other concerns about the handling of consumers, you know, CPNI.

MR. CLANCY: Okay. So I'm also concerned about consumer privacy so let's just hypothetically say NANC adopts your recommendation and this whole language about pass codes disappears. Will CenturyTel, and you mentioned Windstream because you pointed to some letter that I haven't seen from Windstream, will CenturyTel and Windstream then staff up to handle all the three way, three party calls that would be generated by customers who don't know their password so they can get the password while the new service provider is on the phone with them and still meet the requirements the (unintelligible) and LNPA working group recommendation in terms of timing?

MR. BENEDICT: Well, if staffing is necessary we can accommodate

staffing.

MR. CLANCY: So you're committing CenturyTel to staffing up and meeting that requirement?

MR. BENEDICT: I'm not following you entirely. What requirement exactly would --

MR. CLANCY: There's a requirement that you would have to take three way calls if there's a pass code that the customer doesn't know so the new service provider with your existing customer will call your customer care center to get the password.

MR. BENEDICT: We're prepared to do whatever is necessary and appropriate and required under the rules. Ultimately however the information should be readily available to customers. If there's an issue with consumers not having access to it that can be dealt with through other ways.

MR. CLANCY: You mean three way call is the legal way.

MR. BENEDICT: Well, actually what I'm thinking of is through the complaint process if folks think that the (unintelligible) is being abused.

MR. CLANCY: That would delay the porting process as Anna pointed out so my question was, are you committed to the LNPA recommendation other than your concern about passwords and if you are that means you meet all the requirements plus your requirement to take the three way call in order to meet the requirement.

CHAIRMAN KANE: Let me intervene. Are you suggesting as a substitute

language in which a provider provided password which the customer is not aware of would be required to take three way calling in order to not delay the process?

MR. CLANCY: My preference is that the language stay the way it is and if it doesn't then a footnote be added that those providers who assign passwords must meet those obligations in timing and take three way calls.

MR. BENEDICT: And needless to say I don't particularly care to make that a requirement.

MR. CLANCY: It is a requirement already just so you know, CPNI information, so you might want to bone up on that.

CHAIRMAN KANE: Let's be respectful, thank you. Mr. Gray.

MR. GRAY: Don Gray, Nebraska Public Service Commission. Nebraska would not be supportive of what's being suggested. We find that is an issue that as a matter of fact we just addressed yesterday in an order we issued on a formal complaint that was brought and in that order there were a couple of interesting facts brought out.

We've been tossing around CPNI and whatnot and one of the things that's in 47-USC-222-CT alphabet soup, it says "A telecommunications carrier shall disclose the customer proprietary network information upon affirmative written request by the customer to any person designated by the customer".

So there is already a vehicle in place for letters of authorization, third party verification that protects the CPNI issue that's being brought up here as left out in the open.

I would also suggest that from what we have seen in Nebraska there are some carriers that are using the umbrella of CPNI to spread that as a pretty big umbrella covering a lot of information that I think could marginally be considered not really.

My understanding is the real intent of the CPNI was not so much your name, your address, your account number but it was what kind of phone calls are you making, to whom, for how long, that type of customer information that was to be protected.

Our order went on to say that requiring that is in our opinion anti-competitive as Anna and others have stated, and that the letter of authorization third party verification already addresses the issue of access.

And as to the slamming I would suggest that state regulatory agencies did very well in corralling and correcting the slamming that initially occurred with long distance and we can certainly handle whatever slamming might occur in portability although in my time at our commission and I work with the consumer advocates, I haven't seen a valid verifiable slamming on porting. Errors yes, but a malicious intentional slamming, no.

CHAIRMAN KANE: Commissioner Jones.

COMMISSIONER JONES: This is Commissioner Jones, Washington UTC. I would echo Don's comments. I think I hear where Jeb is coming from but I just don't think this is the appropriate place to address some of these CPNI issues regardless of what your company does at this point, and I agree with Anna and the others that it would slow the process down.

The overall intent of the charge from the FCC is to establish, to define a business day and establish one day porting.

So for the state of Washington, we are concerned about CPNI issues and privacy in section 222 and how you interpret it but I don't think that's part of our charge and it would slow things down and I think for that reason I oppose this amendment.

CHAIRMAN KANE: Okay, we've got one more card up.

MR. JIMENEZ: Jose Jimenez from Cox. And I will add my voice to the folks who have gone before me to address this issue.

But I do have a question for Jeb. I thought the FCC a few years ago addressed the role that an executing carrier has in determining whether a customer truly authorized a change in provider and the FCC I thought was very clear in saying that an executing carrier is not to second guess what a customer has done.

So I hear what you're saying about privacy issues, but are you saying then now that those privacy issues in your mind trump the prior guidance from the FCC, that an executing carrier is not in the position to second guess the order from the new provider?

MR. BENEDICT: I'm not suggesting that we're in a position to second guess. We are concerned of consumer privacy and frankly the risk of errors that could lead to irreversible loss of numbers.

CHAIRMAN KANE: Okay, thank you. I just have one question Gary. How is the new company to know whether or not the password was assigned by the

provider or by the customer? I mean customers can forget their passwords too which I always have to call, you know, forgot password and click and find out what it is.

MR. SACRA: I mean that certainly is a possibility but it was our belief or the consensus belief that since the password or pin is one of the allowable end user validation fields, one of the four fields, that if it was an end user requested password the likelihood that they would know what that is would be much greater than one certainly that had been assigned by their provider and perhaps noticed in a billing insert which quite possibly may not have even been looked at.

CHAIRMAN KANE: So if a customer had forgotten their password even though it's one that they had made up themselves or chosen themselves, then you'd use the three way calling or something else to figure out what it was.

MR. SACRA: Right.

CHAIRMAN KANE: Okay, just wanted to clarify there. Okay, any other speakers on this? Well, this will be a test of our consensus process.

(LAUGHTER)

I would note for the record we have had two companies, CenturyLink and Windstream support removal of this provision. I have heard no other support for removing this provision, and support for keeping it in from everyone else here, I would say that is consensus. It's not unanimity but it's consensus and obviously other companies who don't join in that consensus can file a minority report.

Now this is dealing now with the issue of the flow. Okay, thank you. I think it's a different issue when we get to comments in the NPRM, take it up later.

Okay, that takes care of passwords. The issue, Don that you raised about CSR and negotiating shorter or longer than 24 hours.

MR. GRAY: Yes, ma'am. Don Gray, Nebraska Public Service Commission. We have no issue with two carriers negotiating a different timeframe for the exchange of CSR information and we think it is appropriate that whatever they negotiated be memorialized in some agreement.

My concern would be because we do have evidence of it having happened in Nebraska, is that either somewhere in an agreement that had no relationship to portability, words were inserted that put a predefined time for response to a CSR or it was inserted during the negotiation in which in most cases old service providers, since most ICAs are a competitive local carrier trying to get access to the incumbent carrier, that there is not a balance of power in the negotiation process and that's our primary concern, is where that vehicle resides and how it's properly used.

CHAIRMAN KANE: Okay, but as far as the language that's in here, do you have an objection or concern about it?

MR. GRAY: Not the exact language, it's just, you know, where does that get negotiated?

CHAIRMAN KANE: And do you have a suggestion?

MR. GRAY: Not on this one.

(LAUGHTER)

CHAIRMAN KANE: Okay, thank you. We will note that concern. There may be another vehicle or forum in which that issue of the imbalance in negotiation

may be more appropriately addressed than in this. Are there any other thoughts on this issue? I don't have a handle on how widespread the problem is but it certainly is obviously a consumer concern. Okay, let's go by that one then and leave it as is.

Okay, let's take up simple ports and non-simple ports.

MS. ALBERT: Mary Albert from COMPTEL. Gary, I want to reiterate everyone's tremendous compliments on the hard work that you did, you and the working group.

MR. SACRA: Thank you.

MS. ALBERT: But now I'm going to tell you what's wrong with the plan. COMPTEL very strongly objects to the language in sections 3.1 and 3.2 that essentially reduced the time for an old service provider to respond to a non-simple port from 24 hours to four hours when the new provider mislabels the port as a simple port.

And at the very least I think this recommendation goes way beyond the task assigned by the FCC which as the Chairman noted earlier was to work through the mechanics of the new porting interval for simple ports whereas this is reducing the porting interval for non-simple ports by over 80 percent and because NANC wasn't asked to do anything with respect to non-simple ports we object very strongly.

MR. SACRA: I certainly appreciate and respect the concern and the opposition. Just maybe to give you some background, everybody some background, as to how this issue came up, I for one when we first started actually thought that we had two different distinct separate silos, simple ports and non-simple ports.

But as we started going through different use case scenarios, one of which was what do we do if it's a simple port but the new provider has requested second day, third day, or fourth day due date, you know, how do we treat that in terms of returning the FOC and that also brought us to a use case where we started to see that there are not always two separate and distinct silos.

We're going to be in an environment that's totally different in where we are today and that is everything is 24 hour FCO, three business days due day or greater if the new provider requests it.

Tomorrow we're going to be in an environment where we have one day ports, two day ports, three day ports, four day ports, simple versus non-simple and there are scenarios where the two kind of mesh.

And one of the use cases that drove this discussion on this very issue was that perhaps through no fault of their own, and I'll use the complex switch translations criteria of a simple port which as I said earlier is somewhat of a vague nebulous description of a non-simple port, but the new provider even through talking with their potential customer may not have any idea that this is really a non-simple port and so they submit an LSR and they request a next day due date.

Now they set up an appointment with the customer. The customer goes home and figures that at some point in time especially if the new provider has to roll a truck out to the customer's premise, they've set up an appointment.

Now the new provider innocently submitted it as a simple port because they thought it was. Now if the old provider had up to 24 hours to return the FOC

because they determined it was non-simple because of some complex switch translations, then that may actually when they return the FOC, may be actually after the appointment time that the new provider had set up with the customer.

So we did go through, and I know there are some objections to it, how the consensus process played out in this particular issue. I personally feel comfortable that we followed the working group's process and the NANC consensus process but I believe we reached consensus on what's been called option 2-A and I believe that is the option that actually favors the end user.

I believe the consumer benefit is that the new provider will find out that the port is not going to take place when it was scheduled with the end user within four hours. It doesn't have to be FOC'd but the reject notice that the error message or the error code that the OBF is developing will tell the new provider within four hours that this is a non-simple port, they need to resubmit the LSR and reschedule the due date.

That will allow the new provider then to contact the customer and at least inform the customer, you know that we can't meet the schedule that we originally had set with you. This is a port that is going to take place perhaps four days later for a non-simple port.

So I think there were six different options that we went through and it was option 2-A at the very end that I'm comfortable that the working group reached consensus on.

MS. ALBERT: And I guess whether the mistake was innocent or not

really isn't the issue. I mean the issue is now we have 24 hours so what authority is NANC relying on to cut that down to four?

MR. SACRA: Well, I guess now we have 24 hours and there's no concern about whether it should be four or 24. Everything is 24 today. Tomorrow the old provider is going to have to look at the port request regardless if it comes in as a simple port request within four hours to determine -- because if it is a simple port request then they do have to send the FOC back within four hours.

So we felt that given the option of FOC'ing the order within four hours with a different due date --

CHAIRMAN KANE: Watch your language.

(LAUGHTER)

MR. SACRA: Hopefully I said that clearly. I think we'll go with the FOC.

(LAUGHTER)

Given the option for the old provider to FOC the order within four hours within a due date or rejecting it with the error code, we felt allowed flexibility to allow the old provider to at least respond within four hours and keep the end user informed of what's taking place.

MS. ALBERT: Yes, and I guess I'm still -- you haven't answered my question about where is the authority to reduce by 80 percent. I mean I understand what you're saying but if the new provider makes a mistake I'm sorry that the customer has to be penalized for that but the old provider shouldn't be.

MR. SACRA: I know there are providers that have felt likewise and different as well, that some felt that the end user should not be penalized in this case.

MR. JIMENEZ: One of the things that Gary explained, he said there are some gray areas in the definitions of simple ports versus non-simple ports. Is that something that you agree with, are there gray areas in this?

MS. ALBERT: No, I mean I don't know the difference between a complex whatever switch or anything but, you know, that's really not the issue I don't think. The issue is who should suffer because of the mistake the new service provider makes.

MR. JIMENEZ: I mean I understand that but the reason I asked that is if there happened to be gray areas, and maybe that's not just something that we can decide here but I heard that there were some gray areas in the definition, at least in the perspective of some, if there are gray areas it may not be a matter of a mistake. It may simply be a matter of interpretation.

So is there a proposal? How would you balance when you have a new provider with an interpretation of what might be a simple port and the old provider doesn't agree with that interpretation? So does it default to the 24 hour?

MS. ALBERT: Yes.

MR. JIMENEZ: Okay, thank you.

MS. GAUGLER: Tiki Gaugler with XO Communications. I participated on behalf of XO throughout the LNPA working group process and XO objected as well as several other wireline CLECs.

Throughout the process of voting we filed a position paper with our opposition with LNPA working group requesting that they reconsider their decision for the same reasons that COMPTTEL mentioned, feel like this is out of scope because it impacts the non-simple port process.

And any carriers who do primarily non-simple ports which happens to be a great deal of CLECs do almost entirely non-simple port, they've had no notice that there's going to be any kind of this major impact in their processing so they wouldn't have known beforehand that they needed to participate in this process as much as some of the carriers who do a lot of simple ports.

We do have concerns about the consensus and the way that it is determined as we mentioned earlier, go into another time, and the considerations of lightweight, heavyweight and such like that, and there were after or in between I guess conference calls where this was discussed.

Several CLECs were brought into the process and were allowed to participate in the conference calls in the sense they could dial in but when it came time to voting on this, we were told that they were considered lightweights and that their votes would not be given the same weight as others who had been on the call despite the fact their position was the same as those of some of the other wireline CLECs that were on the call.

And we don't feel like they should have been disadvantaged because they were not on every call with the rest of the LNPA working group. The position is equally valid.

And as far as it's being couched as consumer friendly, we disagree with that for several reasons. One, if the new service provider innocently or otherwise makes a mistake and submits this port with a one day turnaround, a one or two day turnaround, and the old provider has to respond to it within four hours, if the old provider provides a reject then the port is actually delayed because then that new provider has to send another LSR and start the process and start the timer all over again. So I don't believe that that is necessarily a consumer friendly process.

This process, it helps the new provider and that is it. It does not help the consumer. The new provider after four hours if they haven't received notice either with an FOC or a reject, it's their responsibility to manage their customers expectations.

It's not the old provider's responsibility to give them that information in order to do that. They've provided that information to their customer. They've made the choice to tell the customer this is going to be one business day and it's their responsibility to change their process and handle the fallout that comes from this from their end. It is not the responsibility of the old provider to change their process.

This as it comes in is a non-simple port for an old provider. They should be able to process it as a non-simple port instead of the new provider being able to dictate that they do some merged processing as if it were a simple port upfront.

So those are the concerns that we've raised and we still have those concerns now.

CHAIRMAN KANE: Rosemary.

MS. EMMER: Thank you, Chairman Kane. Rosemary Emmer, Sprint Nextel.

First of all, I think we're talking about the CLECs position paper which I've had a problem with the name since the beginning, CLECs position paper. Sprint Nextel has lots of business arms underneath this umbrella one of which is (unintelligible) CLECs.

And we happen to be one of the largest CLECs in the country. In fact, we have over four and half million subscribers. We port with thousands of other carriers. We have tens of thousands of ports per week. We're also a member of COMPTTEL and we respectively disagree with much of what is being said at the table at this juncture, specifically we disagree with the position paper.

Don't forget this issue is customer impacting. At the end of the day Sprint Nextel might enter into an agreement with a customer where we would like to port that customer the next day. If we think, and this is not a mistake, we don't know, but if we think this is a simple port going into the process and we don't get a response from the old service provider within four hours or within 24 hours, within 24 hours --

(Tape Interrupted When Changing Sides)

(END OF AUDIOTAPE 2, SIDE B)

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(START OF AUDIOTAPE 3, SIDE A)

MS. EMMER:-- And the customer isn't going to realize that the port's not going to be taking place and it's going to be a big waste of time, it's going to cost

money, it's going to aggravate the customer. It's just not a good situation all the way around.

You would absolutely need to let the new service provider know that -- you know, you need to be able to plan this and have time to insure that your truck doesn't go to the customer premise or -- I mean at the end of the day you should be doing business this way and the consensus was reached underneath the LNPA working group for this particular process and we fully support the LNPA working group consensus decision. Thank you.

FEMALE SPEAKER: Can I respond to just one thing that she said?

CHAIRMAN KANE: Sure.

FEMALE SPEAKER: First I'll say I'm happy to clarify that it's the wireline CLECs (unintelligible) as a wireless carrier and we understand that they're not falling under -- so any wireless carriers -- I'm sorry. They currently port in two and a half hours so I understand that you're not similarly situated to the rest of the wireline CLECs that have signed on to this position paper.

Also I will say that in response to -- that you're sending out a truck without having received an FOC if you don't receive the FOC in four hours, there's no reason why you should be sending -- there's no guarantee that that's going to happen until you get that FOC back within four hours.

So if you haven't received any notification within that four hours you shouldn't be sending anything to the customer premise. That's the process that would stand now if it were a simple port. Also the port that you've told your

customer that it's going to go that night, that's not going to change.

If this is in fact a non-simple port it will port that night no matter whether the old provider responds in four hours or 24 hour. It won't port that night and that won't change according to the rules that are set out otherwise.

CHAIRMAN KANE: Further discussion. Don and then I'll get to you.

MR. GRAY: Don Gray, Nebraska Public Service Commission. Could someone give me an example of the type of information that would be placed on the LSR that would not indicate that it's a complex port until you started digging into it? I'm having a little trouble getting my head around how a new service provider could submit an LSR that's not a simple port and not know it.

CHAIRMAN KANE: Gary.

MR. SACRA: You're right, Don, under one of -- I read the COMPTTEL letter. I think it sounded like, and correct me if I'm wrong but COMPTTEL has a lot of I guess multi-line business customers.

FEMALE SPEAKER: Well, our members do.

MR. SACRA: I'm sorry, your members do. And in my view a customer of one of those service providers, if they're going to port and they're a multi-line account the likelihood is that they're going to port all of their numbers or at least more than one TN.

So in that case it would be very evident on the LSR that it's a non-simple port and the requirement there is 24 hours.

Also if they're porting a portion of a multi-line account in the NANC flows,

and this has been there since the very beginning, there are instructions for the new provider to fill out the LSR, such that not all TNs are being ported. That would be another obvious indication this is a non-simple port and the requirement is to FOC, even if it comes in with a one business day requested due date, the requirement there is still 24 hours because it's an obvious non-simple port.

The gray area that the gentleman correctly said was that I was thinking of is more in the complex switch translations. It may not always be evident that this provider, perhaps if there's an AIN service on the customer's line, AIN is currently one of the listed examples of a complex switch translation so that's where we perhaps get into a gray area where the customer is porting a single line out of a single line account but they may have ISDN or AIN on their line which are two examples of the complex switch translations in the current definition.

So they submit it as a simple port knowing that it winds up being considered a non-simple port on the part of the old provider.

Again we are recommending text in the narratives that the new provider must make every reasonable effort to determine whether it's simple or non-simple before they submit the LSR and that is either by pulling in a CSR or asking the right questions of the end user.

Again, we do understand the concern that's being addressed here but I believe the consensus decision was to go with the end user in this case.

Just to respond to Tiki's comment, it's not so much that they're going to roll the truck before they get the FOC back but the likelihood is they're going to schedule

an appointment with the customer for the next day perhaps before they get the FOC back.

So if they don't get the FOC back and they get a reject for example, or if they get a FOC back with a different due date, then they can call the customer perhaps that evening or that very day so the customer doesn't take a day off of work thinking that they're going to have an appointment when if the FOC doesn't come back for 24 hours they may have already taken the day off and are awaiting the appointment time and the new provider doesn't even know yet or hasn't received the FOC back until perhaps some time the next day.

So that was the concern that I believe led to what I still contend is the consensus decision of the working group.

MS. GAUGLER: Tiki Gaugler with XO Communications. It keeps being couched as if this requirement is what has helped the consumer. What helps the consumer is the communication between the new provider and the consumer, the end user. That takes place and can take place whether they get an actual affirmative notification from the old provider or not.

If they do not receive anything in four hours as they anticipated they can contact that customer and make changes and say it's not going to happen. They can contact the old provider if they feel like there's a follow-up that they need to do it. It should be on their onus to handle the fallout, not on the old provider to change their process. That is what we are saying. It is burdensome on the old provider to do that.

The contact with the customer is obviously customer-impacting, and we

would not suggest that the customer shouldn't be contacted. We suggest that after the four hours, or whether it's four and a half hours, you haven't gotten any notice, that's when you need as a new provider to rework your process internally on your own and contact the customer. There shouldn't be any trucks rolling or anything like that before you get that anyway. It should be done after the four hours and you'll know after four hours whether you don't have a FOC or reject. You'll know that.

CHAIRMAN KANE: Okay, so your concern is being required to get back to the new provider within four hours that this is really not a simple port.

MS. GAUGLER: Correct, and as Gary mentioned when he was going through his report and this came up in the context of what happens if a new provider decides that even though it's a simple port they're going to push it out in three or four days. Is it necessary to still send a FOC in four hours? And as Gary rightly mentioned in his report, there's no reason to do all that work. It's burdensome, it takes time, there's no reason to add that burden to the old provider to send the FOC if it's not going to port that night. The same logic applies here.

MR. ROGERS: Greg Rogers with Level 3. I thought I might just raise an example that comes to my mind as to where the confusion might arise.

You know, Cox kind of asked well, where are the gray areas. Mr. Gray asked the same. And one of the issues that we foresee is that by having disparate treatment for interconnected VoIP providers versus traditional resellers that is one situation that is ripe for confusion.

So each and every time that there is a request to port into an interconnected

VoIP provider, according to these recommendations, that interconnected VoIP provider will look at that as a simple port. If that customer is currently a customer of a reseller their old carrier will look at that as a complex or a non-simple port. So that's what is being set up to occur.

I mean that I think will occur in light of the decision to interpret the decision to interpret a simple port to exclude a VoIP reseller but not a traditional reseller. So I just raise that one.

CHAIRMAN KANE: And are you raising a problem with that reseller who gets the LSR having to get back to the new provider within four hours to say no, this is not simple?

MR. ROGERS: Well, Level 3 would tend to agree with the points that (Unintelligible) is making. I think that you're presupposing the outcome and the characterization of the port by requiring the process to be a four hour response time. If it's a non-simple port you wouldn't have that requirement so by imposing that requirement you are in effect presupposing the nature of the port which I think is also the case.

I mean I'm also sort of maybe raising and we can talk about it further, the issues that Level 3 sees with presupposing the outcome of how the FCC is going to either clarify or redefine what a simple port is and whether a reseller remains an exception to that definition or not. So both of those things.

CHAIRMAN KANE: Hank.

MR. HULTQUIST: Hank Hultquist, AT&T. I think this is a really good

discussion. I do think it's very hard to evaluate the relative burdens involved without a sense of how common an issue this is going to be.

I mean if you knew that this was going to happen, you know, one time in 500 port requests it would strike me that it's a relatively small burden for Tiki's company or any other company but if you thought it was going to happen 400 out of every 500 requests it might strike you it is a larger burden. So I think it's difficult without that kind of understanding to evaluate the relative weight of the burdens here.

I do think based on Gary's report that the working group did try to think of this from the perspective of to some extent the end user and wanted to have a process that provided communications sufficient to insure that the end user was aware of the situation and had as much information as could be obtained.

So I think given the circumstances and the lack of understanding, especially given Gary's point that many of these ports may clearly be non-simple for lots of reasons, I think in this circumstance unless there's some greater data I would tend to think the working group probably came out on the right side trying to balance these different burdens.

CHAIRMAN KANE: Let me ask a question to follow-up on that. In the current situation where you say it's a simple port and there is longer time of course at the time and it turns out to be not simple, I mean is there any industry evidence of how often that happens?

MS. GAUGLER: Right now there is not. The process is not in place to distinguish between simple and non-simple so I don't that there would be any

industry data on that point.

I think from our perspective this requirement will lead to carriers -- I can't say how many times it's going to happen. I can say from my own perspective we do primarily non-simple ports so for every one that happens it's something that we wouldn't have had to do.

From the wireless carriers for example, most of theirs are simple so as far as for them doing port outs, primarily theirs are simple so it's going to affect them less because they just don't have the non-simple base so to speak that we do.

Also as far the consumer impacting we believe it is a bigger consumer impact if for example we receive this -- as an old service provider receive the LSR and then we send a reject, we think it's a much bigger impact to say well, now you have to send a new LSR and it's going to delay the port longer. Everyone is trying to speed this up and make it go faster but this is going to require a second LSR and additional processing.

CHAIRMAN KANE: Gary.

MR. SACRA: Tiki, if I could ask a question. When you say XO does mostly non-simple ports, what criteria of the four criteria for a non-simple, is it the multi TN?

MS. GAUGLER: Multi TN and reseller.

MR. SACRA: You will have 24 hours regardless to return a FOC even if it comes in as a one or two day request because if it's a multiple TN port the LSR is going to have multiple TNs and under the rules we've set forth you would have 24

hours. You wouldn't be required under any circumstances in that case to return any response within four hours.

MS. GAUGLER: If they port more than one number, correct. We also have a lot of reseller carrier customers.

MR. SACRA: Well that would also -- okay, the reseller --

MS. GAUGLER: I would love to say that was covered under that language. I'm just not sure it is. The language is rather vague and I would love to say it was covered. I just do not --

CHAIRMAN KANE: Let me clarify. So if a LSR comes in from the new provider saying it's simple and it actually is a reseller, are you saying that automatically it becomes a non-simple or it has to have your recommendation, there has to be a reject going back in four hours?

MR. SACRA: Oh, no.

CHAIRMAN KANE: I think that's the confusion.

MR. SACRA: Certainly the provider, if they want to send an FOC back within four hours with a different due date because it's non-simple or if they want to send an FOC back to port it that night, they're certainly not precluded from doing that.

MS. GAUGLER: I think you're asking is a response still required in four hours.

CHAIRMAN KANE: Yes.

MS GAUGLER: The response is required is in four hours even though

it's non-simple and it's reseller.

MR. SACRA: Unless the LSR indicates that the customer is with a reseller which is possible as well. Then that would be an obvious indication that it's non-simple and then the FOC would be due back within 24 hours.

CHAIRMAN KANE: Do customers know if they're with resellers?

MR. SACRA: Well, presumably they should know who the provider is so the new provider should know that the numbers associated with a network provider and so the fact that the customer has a different local service provider would be an indication that they're with a reseller or perhaps an interconnected VoIP provider.

CHAIRMAN KANE: I'm just trying to get a handle on as -- doesn't work in that part of the industry at all, as to where the mistake would be made as to the information that it is a non-simple port, that it's in one of those other categories, would it be because the customer didn't have the information or is it something that the new provider should know no matter what the customer says?

MR. SACRA: I think at least in my view the greatest possibility is with the complex switch translations criteria because that's where and this has been said a number of times, that's where it gets kind of a gray area and the new provider may not be aware of that but they could pull a CSR which we strongly recommended they do in order to determine what features are on the customers line to see if before the LSR is submitted whether or not it would fall into the complex switch translations category.

MS. GAUGLER: That's still not required.

MS. ALBERT: Mary Albert for COMPTTEL. I guess in terms of the frequency I agree with you Hank, if it's never going to happen it's not going to be a big burden but clearly there's an assumption that it's going to happen often enough that the processes have to address it which is another big concern.

MALE SPEAKER: (Off microphone). Why is that (unintelligible)?

MS. ALBERT: Well, because it's addressed in here.

MALE SPEAKER: (Off microphone, unintelligible).

MS. ALBERT: Well, all I'm saying is if it was anticipated that it would happen often enough that it needed to be addressed, that does cause me concern.

MS. MILLER: Anna Miller with T-Mobile. First of all as to why this was being addressed, it is because in the order it says as noted on page three of the recommendation and generally how the porting time should be measured so that's why the LNPA working group is looking at this.

As long we are going to spend the resources to make the modifications for this they wanted to address how this is going to happen so it's clear and companies can understand what the process is and what the timeframes are and evaluate the modifications that are required to support that. So that's why.

And I guess to me if the reason that we have one day porting is so that we can set the expectation for the customer and from our perspective when the customer asks for service we want to set an expectation for that customer and we don't want to say gee, we might be able to tell you today in four hours or maybe tomorrow in 24

hours.

We want to be able to set an expectation for that customer that yes, you know, it's most likely that the port will be done in one to two days versus if it's a non-simple gee, it could take, you know, six to nine days.

So if we don't make this clarification we're really penalizing the customer. We're not penalizing our old service provider, we're penalizing the customer so we really want -- the benefit of this and the one day porting is to set the correct expectation for the customer so that we reduce their frustration which equates into the cancellation rates because they become frustrated.

And again, I think it's the issue of what's the magnitude of this problem. If from a collect perspective most if not virtually all the ports are multi-line then T-Mobile knows the difference between a single line and a multi-line.

We don't want to send out a port request as simple if it's going to be non-simple because we're going to have to go back to our customer and reset their expectation and not only is it a cost to the old service provider but it's a cost to the new serviced provider because we're going to have to deal with that fallout.

So we don't want to have to rework, you know, double the work, do another port request, deal with fallout. So, you know, our port center people are pretty smart, pretty sophisticated and we have training (unintelligible) profiles.

We know what the requirements are so we're not going to send out simple ports for multi-line requests and even today we're pretty -- you know, the big gray areas, does it require a complex translation or does it not, well, today again we know

what carriers -- you know, for what services some consider a service requiring complex translation, some do not so you figure out that relatively quickly because you don't want to deal with fallout and customer frustration either.

And with regard to the reseller issue, one possible work around could be that the reseller could get an alternate (unintelligible) and then you would know that they're a reseller and it's a non-simple port. Thank you.

CHAIRMAN KANE: Rosemary.

MS. EMMER: Rosemary Emmer, Sprint Nextel. The new service provider has to look at each and every port request anyway. They think this is simple as it is so you have to work it. You have to look at it and you have to send a FOC anyway. If you look at it because you have to look at it and it ends up being non-simple, seriously can't understand what the big deal is about sending a reject.

You have to look at them anyway. You have to make the determination anyway because you're supposed to be working it right away because it's a simple port.

But in any event I just wanted to provide a quick clarification. Perhaps there are folks at this table that are confused about what line of business exactly I was talking about with Sprint Nextel and I think I started getting confused for a minute too and I've been working there a very long time.

Sprint has several lines of business as I said earlier including wireless and most of you know, that's what my voice has been for a very long time under Sprint but we also have a wireline CLECs business and in fact we operate in 40 states as a

wireline CLECs. Thank you.

CHAIRMAN KANE: Thank you for the clarification.

MS. EMMER: I apologize.

CHAIRMAN KANE: That's all right. There's so much merger and divergence in these companies, it's not as bad as the banks but just about as bad to try to keep up with who's in what business.

(LAUGHTER)

We were at Comcast yesterday. They had the mid Atlantic commissioners up there and the number of lines of business that Comcast is in besides television, and cable, and telephone, and Internet were amazing or surprising let's say, just as an example.

Let me ask you a question on this reject. The reason you'd have to do a new LSR is because it's a reject?

FEMALE SPEAKER: Right.

CHAIRMAN KANE: What about reclassification?

MR. SACRA: I'm not aware of anything in the OBF guidelines. I might have to defer to some of the OBF experts that there is a response back that would --

CHAIRMAN KANE: So no it's not, it just needs to be reclassified as something else.

MR. SACRA: Well, that's kind of what the reject is doing. Its saying that this needs to be reclassified as a non-simple, resubmit your LSR as a non-simple with an appropriate due date for a non-simple port.

MR. JIMENEZ: Jose Jimenez from Cox. I did want to pick up a little bit of a thread that Rosemary mentioned. I'm trying to understand really where the issue is. I wish as Hank said that we had a way to size it. We don't.

But what is the difference between if you have to work an LSR anyway and as you said you have some simple -- I mean you do some today I suppose but most of them are non-simple but you have to look at this request. What is the delta, what is the additional challenge of going ahead and rejecting that FOC in four hours rather than 20 hours later? I really am trying to understand that.

FEMALE SPEAKER: That's a fair question and I will say like Mary, I don't actually process them so I can't tell you exactly what the process is but the difference is that to determine whether it's simple or non-simple it may be a very quick determination, pull up the account, it's simple, it's non-simple, done.

The additional work that goes on is that before rejecting an LSR, I mean there are two options, you can send an FOC or you can reject it. Before rejecting it they go through the entire LSR. So they go through the process of looking through the whole thing because they want to find any errors that are there before sending it back.

So that additional work, that is being done upfront. It is more than just determining simple or non-simple to do that so before it's rejected, that's the work that has to be done, going through the whole process to send it back with all of the inaccuracies or whatever it wants.

If you send an FOC then it has to be worked to determine what that new due

date is going to be. So there is an additional process. There is more that has to be done than just determining whether it's simple or non-simple.

And I guess to respond to another thing that Rosemary said, or perhaps it was Anna, I'm sorry, about setting customer expectations and what those are, we believe that if the old service provider is essentially forced to send a reject because they choose not to go through the process of sending a new FOC with a due date, we believe you're getting less information with that reject than you would get if you waited 24 hours and you got an FCO with a due date. So better able to set customers expectations in that sense.

MR. JIMENEZ: Thank you, that helps. I mean I'd like to think that as Anna said that most providers know whether something is simple or not but, you know, there may be providers who would try to use the process for their own advantage. I suppose it's possible.

One thing that we talked about earlier, and your reference was that the new provider would know if he doesn't get the FOC back in four hours that there was a problem, we've talked some about errors being committed by the new provider. How does the new provider know that he hasn't received the FOC back because of an error by the old provider?

FEMALE SPEAKER: I don't know what you mean by that.

MR. JIMENEZ: In other words, I mean if the old provider just for a lack of resources or some other issue just doesn't get the FOC back in the four hour window, how does a new provider know that he did everything right but the old

provider made an error? You know, in a tennis match they send the ball out to the other side and then the other side sends it back to me and it's back and forth. It's hard to react to something that's coming back. So I'm just trying to understand how that would work in your perspective.

FEMALE SPEAKER: I think that would require a contact to the old provider from the new provider to determine that. I don't know that this rule or that anything here is impacted either way. I mean that's potentially going to happen even with simple ports that people will miss that deadline and then that will be a contact that the new provider will want to make to the old provider.

MR. JIMENEZ: Okay, thank you.

CHAIRMAN KANE: Let's see where we are. I'll get to you in just a second. Go back to my question, I'm really trying to understand and see if we can work to some conclusion because it's getting to be 2:30 p.m.

And thank you Jose for your question because it explained that the practice now is you have to go through the whole process, not just make a determination that it's simple or non-simple.

FEMALE SPEAKER: That's the preference.

CHAIRMAN KANE: But is there some other way just to do -- I mean this is the issue. The issue is new provider said it was simple. Old provider gets it, looks at it if they have to look at, and says it's not simple. Is there some other way simply to notify them back without going through this whole verifying everything else, rejecting? I guess I'm asking did you consider other ways of simply getting back

and saying sorry, this is not simple?

MR. SACRA: Yes, we did. We actually to use the analogy of tennis, lobbed the ball over to the OBF and asked them to take a look at the possibility of sending back something that wasn't so, I don't want to use the word harsh as a reject but just --

CHAIRMAN KANE: Or that goes to the burden of --

MR. SACRA: Right and I believe there were some issues of implementation within the timeframe.

CHAIRMAN KANE: Implementation of what, phone call?

MR. SACRA: No, implementation of a new type of message in the timeframe required to implement the order I believe was -- and I'm looking for some help from the OBF folks to see if my recollection is accurate or inaccurate.

CHAIRMAN KANE: It seems to me that this is a threshold issue in terms of is this simple or is it not simple and --

MS. PETERMAN: I'm Linda Peterman from One Communications and I am the chair of the LSOP committee at OBF. We did take that back and talk about some kind of a "delay message". In other words saying I can't respond to this right now but I will respond in 24 hours with a FOC or a reject because it's not simple, basically just delaying for the 24 hours. However there are no delay processes in the LSOP process.

CHAIRMAN KANE: Tell me what the LSOP process is.

MS. PETERMAN: The LSOP is the ordering process, the LSR, the end

user, the number portability. There are no delays in that process and there are requirements not to delay so it would mean designing a whole new process along with designing a response and fitting the rules and regulations that come along with how quickly you have to respond to things and what you can't do versus, keep me honest here Sue, on the WICIS side, you know, they can send back a message that says we need more time, right.

We don't have anything like that on the wireline side and it would mean development of something and how to handle that and everybody's OSF and all of that and in the length of time that we had to do that we didn't feel that that was doable and clean and potentially it had an enormous impact on everybody's EDI and OSF systems.

So the discussion took place. We gave it a lot of consideration but given the length of time and the impacts we went back to the reject message to say we can't respond because it's not simple.

CHAIRMAN KANE: Okay. It kind of reminds me when I came back to D.C. government and there was a new dental benefit that reemployed and annuitants were actually by law entitled to but they couldn't give it to me for two years because they didn't have a code in the personnel system to do it.

MS. PETERMAN: I hear you but keep in mind that they can also respond if they choose to do so and quite frankly I think my company probably will either give you an FOC or give you a new due date and say, you know, I have to look at this anyway, maybe my volumes aren't the same as somebody's else, maybe my

processes are slightly different.

But our discussions are surrounding sending back a new due date for those orders rather than rejecting them and that's certainly at the auspices of each of these companies, they can make that choice to do that as well but the reject will be built with a message that indicates that it's not simple.

CHAIRMAN KANE: And the reject would give a reason?

MS. PETERMAN: Right, that it's not simple.

CHAIRMAN KANE: And how much of a burden on a company is it to do that in four hours?

MS. PETERMAN: I'm sorry, say again.

CHAIRMAN KANE: How much of a burden is it to do that in four hours?

MS. PETERMAN: To give a reject?

CHAIRMAN KANE: Yes, for that reason.

MS. PETERMAN: The reject is, I don't want to say easy but it's the easiest response given the determination that has to be made upfront whether it's simple or non-simple and you can either send a FOC or you send a reject right at that point, but if you're going to give it a new due date you're going to have to look at everything first and do it then. But some companies will do that and they do have the option of doing that.

CHAIRMAN KANE: Under these proposed procedures.

MS. PETERMAN: Yes.

CHAIRMAN KANE: Okay, thank you. Is there anything more to add to

this? Yes, I'm sorry, sir, go ahead.

MR. GREEN: Kevin Green, Verizon. I just want to make an observation that one of the overall goals of this entire process is to benefit the end user, the consumer and I think that Gary and the team as we have mentioned did a wonderful job and we are really happy that he's a Verizon employee. We really do appreciate his efforts.

(LAUGHTER)

I just wanted to say that I think any communications between companies that is quicker and faster is going to improve the process. Now whether it's just ports or complex ports, whatever the case may be, I think the bottom line is communications between companies will benefit the consumer in the long run.

CHAIRMAN KANE: Okay, thank you. Okay, one more.

FEMALE SPEAKER: I just want to respond. Again, this does not preclude communication. It just puts the onus on the new provider to contact the old provider and that's all -- I certainly am not in favor of no communication between companies or anything like that. This doesn't change that. It just means that the new provider needs to monitor their process through and be aware of what's going on as opposed to the old provider who's going to process this as a non-simple.

MR. GREEN: I understand what you're saying. Also you need to understand we're on both sides of this because Verizon just like Sprint has a (unintelligible) arm so we're dealing with this from both ends and I mean we could look at ourselves as being disadvantaged if we had to respond within four hours but

in the interest of moving the process forward and in the interest of supporting the process that has been established for the NANC, I think that the group did a wonderful job in coming to consensus.

And I know that consensus is another issue we have to talk about but I don't think right now is really the place to discuss that because they dealt with the process that they had to deal with. They did a wonderful job. They delivered a product and now we just have to move on from here.

CHAIRMAN KANE: Okay, any further discussion on this?

I think we've come to the point where we need to determine what we're going to do with the recommendation. As I see it the issue is do we accept, or do we reject, or do we suggest some modifications to the recommendation that when the LSR, the new provider indicates that the port request is non-simple, based on the current FCC definition and rule for a simple port, that the old service provider must return a FOC or appropriate response within 24 hours and that's not being changed however if there is not obvious indication that the port request is non-simple and was requested by a simple port, and the old service provider determines that it is a non-simple port, it has to respond back to the new service provider in four hours either with a FOC with an extended due date or a reject whatever is applicable in accordance with the following chart.

And I understand that the FOC or the reject given the current shall we say information systems that are in place are the only options.

I would suggest we might want to also look at including something that says

we should develop some simpler way to respond back or that there should be some other way to respond back other than having to go through this whole particular FOC process, that the idea is to effectuate a quick response back, that there's been an error, that this is not simple and so it can't work and then the new timeframes would go in.

The only way I know to see what we're going to do on this is to take a show of hands. At least it will give us a sense of where we are in terms of recommendation. We don't do votes but it will give me an idea.

And I would like to see those who would support sending forward to the FCC what the group has recommended. Okay and those who are opposed? Okay. It seems to me that that's the consensus is to send that forward with the minority report pointing out what some of the concerns are. Thank you very much. I appreciate that.

FEMALE SPEAKER: Madam Chairman, I can have our objection just marked for the record.

CHAIRMAN KANE: Yes, and the other documents. All right, it's 2:40 p.m. We've got some reports here. We're going to take a break and shake our heads a little bit. The folks who have to give any of these reports, is there anybody here who has to leave before 3:30 p.m.? Okay, who is that? Could you come forward and do your report.

MS. ALBERT: Mary Albert with COMPTTEL, and I'd like to enter our objection into the record as document six.

CHAIRMAN KANE: Document six, thank you. The Windstream letter was six I believe.

MS. ALBERT: Document seven.

FEMALE SPEAKER: (Off microphone, unintelligible).

MS. ALBERT: Sure, do you want me to get that? It was distributed with --

FEMALE SPEAKER: (Off microphone, unintelligible).

MS. GAUGLER: Oh, I'm sorry. This is Tiki Gaugler with XO. I oppose sending forth this language as part of the LNPA working group proposal.

CHAIRMAN KANE: Okay, thank you.

MS. GAUGLER: I'm sorry, just one more thing. I would like to include, it didn't get distributed but it was distributed as a soft copy when the LNPA working group report came, which was our position paper. I can get you a copy of it. Can we admit that as document eight?

CHAIRMAN KANE: Document eight, yes.

MS. GAUGLER: Okay, great, thank you.

CHAIRMAN KANE: You did refer to that and several people referred to it. Thank you. Okay. COMPTTEL is number seven and the white paper is number eight, certain CLECs.

FEMALE SPEAKER: (Off microphone, unintelligible).

CHAIRMAN KANE: We haven't gotten to the Comcast, Cox letter issue yet, but we will and Nebraska, which we have dealt with. We can center that from

Nebraska. We've reached an agreement on that. Make that number nine, from Commissioner Boyle.

**REPORT OF THE NORTH AMERICAN PORTABILITY MANAGEMENT
LLC (NAPM LLC)**

MR. CLAY: Good afternoon, NANC. My name is Mel Clay, and I am the co-chair of the NAPM LLC.

There are two documents that I have here, one is titled the North American Portability Management report to the NANC and the second one is a letter that was written to former Chairman Koutsky and it has the NAPM LLC logo at the top of the letter. So I guess that would be number -- I'm not sure.

CHAIRMAN KANE: Yes, document number 10.

MR. CLAY: At each of the NANC meetings the LLC has been providing status on new membership recruitment so we're doing that again this time. We have continued to keep new membership recruitment as a high priority at the NAPM LLC and right now our focus is on identifying and recruiting VoIP providers.

A CLEC has expressed a strong interest in becoming a member, and the NAPM has sent that CLEC a membership package and what we're doing now is waiting for that package to be returned and probably at the next meeting, the February meeting we will have a new member to announce to you.

At the last meeting the representative from Cox Communications asked what the minority position was for companies that did not vote in favor of Amendment 62

and Amendment 70 that was talked about in the last report.

I took an action item to consult the LLC meeting minutes and provide the information to the NANC. That was done.

We did consult the meeting minutes and a report or a response to the Cox Communications question was sent to former Chairman Koutsky on September 17th, but during that period of time, during that transition period, the letter was never issued to the NANC so I brought copies of that letter today and passed it around at each of your positions and what I'd like to do is briefly is just read what the response was to SOW-62 and SOW-70.

For SOW-62, the member company of that disagreed with the amendment, stated that voting to adopt Amendment 62 would give NeuStar the ability to leverage the impact platform as well as all future enhancements of that platform for commercial gain. They felt this would give NeuStar an unfair competitive advantage being both the NPAC data administrator and user.

In addition, the member company voiced concern that the definition of car routing that was drafted only for Amendment 62 was overly expansive and allowed URI capabilities to the impact platform which they state was not intended to support that routing functionality. So that is the answer for Amendment 62.

For Amendment 70, which was the pricing agreement that was passed this past January, the dissenting member company acknowledged that the fixed price model provided the benefit of pricing improvement and the elimination of key trigger in SOW-57 that would allow issuance of an RFP prior to 2012, but did not

feel that the fixed price model was the right thing for the industry to do at the time for following reasons.

Reason one, TN incentives give NeuStar the upper hand in potentially undermining ENUM development. Number two, the (unintelligible) creates a framework for NeuStar to build a super LERG, and number three the incentives to add the URI fields are inconsistent with the impact platform charter to support porting of voice telephone numbers.

All these reasons would seem to add up as a conflict of interest for the LLC as well as potentially higher legal costs to defend against any action. Secondly, the industry will be assuming downside risks if volumes drop thereby creating a disincentive to the industry to introduce competition for impact services.

The assumption of downside risk is also contrary to the initial guidance provided to the VPAC by the LLC, VPAC being the subcommittee inside the LLC that looks at unsolicited proposals.

And lastly the member company believed that the urgency to complete the agreement in such an abbreviated timeframe served the best interest of NeuStar rather than the industry.

So the company or companies that were not in favor of those two amendments, that's their response.

Approval of SOW-73, SOW-73 is an SOW that we asked NeuStar to provide us so that we could implement change order or the system released 3.4. That was the recommendation from the LNPA working group. We approved that this past

September and there are a couple of large --

(Tape Interrupted When Changing Sides)

(END OF AUDIOTAPE 3, SIDE A)

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(START OF AUDIOTAPE 3, SIDE B)

MR. CLAY: System release. One of the change orders will provide increases to impact throughput, which most of the companies thought was needed and also SPID Migration Automation.

The NAPM LLC filed comments and reply comments to the Telecordia petition and all of our comments are now public record so if anyone wanted to know what our comments are they are at the FCC as a public record.

And one last thing that we wanted to bring to your attention is that back in March of this year we formed a subcommittee and that subcommittee is called, I believe it's called the Future of NPAC and this subcommittee is charged with determining the recommendations for the future of the end pact including a timeframe for developing an RFP or an RFI for future vendors and contracts.

The committee's goal is to meet monthly and report to the full body, full membership body during the monthly LLC meetings. Because of the FCC order that we've just spent the day discussing, that subcommittee has not met recently. I believe they have a meeting scheduled for later this month, somewhere October 26th or something like that and they will be reporting to us monthly and Madam Chairman, as you have your NANC meetings we will report how that goes.

CHAIRMAN KANE: Very good. Are there any questions? Jose.

MR. JIMENEZ: Jose Jimenez from Cox. First of all I would like to thank Mel Clay and the NAPM LLC for responding to my questions from the meeting in July.

And a question to you Madam Chairperson, from earlier in the meeting you suggested that maybe in the meeting in February of next year we'll be taking up the dispute involving Telcordia and NeuStar.

CHAIRMAN KANE: Yes.

MR. JIMENEZ: I would like to spend some time understanding what the letter says and I suppose there will be an opportunity in February when that issue comes back up to ask questions around that?

CHAIRMAN KANE: The letter explaining what the objections were?

MR. JIMENEZ: Yes.

CHAIRMAN KANE: Yes, certainly.

MR. JIMENEZ: I think that may be a better --

CHAIRMAN KANE: Yes, and while you mentioned it, we'll put these in the record, the letter to Chairman Koutsy from Mr. Clay and from Timothy Decker. We're up to number 11 now? That will be number 12 and then -- you already have that in the record? It's already in the record, good. They're in the record already, okay, good, thank you. Are there any other questions on the report? Thank you very much. Have a good flight.

MR. CLAY: You're welcome. Thank you.

CHAIRMAN KANE: Okay, what do we have left on these now? We took care of simple ports. We have the physical copy of the CSR and the impact of Figure 3 and the LSR fields. Let's take up the physical copy of the CSR. Whose concern is that?

MR. JIMENEZ: I thought there had been earlier discussion before lunch about that statement at the very top of page 18, it says CSRs must be returned within 24 clock hours unless otherwise -- and you know CSRs are not required today, this issue is before the FCC in the further notice whether CSRs should be required and I thought there had been a dialogue around maybe editing this to kind of indicate that, indicate that CSRs are not required but --

MR. SACRA: It is in the flows. In both the flow diagram and the narrative it says that the CSR is an optional step.

MR. JIMENEZ: Does that need to then be also reflected here or is that not necessary?

MR. SACRA: I mean I certainly would not have any problem at all making that explicit.

CHAIRMAN KANE: Maybe inserting the words, CSRs if required must be returned.

MR. SACRA: That's fine.

CHAIRMAN KANE: Does that take care of the only issue on CSRs?

MR. JIMENEZ: Yes.

CHAIRMAN KANE: Good, okay, that was easy.

MR. SACRA: Or maybe if requested.

CHAIRMAN KANE: If requested?

MALE SPEAKER: If requested and available, is that worth -- because you do say further down on that page, you know, the example that's provided is that a CSR might not be available and the optional nature of it, if it's requested, if it's available, I would suggest --

MR. SACRA: That actually may help the wireless providers because wireless providers don't have CSRs so if it said if requested had to be returned within 24 hours, that may imply the wireless had to return a CSR within 24 hours and we didn't want to go there. So yeah, I would be fine if it's okay with the members.

CHAIRMAN KANE: If requested and available.

MR. JIMENEZ: Well, just to beat the dead horse.

CHAIRMAN KANE: And I thought it was simple. Go ahead.

(LAUGHTER)

MR. JIMENEZ: Well, you know, sometimes the horse needs beating I suppose, I don't know.

I think it should be if required, requested, and available. There's no requirement today. Today only a segment of the industry is required and the FCC has requested comments on that issue.

MR. SACRA: But the CSR is actually an optional step so I guess I'm thinking if we're calling it optional, then we're saying if required, if required on the

part of the --

MR. JIMENEZ: The way we understand, and this is now Cox's understanding of how the rules work, incoming phone companies are required to make their CSRs available, competitive phone companies are not today, then the FCC has asked in the further notice, asked whether that needed to be maintained, whether that needed to be case.

In fact we filed some comments around that issue frankly suggesting that it made sense to make that a bilateral requirement going forward but to date it's not -- it doesn't flow both ways under the FCC regulations so I'm just trying to -- you know, I don't want to step ahead of the Commission.

I mean we think it's reasonable for the Commission to impose a requirement on all providers, you know, with some conditions that we put in our comments but the requirement, the rules today are not bilateral.

CHAIRMAN KANE: And this recommendation does not go to whether or not they should be required, it only goes to where they are required, what the timeframes should be.

MR. SACRA: When they're requested what the timeframes would be.

CHAIRMAN KANE: When they're requested.

MR. SACRA: So if requested and available, is that --

CHAIRMAN KANE: Must be returned within 24 hours. Okay, does anybody have a problem with that? Okay, good.

All right, the impact of Figure 3, whose issue was that? That's yours, right?

MR. KASPER: Brendan Kasper from Vonage.

CHAIRMAN KANE: Speak up and tell us what page you're on.

MR. KASPER: This is actually on the flows themselves, Figure 3, which is inter-service provider LNP process flows broadband verification process.

I just have a concern with the non-automated flow so on number nine on this, there's an automatic conversion yes/no. If you go through the non-automated flow I think there are some problems that should be noted.

One, first and foremost, I would say that this sort of non-automated process defeats the purpose of a one day porting interval. In order to make this non-automated process work a carrier, a new service provider, a stand alone broadband provider in this case would have to ask for a porting interval of five to seven days to accommodate the end user, contacting the old service provider and arranging to maintain stand alone DSL or stand along broadband service.

Two, the process doesn't work. We have a lot of experience with this process and the non-automated process. The customers cancel at a rate more than twice as high as the customers who go through the automated process.

Three, this non-automated process undermines the Verizon preemption or the Verizon retention marketing order because the Verizon retention order barred carriers from using information obtained in the porting process to trigger retention marketing but it did allow retention marketing if the customer called into the old service provider during the porting process.

What this does is it forces the customer to call into the old service provider during the porting process which opens a window for retention marketing and again, we've experienced based on customer surveys that over 20 percent of our customers would report that when they call in to the old service provider to make sure that they retain their stand alone DSL that the old service provider has engaged in retention marketing on the voice service.

So these woes illustrate basically how it works today, some carriers use the automated process, some carriers use the manual process. I'm not sure it's appropriate that we sort of bless this non-automated process given the potential problems with it or that we should at least note that this illustrates sort of the world today as opposed to sort of the world that we want.

CHAIRMAN KANE: So your concern is that by providing in this flow chart for a non-automated process it appears to endorse the non-automated process.

MR. KASPER: Yes.

CHAIRMAN KANE: But the non-automated process does exist.

MR. KASPER: Yes.

MR. SACRA: If I could respond. This flow was actually brought in by inter-connected VoIP providers participating in the discussion and I won't mention which ones, but we purposely tried to stay away from a step that instructs the end user to contact their current old provider so you'll see steps like the new local service provider notifies the end user to acquire new broadband service if desired, if the old provider doesn't automatically convert the end user to stand alone DSL.

This was related, well, not this flow but this issue about the automatic conversion was related to a PIM that was actually brought into the working group by Vonage.

The concern was that there were providers that when they got the LSR, they disconnected the customers DSL and didn't automatically convert to stand alone DSL and the subject of the PIM was to suggest a best practice that would require the old provider in that case to automatically convert to stand alone or what we call naked DSL.

The concern and the consensus was not to accept that PIM because the concern was that providers have a two-tiered pricing structure for stand alone DSL and DSL associated with voice service and what the PIM was suggesting would actually require providers to convert the customer perhaps unbeknownst to them to a higher priced DSL service and then the customer gets their DSL bill and questions why their DSL service has now increased.

We do understand the issue with interconnected VoIP providers, that they are required to have broadband service to offer voice service to their customers but that PIM wasn't accepted and this flow that was suggested by some interconnected VoIP providers in the working group was just a means for the new provider, the new interconnected VoIP provider to work with the end user to kind of a communications process to make sure or to mitigate any possibility that the customer, the new provider would not be able to offer voice service because the customer didn't have broadband.

MR. KASPER: Brendan Kasper from Vonage. I understand you got these flows largely from Vonage but this wasn't an endorsement of the process. It was supposed to be, you know, this is what happens today.

And I understand you're saying that you phrased it in a way that doesn't talk about going back to the old service provider but the reality is in order to make this work, what you're talking about here, you know, you say new service provider notifies end user to acquire new broadband DSL service that, you know, when you're trying to attain stand alone, broadband or stand alone DSL from the existing provider that's exactly what you would have to do. The customer would have to go back and talk to the old service provider during the porting process.

MR. SACRA: Or they could go with a different broadband service provider. Actually the new provider may offer broadband service in some instances.

MR. KASPER: Well, if the new provider is a stand alone VoIP provider --

MR. SACRA: Oh, I understand that's not an example of --

MR. KASPER: I'm talking about the implications for stand alone VoIP providers.

MR. SACRA: But I guess understanding that the PIM was not accepted in the working group because of the issue that I discussed, I believe this was Vonage's, at least in the working group this Vonage's method of working through that issue so that the customer does have broadband service so that the Vonage's of the world or any other interconnected VoIP provider could offer voice service so that the

customer would have the broadband service in order to do that.

MR. KASPER: That is not my understanding of what this is for. It is simply to illustrate the way it exists today and that's how the Vonage representative explained it to me is that that is what it was put forward as. So there may be a little bit of disconnect here.

MR. SACRA: Are you saying that they weren't suggesting it be placed into the flows, because they were very clear that they wanted it in the flows?

MR. KASPER: They said to me that this was just to illustrate what happens currently, not an endorsement of this non-automated process. And basically putting it in the flows, it would be giving sort of the imprint of -- you know, this is great when I think there are serious problems with the non-automated process.

MR. SACRA: I can honestly say that their contribution and with their request to put this into the flows, and we actually massaged this, not only Vonage but other interconnected VoIP providers or other VoIP providers participated in massaging that flow and it was clear that the contribution was proposed to be placed into the flows and in fact that's the only reason it's there.

MR. KASPER: But the problem is, and I want people to understand that whatever you took the Vonage representatives to mean there, there are serious problems with the non-automated process as I mentioned. You know, it really defeats the purpose. You have to have a porting interval that's five to seven days in order to make it happen for these customers.

MR. SACRA: Right, and I understand why you're saying that because we

had those discussions as well. And I guess the fix to that is the PIM that Vonage submitted, not all providers even offer stand alone DSL and require those that do offer it to automatically convert. Again, we get into the pricing issue that was discussed and the reason why the PIM was rejected when it was brought in.

MR. KASPER: No, I understand that issue but many providers do -- notwithstanding the pricing issue, that it's a question of education on the front side.

MR. SACRA: Many do, right. And that's how I took this contribution. It was more of an education that communication needs to take place between the new provider who was an interconnected VoIP provider and their incoming customer, that there needs to be some communication and education so that their continuity of service is maintained.

CHAIRMAN KANE: Can we resolve this by including a note in it that this is description of the current process, that some companies feel there is a concern that not having an automatic process could create some difficulties with the retention marketing, and just note that for the record, but that this does describe what currently takes place because there are manual processes, that there has to be some kind of flow for as long as they exist?

MR. KASPER: That would work for me.

MR. SACRA: Well, I would respectfully say that I personally would not be interested in any other input but I think by suggesting that the problems with the lack of automatic conversion, we're getting into provider business practices.

CHAIRMAN KANE: Something that's beyond us. We'll just simply say

this will be a description of the current process period. Okay?

MR. SACRA: I think that is fine.

MR. KASPER: That's fine.

CHAIRMAN KANE: Thank you. Okay, good. Okay, that takes care of that one.

Okay, so we have left I believe the LSR fields. Do you want to take a five minute break? Anybody need a break? Yes, okay. Let's stretch and then we'll come back in five minutes.

(Short Break)

CHAIRMAN KANE: We can come back together, please. Okay, we're going to go back on the record, please. Thank you. For the record it's 3:40 p.m. We're going back on the record.

If I've calculated right we have one item left to discuss in terms of the local number portability report and recommendation and that is on the LSR fields. And this comes up in a number of places in the report describing the work of the group and then comes up at the end in terms of recommendations.

On page 11 of the report it notes that the LNPA working group sent a liaison to the ATIS Ordering and Billing form OBF acknowledging their ongoing work in developing a standard port request form and a standard set of data fields for both simple and non-simple ports, and that the LNPA working group expressed interest in including the OBFs work in the LNPA working group implementation plan for FCC order 09-41 and requested the OBF to provide the final list of standard local service

requests LSR data elements by July 15th.

The OBF cooperatively expedited their schedule if ordered to provide the list to the LNPA working group and that is attached and it's section 3.5.1.

I want to do two things. First Gary, I know you included this in your report, already going over this. I think we've established that this is really in response to the NPRM, not to the order on the timing and the definition of one day business day and the intervals.

MR. SACRA: With respect to the two objections in the minority report, but the working group is requesting that the NANC endorse and the FCC adopt the OBFs list of standard data fields for implementation in the timeframe as mandated by the order.

CHAIRMAN KANE: Yes, I understand, within the nine month and the 15 month timeframe, okay.

**LOCAL NUMBER PORTABILITY ORDERING STANDARDIZATION
PRESENTED TO THE NANC BY THE ALLIANCE FOR
TELECOMMUNICATIONS INDUSTRY SOLUTIONS' (ATIS) ORDERING
AND BILLING FORUM (OBF)**

CHAIRMAN KANE: All right, ATIS you have just a brief commentary?

MS. WELDON: I do. This is Sharon Weldon from TEOCO Corporation. I am the ATIS OBF co-chair. I am representing this effort today and I did provide a presentation that you all should have.

At this point in the day we have covered most of the points so in the spirit of

keeping things moving along I won't spend a whole lot of time going over the background.

The Chairman kind of reiterated that we do have an issue open in our local service ordering committee. We did expedite it and we were able to provide something to the LNPA working group.

The group of people that worked on this effort primarily within the OBF consisted of members certainly around the table and throughout the industry both on the local side as well as in our wireless committee and they worked together jointly.

By way of just a little bit of summarization, the attached spreadsheet that was provided in the soft copy of the list of fields, the first half actually contains a list of assumptions that the team felt were important to point out. The presentation that I provided highlights a few of those.

One of them we've hit several times now which is the focus on or the request for an FCC mandate to use this form in order to obtain some consistency in the implementation across companies.

I work mostly in the routing and the billing side of our industry and I can similarly speak to the fact that unless the FCC mandates such changes it's very difficult for many of you to dedicate capital expenditures to back off system changes and certainly switch changes and things like that, so we are fearful that if the FCC does not mandate the use of this form that ad hoc processes will be created and the changes will not be made in support in the industry so we did want to point that out as an item.

Additionally from an ATIS perspective recognizing that not every company in the industry is an ATIS funding company or a member, many of the documents are therefore uncharged for it in order to attain and ATIS has agreed to make any of the documents associated with the REQTYP C practices available free of charge, not only to their funding company members but to non-funding company members. So I think we wanted to make sure that everyone understood that so that wasn't a barrier to using them.

Regarding the fields, I was here in July and did take down some of the questions that came up and one of the clarifications that we made then that I want to reiterate today now that we have a final list of recommended fields are that the four fields FCC mandated for validation have not changed.

You know, we're not recommending or requested anymore than those four original fields for validation. That remains unchanged. It is still consistent with the existing process so in case there's any concerns over that, there is no recommendation to change that part of the process. So I wanted to make sure everyone was aware of that.

The additional fields that are being requested to be required for a simple port are listed as required in the spreadsheet and I will say that the team spent many days face to face, many hours together literally walking through every field available.

Just so you understand the process, some of the fields in use today were either eliminated or made optional or conditional, therefore kind of reducing the number of fields in some cases and each field -- they did a great job of actually

adding a justification column if you'll look at the spreadsheet.

They tried to document their discussion the best way possible and as concisely as possible why a particular field was needed to be required and in some cases optional or conditional. So by way of the process that's how those definitions and those columns were filled out.

You know, one other I guess point to note and that may be surprising or confusing is that all of the form is a combination of both simple and non-simple so it can be used for both. I know there may be concerns about that but really the idea is if we're looking toward making changes let's try to make this process as simple as possible.

I know we've had some discussion this afternoon about what if there's an error, how do we know. There is a due date interval on the field in lieu of a CSR process because that is an optional process. You look at the due date interval, if it is indicative or requesting a simple port, you're to assume it's a simple port.

If something is wrong, we just got done kind of talking about if there's an error, how do we handle that. We'll look at doing an error process whatever we decided based on the discussion. If the desired due date is for a non-simple port then obviously you'll have a lot of data to use in order to complete that.

The only thing I guess I would say on the fields are the idea -- and I know some people may have a specific number of fields in mind that may be acceptable for required -- they may think that 21 is excessive.

I'm not sure what the magic number is but I will tell you each field was

scrutinized very heavily as to whether or not it was required and these are the fields required for as I said not validation but for actually completing an accurate and reliable port.

And I've heard a lot today about care for the customer and making sure that errors are not made and I believe, you know, many of these fields, we felt that when provided would make the ports or the porting process a little more accurate and reliable and potentially even reduce errors because the more information you have to make the port possible, you know, hopefully the better.

CHAIRMAN KANE: Are you finished?

MS. WELDON: Yes.

CHAIRMAN KANE: Okay, thank you. Let me first of all put your document in the record which would be number 12. And I'll open it for discussion. Jose.

MR. JIMENEZ: This is Jose Jimenez from Cox and probably to the relief of most in the room I have to run in a few minutes but then Beth O'Donnell is going to step up for me so good luck.

(LAUGHTER)

I will note for the record as well that Cox and Comcast circulated a soft copy of our minority report. Unfortunately I didn't print a copy for everyone so I apologize about that. I don't know what would be the right way to handle that.

CHAIRMAN KANE: It was emailed.

MR. JIMENEZ: It was emailed to everyone but there is no hard copy to

be numbered into the record. You have one? Okay, excellent.

CHAIRMAN KANE: We'll number that into the record as number 13.

MR. JIMENEZ: Excellent, thank you. You know, maybe I'll start by saying part of the discomfort from Cox's perspective is a matter of process.

This is an issue that the FCC sought comments on and we filed comments on in the further notice so it is a little puzzling to our company how it is the LNPA working group and the NANC ahead of the Commission providing guidance for the industry would tell the Commission what it needs to do.

We were engaged at ATIS and at the LNPA working group on this issue and I believe I speak also for Comcast, we expressed objections at every turn about whether this was something that was necessary now. As the report from the LNPA working group indicates, this is not necessary for the task that was assigned to NANC and the LNPA working group in the May Order.

So I know a lot of work went into this as you noted, a lot of hours were spent on this and in a way that's unfortunate.

Even in July I remember saying I'm concerned about the LNPA working group spending resources and time on an issue that is not squarely before it and that is still a challenge to this body I think, how do we as NANC ahead of the Commission telling the industry what it must do.

And again, we filed comments, we provided suggestions and numbers of fields to the agency on the record and I imagine other companies around this table did as well, how is it then that LNPA working group in a consensus document tells

the agency never mind, Cox is part of that, never mind, this is it.

MR. SACRA: May I respond?

CHAIRMAN KANE: Yes.

MR. SACRA: Certainly I will never deny, I agree with you that Cox and Comcast objected throughout this. To my knowledge they were the only two objections that I can recollect throughout this entire timeframe on standardizing or soliciting the OBF to pull up their work and develop a standard set of data fields.

I'll go back again to the direction that we received from former NANC Chairman Koutsky that basically told us and he specifically even mentioned the standard LSR fields, but he said any of the FNPRM items that the working group could reach consensus on that he would welcome that in the report.

And I'll have to say the heavy lifting of all this was not in the LNPA working group. It was actually in the OBF. We understood that they were already in this process of developing this list of fields. We requested that they expedite their delivery.

I believe it was a very clear consensus that the proponents of including the OBF's work in this implementation plan were concerned that if, you know, absent a mandate to implement these fields, that it would be very difficult if not impossible to facilitate next day porting because we would still maintain the current practice of having providers sort of all over the map as to which fields they require.

This was a very honest and I actually believe a very significant work effort to standardize these fields. I know if I put my Verizon hat on for a second I can

honestly say that Verizon feels comfortable with implementing these fields in the nine month timeframe.

Our concern would be that if we go through all the work now of implementing the next day porting and then have to come back later and then go back into our systems to develop either this list of fields or another list of fields, you know, certainly I believe and I believe all the providers that are proponents of including this believe that now is the time to do it while we are going through development work for implementing next day porting.

So I guess to answer your question about the consensus, understanding and totally respecting Cox's and Comcast's objections, the vast majority save those two objections were in favor of including this list of fields.

MR. JIMENEZ: This is Jose Jimenez again from Cox. There has been talk this afternoon already about the consensus process and I think at 3:35 p.m. on today's meeting is not the time to perhaps noodle on that a little bit or maybe this is the right time, I don't know, but we ironically in the comments to the Commission, FNPRM suggested that in fact it was important to have a standard LSR with a standard number of fields.

Another concern we have with the proposal is that in our opinion it is far from standard. When you have discretion between 21 and 101 fields, that leaves 80 fields and some provider -- I am not sure how you define that as a standard.

So if the goal was to come up with a recommendation for a form that had a specific number of fields, maybe we could be talking about that but what I heard you

say Gary was that the goal was to come up with a number of fields people could work from.

Well, you know, that's not what happened. You could have a carrier with 95 fields, another carrier with 25 fields, and another carrier with 40 fields. How does that work?

MR. SACRA: I think Sharon is going to address that.

MS. WELDON: Yeah, I can go ahead and do that. For a simple port the standard number is 21 and that is inclusive of the four validation fields and, you know, based on the due date interval if indicated a simple port, the standard required number of fields is 21 as recommended by the OBF.

MR. JIMENEZ: Now I've got a follow-up question to that. In the 2007 order, I heard you say the FCC said four fields you validate on and that's all you can validate on.

MS. WELDON: Right.

MR. JIMENEZ: Help me understand. If a carrier submitted to another carrier just those four fields, what would happen to that order?

MS. WELDON: Today to the best of our knowledge, there's not a single carrier that completes a simple port solely based on those four fields. Some may even say it would be difficult if not impossible to do so due to lack of information certainly from an accuracy perspective.

MR. JIMENEZ: So from your perspective the delta between validation and requirement is non-existent?

MS. WELDON: The difference would be -- I mean one is validation, and one is actually completing the end to end process. In order to accurately and timely complete the end to end process there is needed additional information in order to do so and in fact if the time interval shrinks, the more information you have, you know, the better because then you can -- you know, the likelihood of being able to have what you need in order to complete is greater.

MR. SACRA: There may be a question about the 21 fields for the simple port but I believe and Sharon correct me if I'm wrong, but the delta between the 21 and the 101, those are I guess what are labeled as conditional or optional fields and their necessity is dictated upon certain services that the new provider may be requesting in conjunction with the port.

I think I might have said earlier, directory listing for example, so if the new provider wants to maintain the customer's current directory listing as part of the port, there are certain fields that are required in order for the old provider to do that.

The same thing with 911 information, certain treatment of the 911 database information may differ depending on whether the port is to a wireless provider or a wireline provider so there are fields that are for that.

So it depends, there are certain services that the new provider can request to the old provider in conjunction with a port and I believe that drives the delta between the 21 and the 101. They're not required fields but they come into play if there are certain services being ordered in conjunction with the port.

CHAIRMAN KANE: Perhaps Gary you can also clarify for me and for

everyone, I'm looking again at your slides. There would be 21 fields that would be mandated so they would have to be filled out, correct?

MS. WELDON: For a simple port, yes.

CHAIRMAN KANE: For a simple port, and yet on your next slide I'm looking at page three, the second slide down says in the third paragraph that REQ TYP C includes several fields that may not be applicable to simple ports but are included on the LSR to standardize on a single data set for stand alone number portability. Can you explain what that means?

MS. WELDON: Correct. So the idea of creating the one form is to be able to be used for simple and non-simple ports with the two day interval indicating which one. So as Gary mentioned, some of the optional and conditional fields are based on the service that you may be requesting in addition to -- you know, that would be going along with the simple port but some of them may be in order to do a non-simple port as well.

CHAIRMAN KANE: So the reference to several fields that may not be applicable, are fields in addition to the 21?

MS. WELDON: For a simple port?

CHAIRMAN KANE: Yes.

MS. WELDON: Yes, and those would be ones that Gary was just kind of clarifying which are for those additional services like directory listing for example.

CHAIRMAN KANE: And who would determine when they were

required?

MS. WELDON: The new service provider if the customer is requesting for example a directory listing or 911.

CHAIRMAN KANE: And what would happen if the fields were not filled out in a simple port? Would the port go through?

MS. WELDON: Any one of the 21 required fields?

CHAIRMAN KANE: Yes.

MS. WELDON: I would think you would get the error scenario that we were just discussing and it may indicate that in fact it's not a simple port. Maybe the conclusion would be that it's, you know, non-simple for whatever reason or I would think an error would come back and either a new two day interval requested or a change or correction to the LSR. I guess it would depend on the specific problem.

CHAIRMAN KANE: And let me understand. Now simple ports are being accomplished with the four mandated fields. I mean those are the four that are required.

MS. WELDON: Right.

CHAIRMAN KANE: And then beyond that there is no standardization and yet I heard, correct me if I'm wrong, earlier discussions about the LSR is to go back and get rejected because something is not correct on them.

(Tape Interrupted When Changing Sides)

(END OF AUIOTAPE 3, SIDE B)

* * * * *

(START OF AUDIOTAPE 4, SUITE A)

CHAIRMAN KANE: -- Instead of being used now.

MS. WELDON: Yes.

CHAIRMAN KANE: That include more than those four and ports are occurring.

MS. WELDON: And some ports are occurring accurately and probably some maybe not accurately based on the level of information. And these guys as they went through the fields they're certainly pulling from real life examples of problems and whether there are issues that are coming from their customers or carry complaints and they're pulling from real life examples that say, hey, we need the pond field, you know, for example populated because these are the problems that have come up when we don't get that data when trying to complete a simple port.

CHAIRMAN KANE: But the wireless to wireless is being done in 24 hours now, four hours, one day. They port with more than four fields but those fields are voluntary fields if you will. They are standardized. Are they standardized by mandate of the FCC? By agreement among the wireless carriers, okay, and are those standardized fields included in these 21, all of them?

MS. TIFFANY: We use different forms but most of the fields that are on the new LSR, the streamlined LSR are also on the WICIS form, the wireless form and to help Sharon with this if I may, Sue Tiffany, Sprint Nextel.

What the LSOP committee did with the LSR, Jose referred to 100 and some fields, the LSOP reduced the number of fields on a standard LSR to 21 from, I don't

know, 101 might be the right number.

One of the reasons that everybody is asking the FCC to mandate this and I actually agree with Comcast and Cox that that's very important that we nail down as tightly as we can how these fields are going to be used because personally at Sprint I don't care how many fields you ask me to fill out, I just want to know that when I send the port request to any one of the companies in this room, that they are all going to treat the data in those fields the same way, that there's a standard form and format and that when I send an account number to AT&T that the rules for how that account number is formatted are the same rules that I get from Verizon so I don't have to tweak my system for each individual company, which is what we have to do today and it causes a lot of fallout.

And in my opinion we will not be able to accomplish one business day porting without that and our experience, and we have worked with the wireline industry, Sprint specifically has worked with the wireline industry since 2003, six years, trying to get to the (unintelligible) point and that's why again everybody is asking for the FCC to step in because it's going to cost money to do that and no one has so far been willing to make those changes without the FCC telling them they have to.

CHAIRMAN KANE: And is it the 21 fields that are required, just 21?

MS. TIFFANY: We are happy with what the LSOP committee came up with. The wireless committee worked with the LSOP committee at the OBF. We have something called the inter-module committee that we worked together on these

issues so we're happy with the work they did. We will make whatever adjustments we have to make based on the standard LSR form so that we can port with wireline carriers. We just request that everybody does it the same way.

MR. HULTQUIST: Hank Hultquist, AT&T. I think those are really good points. I mean this sort of gets to the heart of what we were charged with doing here which wasn't to come up with a simple one day porting interval that works on paper but to come up with one that actually works and that people when they want to port their phone numbers can do so within the shortened timeframe.

And so in that context I actually have a small bone to pick with Jose's concerns that we're somehow treading into the area of issues that are in the NPRM.

We were charged with coming up with a process here that works and if some of the things that we think are critical to that process are also issues that are teed up in the NPRM, and again it's perfectly appropriate and necessary for this body to advise the Commission on those matters irrespective of the fact that in some cases that advice may differ from the advice my own company is giving the Commission on those matters, I still think it is appropriate for this body to do so.

CHAIRMAN KANE: Thank you. Kevin.

MR. GREEN: Kevin Green, Verizon. I just have one question. Without the standardized form is there any possibility of meeting a one day porting interval?

MS. WELDON: With a high degree of accuracy in the best interests of the customer, you know, some people are going to create a form and agree to partner together and get that probably pretty close to what we're recommending, others may

not and I think that's where you'll see some of the issues.

Can you get it done? Sure, and like I said a lot of people are already providing this information in order to accurately and timely get it done today. In situations where that may not be case, you know, my guess is that's where you'll see some of the problems.

MR. GREEN: I understand, but the goal is for the entire industry to be able to meet this and it sounds as if without a standardized process it's just not going to happen.

MS. WELDON: Exactly.

CHAIRMAN KANE: Thank you.

MR. CANDELARIA: Jerome Candelaria, NCTA. I also share the concerns that there are process issues here and I will noodle on the issue of consensus.

According to the training binder for NANC from 2006, consensus is determined and I'll quote some here, "Fundamentally determined when consensus is reached is a judgment call to be made by the Chair, including in the Chair's judgment are not just the numbers of members for or against but more importantly the weight of each member who is for or against. Another judgment factor to be considered by the Chair is the intensity with which each member's views are held."

The consensus description in chapter 12 goes on in other parts to highlight how consensus is a subjective judgment by the Chair. I'm emphasizing this point because when we described the consensus process followed by the subcommittee

what in fact was being described was the one that you're charged with implementing.

I'm not sure what consensus process was followed previously. It was my impression that the ATIS process was followed which there are important distinctions because there's some recognition of industry segment.

So for example in the wireless industry even if there were a few participating who disagreed, would you allow someone who represents a specific industry segment who is also a Chair make the determination of whether consensus exists?

Your job, you were selected, Madam Chair with an understanding that there is a degree of neutrality involved.

And so I mention all this because we then get to a recommendation by the LNP to the full NANC to ask NANC to go outside the scope of the FCC's request. The FCC had a specific request for NANC to develop new LNP processes, process flows that took into account the shortened porting interval.

It also had a specific request for parties in the proceeding to address whether different to additional information fields are necessary for completing single ports.

Members of NCTA are prejudiced. If this body decides to answer the ones that the FCC specifically charged to parties to answer, and I think that that would raise credibility issues for NANC in the eyes of the FCC if it believes that when it forwards explicit direction to NANC and to parties, that NANC will take it upon itself to answer both where there's not in my view full consensus.

MS. SHEEHAN: Cindy Sheehan with Comcast. So I've heard a couple of comments from folks that I would like to kind of respond to some of those and

gain some clarification. And again as you know, Comcast and Cox filed the minority report.

The first one is from ATIS saying that all the fields that you put in there, all those fields were scrutinized and they are all needed to complete an accurate report.

I mean I have to tell you I find that very interesting because if I take a look at the REQ TYP C that was submitted in the LNPA package, and looking at a couple of these examples and Gary, one to yours where you talked about the 911 information, I can tell you Comcast has proven we don't need that field and Comcast has been providing next day porting since 2004 with far less fields than 21 required and even far less -- if you look at the fields that are in REQ TYP C there's 101.

There's 21 required, there's 64 conditional and there's 16 that are optional so there's a lot -- only 16 of that whole 101 that can be optional. All those conditionals I think like Jose mentioned, it's a whole menu. You can have some providers that could do 21, could 50, could do 60. It's not standardized.

I think the way that it's presented there really isn't any standardization. It's a menu and it creates a lot of complexities and a lot of delaying of the port and we're not going to get to next day porting.

And again, Comcast has been able to provide porting, next day porting on like I said even far less than 21 fields and that's required and conditional that we've been able to do very successfully and we port thousands of customers away.

As far as the ATIS, you indicated that the more information the better. I have to disagree with this. It's not the more information the better.

Again Comcast has proven -- I think there's a lot of legacy systems out there that providers don't want to change and the information is -- I can tell you I've been working in porting since 1988 on both sides of it and I can tell you back in years, we probably asked for more information originally and we got to a point well, why are we asking for all of this information and we definitely found that it creates a lot more work for your systems, a lot more work for the people.

They are all doing it manually so it's much more efficient to say you don't need all that information to effectuate a port. So like I said, we've been able to prove it and I think that's a great success.

On the ATIS recommendation, I do think it is an indirect conflict with the FCC order 07-188. I think the FCC got it right. I mean they have the four validation fields and I think it would be inappropriate for the NANC committee to go and out of process if you will, try to tell the FCC when they ask for it in the FNPRM and now we're saying, no, we're going to side step that process and go around it. So I do think that it would be inappropriate for us to take that approach.

But I'd like to share a couple of the examples in looking at the REQTYP C. So, there's a couple of them on here that I find again, very interesting. They are more administrative I guess is what I would say.

For example, it has the initiator ID, the person who should be contacted if there are any questions regarding LSR requests. I think that's very interesting. Again I work on the porting side doing ports in, port outs. I haven't had anyone call my organization in years. They just automatically reject the Order wherever it went

into they just reject it back. No one gives us a call.

And by the way we also get multiple rejects. We don't get just one reject. We get one reject, fix it, get it back, now we'll fix the other rejects. So I think it's very interesting. Again this information is not needed to effectuate a port.

I think the other one along that line is the telephone number of the initiator. Again that isn't needed. We do not find that in practical practice that we're ever getting those contacts. It just goes back into the pool where the order originally went through whether it was by email, fax, EDI. There's no contact.

Implementation contact, this is defined as the IDs, the customer rep or office responsible for control of installation and completion. That one baffles me. That shouldn't be any concern.

These are all required fields that I'm looking at out of the 21. That shouldn't be any concern of the old service provider. New service provider should own that. Date and time sent, again I've got to believe that the old service provider has a time stamp in their system.

Let's say I put on there I sent it at ten o'clock and I really didn't send it until 1:00 p.m. I can't believe that an old service provider is going to use my word over their systems on when it was received. Again I don't see that as required.

Number portability quantity, you can pick up what the quantity is and I think there's a lot of providers saying simple ports would be one TN and no more. I don't believe that given simple ports and the number of TNs that you have that that would be difficult to figure out.

So again I think that it would be in direct conflict with the FCC order and I also believe that Comcast, that we've been able to do next day porting since 2004 and not having all these fields, we've been very successful and we've proven you don't need them. Thank you.

CHAIRMAN KANE: Commissioner Jones.

COMMISSIONER JONES: Well, Cindy thanks for raising those. I just had a few clarifying questions and you raised a couple.

It seems to me counter intuitive that we're going from four to 21 for required fields. On the other hand I'm a state commissioner and if you read the FCC order and expectations it's for the industry to work out, you know, the mechanics of all this is for the industry to work out and then NANC I think is to either say yea or nay to what the industry has worked out.

So it creates a bit of conflict here because I'm hearing that the industry perhaps hasn't reached an agreement on that which troubles me.

But following on what Cindy has said, maybe Sharon or Gary, you can just clarify, answer some of her questions on some of those fields like I just picked up on telephone number.

Right now it's my understanding that for validating a port we need a telephone number and now we're splitting up a telephone number in two, one is called initiator and one is called implementation contract. So why do we need two telephone numbers to do an efficient, timely, and reliable port, not validation but the port?

MS. WELDON: I was trying to write them down so I wouldn't forget what all the items are. First thing I want to reiterate is that the four fields are for validation and not for completion of the end to end port.

And, you know, Cindy even mentioned in Comcast, why are you doing it with less than 24 fields. You're doing it with one and four and there is value in some additional information being required in order to accurately and timely complete the end to end port and again, no one is going back to the FCC and saying hey, you got it wrong, you need more than four for validation. So I just want to make sure I kind of reiterated that point.

One of the other items and we can kind of go through, I actually thank you for providing specific examples because that's the first we had heard of specific fields mentioned as a concern.

I think one of the things that we need to take into consideration as some of the folks who -- some of the service providers who were working on this are not in an automated environment and some of these are to not segregate again, to discriminate against those who are still in a manual environment.

So when we say a date time stamp send or things like that, we need to take into consideration that there are people doing this manually today and to not put something in place that would exclude them or hamper them doing business like those of you that are in an automated environment. So I just wanted to kind of point that out as well.

Regarding the telephone number, you know, my thought is and this may not

necessarily be some of the discussion that went along, but with regard to the initiator contact and telephone information, you know, today you just send a rejection.

You know, maybe if you had this information there would be less rejections and you actually -- I know when I ported one of my numbers between providers there was a hiccup or something that kind -- it wasn't my password but it was a hiccup that actually caused a person to kind of pick up the phone and we talked about three way calling and doing some of that so there is benefit there.

The ported telephone number is a validation field. That field is still here. It's indicated as such. It is required and it does list it as a validation field so that telephone number is still kind of clearly marked.

The other one is one of the ones that Cindy had kind of raised some concerns about which is with regard to who to contact if something doesn't look right in order to actually be able to complete the port as opposed to just being able to send a rejection.

COMMISSIONER JONES: So just to follow-up. I'm still confused. I'm going from this appendix. So you're saying the telephone number that's still required for validation is what you call INIT or --

MS. WELDON: The ported telephone number. I don't have line numbers on my printed copy. It's called ported number.

COMMISSIONER JONES: Oh, okay. So there's actually a third telephone number, okay. So there's a ported telephone number. Ported NBR?

MS. WELDON: Right, and that is one of the four --

COMMISSIONER JONES: So the other two telephone numbers, the initiator and the -- what's the other one?

MS. WELDON: The implementation.

COMMISSIONER JONES: The implementation contract telephone numbers are new in terms of they're not required for validation today but these are new fields that you're suggesting that NANC should endorse with efficient and reliable porting.

MS. TIFFANY: They're not new.

COMMISSIONER JONES: Well, could you explain?

MS. TIFFANY: Sue Tiffany, Sprint Nextel. The 21 fields that were listed in the new LSR, streamlined LSR, are not new fields. They are fields that exist today and are populated today if you send an LSR.

What they did was they shrink down to 21 fields from what they had before but all of the -- as far as I know all of the fields, all those 21 fields, are existing fields today that are being used by carriers today.

And I would like to also make a point that Sharon made earlier and that is that I believe the intention of the wireline carriers working on this was that this form could be used for both simple and non-simple.

And I mention that because one of the fields that Cindy from Comcast mentioned was the quantity, which she's correct. If you're using this for a simple port, you know, it's one but if you're using it from a multi-line port and you want to make sure that all of the numbers are being accounted for, the quantity is important

so if you're trying to port ten numbers you put ten in there, the old service provider can look and see and make sure that that they're addressing all ten. So it's a form that they tried to make universal.

Now I don't want to mislead anybody. The example someone used of the directory, if in the wireless case if you're saying eliminate the directory, you use the 21 fields. If you're saying no changes to the directory it's 21 fields. If you are going to change the directory information there's a whole other form that has to be evaluated and that automatically becomes a non-simple port just because you're changing the directory information.

COMMISSIONER JONES: Madam Chair, I'll stop now. But just one final comment. I thought the directive from the FCC was to focus primarily on simple ports and to come up with a business day and a porting interval for simple ports.

So I agree with Sue from Sprint Nextel that this is -- and I don't know what wireless to wireless is now and I don't know any of those fields because it's, you know, voluntary, whatever, but it seems to me that we're going a little bit beyond what we were narrowly asked to do in the FCC order in paragraph eight and nine.

CHAIRMAN KANE: Commissioner Gray.

MR. GRAY: Thanks for the promotion.

(LAUGHTER)

CHAIRMAN KANE: Commissioner representative.

MR. GRAY: Don Gray, Nebraska Public Service Commission. One of the things that I'm hearing and something that occurred to me as I read and reread this is

that I think there's a level of complexity that's been introduced in this area because there's an attempt to combine a simple and non-simple port into a single form and I applaud you for trying that but I think it may have introduced a layer of complexity that we who don't deal with it every day may not appreciate and that's okay.

I also think that there is a mix of information in here that some information -- obviously we have the four fields to validate but I think there are other fields in here, some of which are for the new service provider to provision and for the old service provider to un-provision if you will.

And I guess I would ask in my mind why should the new service provider have to give the old service provider information they already have that they only need to remove the customer from service?

And Sharon made the comment, the third item that I would comment on, you made the comment about having an initiator or a contact person to get in contact with to discuss.

I'm not sure what you would do with that information because I am continually told by carriers as the old service provider, we can't change the information on the LSR, only the new service provider can change that.

So if you've got a problem, a reject gets that changed the way that people are telling me it has to be changed, that you can't go in, oh, you meant this, okay, I'll change it for you. Slippery slope there I think.

CHAIRMAN KANE: I see a few more cards up and I do want to get everybody. It is getting to be 4:10 p.m. and we want to get to some of those other

reports and we need to make a decision on this fairly soon because as NCTA correctly pointed out, I guess it is ultimately up to the Chairman to determine when a consensus exists. But let me go around the room. Ann.

MS. MILLER: Anna Miller with T-Mobile. One of the reasons that the wireless industry has been able to complete ports in hours instead of days is because we standardized the porting form and the porting fields.

This recommendation that has come up from ATIS to the LNPA working group is a huge improvement on the porting process.

If we can limit providing anywhere from four to 100 fields depending on who the carrier is down to knowing that these are the 21 fields that are needed to efficiently process the port and get porting done in one day, I think that that is a huge step forward and I guess it's up to this group to determine whether or not we think that the charge for the NANC on how are we supposed to do one day porting should be narrowly interpreted or open it up a little bit to making huge improvements in efficiency so we can actually accomplish one day porting.

It's going to be more of a challenge for T-Mobile to do intermodal ports if I have to do what I do today and figure out, okay for this provider I need these 50 fields, for that provider I need these 100 fields.

So I just hope that we don't throw the baby out with the bath water and I guess what I'm wondering then is it Comcast or Cox's position that they would rather keep doing that for one day porting, keep saying okay, for this provider I've got to do this, for that provider I've got to do that, for inter-module porting versus

standardizing the process.

And I don't know, it seems to me that if there are certain fields that I didn't provide beyond the four fields, that inter-module port given what was indicated in the FCC orders referencing LSRs, that those ports get rejected and from T-Mobile perspective if I got rejected, got rejected, got rejected on a port request, I would want to have a contact number to call and try to resolve the port as opposed to keep dealing with rejects and fallout. Thank you.

CHAIRMAN KANE: Kevin.

MR. GREEN: Kevin Green, Verizon. We asked these folks to come up with a way to make one day porting a reality and I submit that we have some of the smartest people on the planet in terms of porting that worked on this and I think that at this point I'm not seeing a lot of options in terms of you know, what would we do, give it back to them when October 31st is the date when we need to submit something to the FCC?

I just think that if we trust the process -- that a lot of folks don't but that's another story. I think that's something to deal with another day in terms of the consensus process but for today with what we asked them to do this is what they came up with. We believe that this will work. The industry believes that it will work. I think we need to move forward.

MS. GAUGLER: Tiki Gaugler with XO Communications. I will say right upfront that we have not been participating in this so I don't know all of the details of the different fields.

XO supports the standardization of the process, of the LSR process but what I would like to know is what determination or how was the determination made that some of those fields would be required versus I guess optional is the one, not the conditional but the optional.

In other words, some of the ones that Cindy mentioned like initiators and phone number and the number of things, why would they not be consider optional for a simple port? I mean why are they mandatory?

I'm just curious as to how that determination was made since there do seem to be some optional fields and perhaps there are other ones. They said if you want to (unintelligible) in other words a phone number to be contacted that would be optional but why is that considered mandatory?

MS. WELDON: I can't speak to every discussion that went on but I will say that there was a large number of fields and it continually kind of got whittled down to the set here as required, and with a wide representation of service providers on the calls and in the rooms they pulled from real life experiences, real life customer complaints and real life scenarios and for each of these fields, came to the conclusion that they were required. So I can't speak to their specific scenarios for each of them.

MS. TIFFANY: When you say required and we talk about requiring it, is it absolutely necessary, required to complete a port? I'm a little unclear on what's the meaning of required?

In other words, could they effectuate that port without the (unintelligible) and

without a phone number to contact someone? It seems like yes, the answer is they could do that so I don't understand -- I guess I'm just still lost on that, the meaning of that. I don't know if someone else has an answer.

CHAIRMAN KANE: Well, I mean I think we could sit here and discuss each one of these.

MS. GAUGLER: I get it, I'm just still trying to understand what the --

CHAIRMAN KANE: Your question is the process or how did they get to the recommendation because 21 would be required and the rest between 22 and 100 would be optional and sort of what does that mean and what does required mean.

I'm going to cut this off in a minute. Hank, go ahead. I'm trying to go around, like one more round.

MR. HULTQUIST: Hank Hultquist, AT&T. I think this has been a really great discussion and I think I hear everybody saying we need standardization. I don't think there's anybody sitting at this table who doesn't think we need standardization but we have some objective realities that these processes, the development, the testing, all that has to start pretty soon and if we kick this can down the road I question whether we're going to be able to bring this thing home in the timeframe.

So I don't know if these are the 21 perfect fields. I do know wireless uses 18 fields and they port in a couple of hours and if we get these 21 standardized fields I have a feeling we'll have a better chance of being able to port in one business day within the timeframe that the FCC's Order lays out then if we kick this can down the

road.

MS. SHEEHAN: Cindy Sheehan, Comcast. I know there are some comments made just for clarification to keep in mind the providers who are doing things manually, to keep in mind, Comcast is manual and we have been since 2004 so again we've been able to prove the process.

I think much like -- I mean I definitely sense some resistance. If we look at the wireline industry that came along and said gee, wireline, you guys are taking so long to get your port done, and the way that you're doing it and look what we've able to accomplish.

I think that's the same problem that we're having with this is that there's a lot of providers who are very comfortable having all these fields that really are not necessary to effectuate a port and whether it's changing legacy systems, whatever it is, or just people having that comfort of gee, I think I need all this information, again Comcast has been able to prove that you don't need all of it and you can get there successfully.

You know, one of the other things I wanted to address is Anna, you were asking what does Cox and Comcast want to do. I'll speak for Comcast. I think as far as if we want to do some standardization, I think that is a path that you can -- what you can utilize is going down with the FCC directive which is usually FNPRM.

I'm not saying that you shouldn't have some standardization out there. I'm certainly for it. I just don't think this is the right answer in having, you know, easily more -- because even today if you don't populate the 21 fields your order -- your

(unintelligible) is going to be rejected and there's even more fields than that and I guarantee that if they are not populated under the conditional, that will be rejected.

So we're adding a lot of work and a lot of complexities and delay of the port and also I think it's adding a level of being anti-competitive that just adds one more thing to the order that it's not going to allow it to go through in a day.

So, again, it would be Comcast's recommendation that this be handled through the FCC recommended process and go through the FNPRM. Thank you.

CHAIRMAN KANE: Thank you. And, Don the last one.

MR. GRAY: Don Gray, Nebraska Public Service Commission. I guess the one thing that I would urge the industry to look at, if you pass this on to the FCC saying these are the 21 fields plus X conditional that we say you should mandate and they do, and you find out oops, we forgot one or oops we don't need that one, it's going to take a Herculean effort to get that bell un-rung and you're probably better off keeping it in the OBF and work that process that you already have a best practices.

I applaud you for coming up with 21 standardized or whatever the number is, but I don't think you really want to walk down the mandated FCC road right yet and have that difficulty. You may not like what you wish for.

(LAUGHTER)

CHAIRMAN KANE: Be careful what you wish for. Thank you. This has been a good discussion. It is 4:20 p.m. I'm not sure anybody's got anything totally new to add to it. We've heard from a lot.

What I see a consensus on is that there should be standardized fields, that's something beyond the four fields that currently exist may be necessary. I also hear a lot of concern about the origin of these particular fields and the fact that it was added somewhat late in the process. I'm not saying there's something wrong with the process but it was added in July halfway through the process.

I hear concerns from various segments from the industry about whether or not they are the right 21 and I hear concerns about the status of the things that are optional and what would happen if fields are not populated and a concern that it might increase the rejection level.

And given kind of where that is I'm going to say that I don't see consensus on anything other than there should be standardization and there should be standardization more than we have now, and that in terms of simple ports and the NPRM, that that would be what NANC would say, there is consensus that there should be standardization and that the industry should comment before the FCC on what those other fields would be and then perhaps at our next meeting if there is some consensus on some number of fields then we can take it up then. So that's where we are on that.

We do have some reports and I want to thank the people who have stayed and I want to thank them for their reports. Let me get back to that agenda and give them due.

MR. SACRA: Would that be a change in the implementation plan to take out the recommended list?

CHAIRMAN KANE: Yes.

MR. SACRA: So I'll take that section out completely.

CHAIRMAN KANE: And then there were several other sections where we did reach some agreement on some changes or suggestions.

MR. SACRA: I have those.

CHAIRMAN KANE: If you could get just those. We don't have to send the whole thing again but just maybe the pages that have those changes on them.

MR. SACRA: That might change some of the other --

CHAIRMAN KANE: Whatever is easier to do.

MR. SACRA: I'm just afraid if I make a change it's going to move things around.

CHAIRMAN KANE: Okay, right. Send it out again with red line if you can do that, showing where the changes are and maybe just telling people, point that out.

MR. SACRA: Okay. I can probably get that out tomorrow and I'll send out red line and the clean briefing as well.

CHAIRMAN KANE: All right. And again I want to thank everyone for all this work on it. You know, it didn't end up where everybody wanted each one to end up but this whole issue of local number portability is essential to make competition work and to keep a robust wireline and wireless industry going, both for the industry and for consumers so I do appreciate the work.

I don't think we're finished with it. I think we'll have a number of additional

issues as we go down the road in implementing this over the next nine, the next 15 months too and perhaps we can accommodate some of these other concerns as we go forward.

REPORT OF THE NUMBERING OVERSIGHT WORKING GROUP

(NOWG)

Okay, report of the Number Oversight working group.

MS. DALTON: This is Laura Dalton from Verizon and I'm one of the co-chairs of the Numbering Oversight working group. We're the NOWG. We submitted a report for the record.

CHAIRMAN KANE: Number 14.

MS. DALTON: Number 14, okay. As I said I'm one of the co-chairs along with Natalie McNamer from T-Mobile and Karen Riepenkroger from Sprint Nextel.

This is a brief report. We already heard from the PA and NANPA and the PA change orders were mentioned. And what the NOWG's responsibility is regarding the change orders, we review the change orders from the NANPA and the PA and we analyze them and discuss them and then we submit a one page summary and recommendation to the NANC and the FCC regarding approval or disapproval of the change orders.

All of the outstanding change orders that are currently on the record were recommended to be approved by the NOWG. So there are two outstanding PA change orders currently and one NANPA change order.

And as a result of the last NANC meeting in July, the NOWG had an action item which we responded to and the NOWG was asked to research and report back to the NANC on previous work completed regarding intermediate numbers and the NOWG found that there was an IMG, an Issues Management Group created in 2002, with the recommendation submitted to the FCC by the NANC in early 2003, and the reports were submitted to the NANC Chair on October 6th and I believe they were distributed to the NANC also.

One of the items that the NOWG had discussed recently, we had a co-chair position that was up for reelection. Out of the three co-chair positions we have two year terms and one position was up for reelection this year and two of the co-chair positions will be up for election next year.

So the one co-chair position was Natalie McNamer's, and she was up for reelection. She expressed her desire to continue as co-chair. Nominations were accepted and Natalie was nominated to continue her current role for 2010 and 2011 term. No other nominations were presented so Natalie was named to the co-chair position by acclamation on September 25, 2009.

The NOWG participating companies are listed in our presentation and we have 11 participants. We are listing the wireless companies and the wireline participants separately because we do have separate representatives who regularly join our meeting and we're happy to report that XO Communications is a new member of the NOWG.

The last page just states our remaining meeting schedule for the 2009 year.

The NOWG meets separately each month with the NANPA and the PA and we also have additional meetings as the NOWG only and other ad hoc meetings as needed, as we feel necessary to discuss any outstanding issues. And that's it. Any questions?

CHAIRMAN KANE: Thank you very much. Any questions? Thank you very much.

STATUS OF THE INDUSTRY NUMBERING COMMITTEE (INC)

ACTIVITIES

MR. NEWMAN: Good afternoon, Adam Newman, Telcordia Technologies. I'm chairman of the Industry Numbering Committee and Natalie McNamer who I think had to leave is our Vice Chairman.

We have had two face to face meetings since our last report. One of them was this past Tuesday and Wednesday at the NeuStar offices out in Sterling, Virginia. This report only contains issues from the previous face to face meeting. We'll provide updates on issues that were worked this week at the next NANC meeting.

So slides three and four are with regard to INC issue 628, clarification of elimination of seven digit dialing between states during implementation of an overlay.

So today in the guidelines, the NPA Relief Planning Guidelines, there's a directive that the use of protected codes that allows for seven digit dialing across NPA boundaries should be eliminated as part of the NPA code relief planning process unless a state commission has specifically directed otherwise.

This direction was added to the Industry Numbering Committee NPA Relief Planning Guidelines in 1997 via a letter from the NANC chairman to the INC what we called moderator at the time.

In INC issue 628 we provided some further clarification to address what a protected code arrangement is that allows seven digit dialing from an adjacent NPA both intra or interstate when an overlay is being implemented. We provided an expanded definition of the use of protected codes to include the concept of protected routes. We really didn't describe what a protected route in the guideline was previously.

And we do list on slide four the definition of a protected code, a central office code that is assigned in one NPA that is not available for assignment in adjacent NPA in order to permit seven-digit dialing across the NPA boundaries.

So normally in an overlay ten digits are required but in certain areas where you might have a local calling intra or interstate across an NPA boundary there are some local directives from the state so that the residents in those areas can continue to dial seven digits to the neighbors and it's that protected route that does it.

NANPA is informed of those protected routes in order to protect those codes in NPA when a new NPA is implemented.

So in the end this issue just provided clarification on those definitions with regard to protected codes and protected routes in the NPA relief planning guidelines.

Issue 619, and I think I might have reported on this briefly at the last meeting, we established NPA code relief implementation practices to address the technical

and customer education issues during the implementation of an NPA split or an overlay.

The NPA relief and code planning guidelines, notification guidelines, provide guidelines to the industry on the process for determining relief and implementing relief.

What issue 619 did is it created a new appendix to the guidelines based on some tools that were being used by NANPA and carriers in local NPA implementations to essentially form some best practices for implementing NPA splits and overlays with regard to technical implementations of the split so the wheel wasn't having to be reinvented every time we did a split or overlay in various jurisdictions.

So one thing that we discussed was customer education guidance but we did determine that the actual guidance for customer education was best left up to the local industry and the states in those areas.

So INC issue 598 was to add appropriate references in the INC guidelines to the ITU-T --

(Tape Interrupted When Changing Sides)

(END OF AUDIOTAPE 4, SIDE A)

* * * * *

(START OF AUDIOTAPE 4, SIDE B)

MR. NEWMAN: -- Just as sort of a refresher, the ITU-T, the International Telecommunications Union is the UN body that's responsible for the

telecommunications standards out of the United Nations of which the U.S. is a member and several of us participate in the U.S. delegation to the ITU and the ITU has a recommendation E.164 which is format and use of a national numbering plans so our country code and our numbering plan is in conformance with that ITU recommendation among others.

ITU-T in the last number of years worked on a misuse practice to provide some guidance to member countries with regard to what to do when a numbering resource was being misused in their jurisdiction.

So INC reviewed that recommendation and best practices. That recommendation notes that “A misuse of E.164 international numbering resource occurs”, I’m reading this so I get it 100 percent right, “where the use of that numbering resource does not conform to the relevant ITU-T recommendation assignment criteria for which it was assigned or when an unassigned numbering resource is used in the provision of a telecommunications service”.

Therefore the INC guidelines that involve administration of E.164 numbering resources such as the Central Code Assignment Guidelines, the NPA Relief Planning and Implementation Guidelines, the Thousands Block Pooling Administration Guidelines, et cetera have been updated to reference the ITU-T document and to recommend to users of the guidelines to report any suspected misuse to NANPA for their treatment.

The last slide with an issue on the report is Issue 644, to remove an exception for an additional LRN when a switch serves a multiple NPAC region.

Issue 416 does currently document three instances in the Thousands Block Pooling Administration Guidelines and the LRN assignment practices, and were allowed to assign an NXX for LRN purposes to the SP when the SP meets requirements for a block assignment.

One of those instances was a former technical in limitation where a unique LRN was required for each NPAC region within a single (unintelligible) for a single switch serving multiple NPAC regions.

So there were some technical limitations reported early on in porting back in the days of 1997, 1998, 1999 where a unique LRN might be required by a single switch in a single (unintelligible) because that (unintelligible) was served by more than one NPAC region where there were regional boundary issues.

INC was informed that those technical limitations have long since resolved and INC removed that exception in order to get an LRN from the guidelines as result of those technical limitations being resolved.

We do have three issues on slide eight remaining in initial pending. Issue 534, development of p ANI guidelines is pending FCC clarification to the PA of some questions so that the PA can provide the change order for implementation of the final p ANI processes.

Issue 611, augmenting the NRUF number resources utilization and forecast verification procedures is pending approval of a PA change order and I think Laura probably reported on that change order.

And that is also true of issue 362, updates to the dedicated code section of the

Thousands Block Pooling Administration Guidelines and the central office code assignment guidelines.

On slides nine and ten, you will find the issues that INC has put in final closure since our last report to the NANC.

As usual if there are any questions or concerns with regard to these issues, please feel free to contact me. The information is on the INC website. Thank you.

CHAIRMAN KANE: Thank you. Are there any questions on the report? Thank you very much. Yes. Number 15, all right, thank you.

CHAIRMAN KANE: Now we have two Billing and Collection, first of all from the Billing and Collection Agent.

REPORT FROM THE NORTH AMERICAN NUMBERING PLAN BILLING AND COLLECTION AGENT (NANP B&C AGENT)

MS. MARCOTTE: Good afternoon, I'm Faith Marcotte from Welch LLP and we're the Billing Collection Agent. As of September 30, 2009 there was \$3.6 million in the bank, \$200,000 of receivables, accrued liabilities of 468, which leaves the fund with \$3.4 million.

On page two you'll see where we project the fund to be at the end of the funding year which is June 2010. We project it to be at \$504,000 which is very close to where we had planned it to be at \$500,000 so, so far so good, we're right on plan.

There's a little schedule at the bottom there showing where the differences are to what we had budgeted. The following page shows through to 12 months from now where we expect the fund to be but really we're just estimating at that point.

Page four shows the disbursements we expect to make over the next six months.

And the last page is our deliverables report which is just the steps we go through. They are all on schedule. Nothing is out of order and nothing unusual to report there. Thank you.

CHAIRMAN KANE: We're in good shape, all right, thank you. Any questions? This is document number 16.

CHAIRMAN KANE: The Billing and Collection working group.

REPORT OF THE BILLING AND COLLECTION WORKING GROUP

FEMALE SPEAKER:(Unintelligible) Sprint Nextel. I'm presenting this on behalf of Rosemary Emmer, Sprint Nextel and Tim Decker of Verizon. They had to step away so I'll just be presenting the report.

CHAIRMAN KANE: Thank you.

FEMALE SPEAKER: The B&C Working Group is responsible for overseeing the performance and the functional requirements provided by the North American Numbering Plan Billing and Collection Agent.

The B&C Working Group has been monitoring the monthly billing collections. Everything is status quo and things are proceeding as they should. Welch & Company does a fantastic job managing the funds.

On page number four there is the fund size and contribution factor and that's a chart that's presenting that.

On page number five we have a list of the member companies and just a

reminder, membership is free and anyone is welcomed to join.

On the last page there is a schedule of the future meetings and if you have any additional questions you have the email for Rosemary and Tim. And that's it.

CHAIRMAN KANE: Thank you very much. That will be document number 17. And are there any questions? Thank you very much for substituting and presenting that.

REPORT OF THE FUTURE OF NUMBERING WORKING GROUP (FoN WG)

CHAIRMAN KANE: And finally, the Future of Numbering. Who's here for that? Where is he, there you are. I didn't see you there so I thought somebody else was going to do it.

MR. GRAY: Hi, Don Gray for the co-chairs of the Future of Numbering.

CHAIRMAN KANE: I must say Don being around long it is also the history of numbering.

(LAUGHTER)

MR. GRAY: There are a lot in this room that have far more of that, but thank you.

On behalf of Jim Castagna and Adam Newman, we'll make this one real quick for you, almost could do it by title.

Our mission and scope have not changed. We still continue to look at what's going on with numbers and what's going on with technology that may impact numbers.

We have met three times since our last report. We continue to review and work a significant number of contributions on FTN-005 which is the issue we've been working on, toll free resources, should they be handled differently than they are currently by statute handled, and we're getting back into a review of our open issues to get them updated, get fresh contributions.

On page four there is a list of the active issues that we will be working as we move on from FTN-005 and if anyone has any thoughts or ideas and would like to participate we can always use additional people in providing contributions.

As everybody else, John Manning keeps a website up to date for us when we remember to get the information to him and you can find the contributions and what's going on there.

Issues that are pending range from network to policy and numbering system impacts to addressing interoperability ENUM Mobile Nomadic Societies.

One of the things I'm proud to say is that while I've been associated with the FON and I think it was probably before but I can only speak for while I've been in there, we constantly have tried to look out the front window of the car going down the road and not out the back window as to where we've been. The only time we look out the back window is to say man that was a wreck. How do we not have that happen again? So very good thoughts,

Our next meeting is November 5th followed by one on December 3rd.

**FURTHER DISCUSSION ON THE LNP WG RECOMMENDED PLAN FOR
IMPLEMENTATION OF FCC ORDER 09-41**

And if I may Madam Chairman, I have a question and maybe a suggestion, if we could circle back to LNPA working group real briefly.

CHAIRMAN KANE: Sure.

MR. GRAY: On the issue 351, the LSR fields, there was a lot of hard work done there and I guess I'm a little concerned that maybe the whole baby is getting thrown out when there may be a chance for -- you know, maybe we didn't like the diaper that was on it or the bib that we had on it.

And I'm wondering if perhaps we could give the working group a chance to come back with a recommended list of validation and required only fields. Leave off the optional, leave off the conditional and just come back with what you think the minimum required could be that would be passed to the FCC, then you let the OBF deal with the other fields under a process that's already there, doesn't require the FCC to be continually involved in updates, changes, the technology the industry may decide is necessary.

CHAIRMAN KANE: Thank you. I'm not sure it was clear what I was saying before about bringing it back and that this was not closing it out.

I think there are a couple of options, one is to have the working group come back at our February meeting perhaps if they're ready with a list that's gone through a little more process and perhaps a little more participation.

I was concerned, I heard from CLECs that they had not really been focusing on it either and there's been a lot going on, or come up with as the wireless industry has in the past through their voluntary agreement, come up with it.

But thank you Don, I don't think it's a closed issue. I think a lot of work did go into it. I think there's clearly agreement that there needs to be some standardization beyond what is already been mandated.

I think the issue of whether it should be mandated by the FCC versus some agreement among the participants and among the industry through some other mechanism, that's for the industry to look at whether that's going to be more flexible and things change in the future. So I think that's still very much on the table.

MR. GRAY: Don Gray, Nebraska Public Service Commission. The one thought might be that due to the miracle with email and other things, maybe they can put something together in the 15 days that are left before the package has to be sent to the FCC that could vetted electronically here if we can get it down to a narrow defined -- and I don't Gary if that is possible or not.

CHAIRMAN KANE: I'm not sure that there's enough opportunity there for the kind of discussion that would need to take place. Yes.

MS. TIFFANY: (Off microphone). The carriers have started requirement and design now so that they can meet the first nine month date -- the large carriers. I can't speak for the (unintelligible) carriers but the large carriers have already started.

We can't wait until February. It won't get in this round and I will reiterate

again, if we don't have a standard LSR, I don't care what the number of fields are, speaking for Sprint, I don't care but the key point is that it be a mandated standard that we all use the same way.

If we leave here and end up in August with a LSR that Verizon does one way, Sprint does some way else, Comcast does a different way yet, it's going to make one business day porting extremely difficult.

CHAIRMAN KANE: At this point, ask you whether or not within the timeframe there's --

MR. SACRA: Understand that this would actually have to be done in the OBF. That's where the actual industry (unintelligible) are that deal with the LSOP guidelines so Sharon, I would assume you're going to take this back to the OBF and get the input as to -- well, I don't want to speak for you.

MS. WELDON: Whether or not we can get something together in the next 14, 15 days whatever, certainly. I mean I definitely will. I know we've got some out of the office time so this means that it would make it challenging but I do agree with Sue, I mean my initial reaction to the February was definitely like panic and worry over the fact that that's too late for these guys to get done what's necessary.

So if we agree that the OBF should go back and address some of the questions and take another look at it, I think it either has to be done now or yeah, we'll end up next summer with kind of what we have today which is different people doing different things and that would make a lot of peoples jobs a lot more difficult.

So I think the group either needs to really try to get that done in the next 15 days or, you know, the importance of that is lessened and I'll communicate that to the group certainly.

CHAIRMAN KANE: The timing on the NPRM process is different than the timing on our staff's 90 day deadline October 31st. And when are the comments, refresh my memory when that is -- they've already been filed, yeah but there could still be a something submitted, okay.

MR. SACRA: Don, maybe I'll address the question to you if I may, your suggestion was to only provide a list of the validation fields, the four we know and then the required fields. Now would that be for just for a simple port or for simple and non-simple?

MR. GRAY: Don Gray, Nebraska Public Service Commission. I guess I would leave that to you folks to decide. My recommendation was a simple port. I think if that's what it was confined, I think there would probably be less contention as to what is or isn't and if we keep it to just the validation and required fields going to the FCC then it again cuts out some of the well, why is this conditional there, or this optional. And we've bifurcated things before in this group. Maybe this is another example of that's how we move forward is to do that.

FEMALE SPEAKER: (Off microphone, unintelligible). We already tried with the simple port (unintelligible) and it didn't work because as we talked about earlier if you send a simple port request and it really is non-simple, speaking specifically for a wireless carrier, we don't know at the time we hit the button to send

a port request whether that's simple or non-simple so we're going to fill out everything that we can to hopefully get that port through the first time.

So we would continue to do using the -- filling out all the fields we can expedites our ability or increases our ability to get that port through within whatever it is, one business day, four business days, whatever.

MR. GRAY: Are the conditional fields required for that?

FEMALE SPEAKER: The conditional fields are things like --

MR. SACRA: Directory assistance.

FEMALE SPEAKER: Directory assistance.

MR. GRAY: Which is non-simple?

FEMALE SPEAKER: But in the case of wireless the carrier has the choice of saying, do nothing. You know if you don't say anything, they're going to cut off the directory. You can say leave it as is or you can say here are the changes. That's a conditional field. If you don't put anything in there they're going to cut it off.

MR. GRAY: I guess I don't want to keep pushing this out here in time but I would say come back with the required fields. I mean in operation, yes, you need your conditional fields, you need your optional fields but can't OBF on the process if you've got these required fields work out the other ones without a mandate as long as whatever the required are, are mandated?

FEMALE SPEAKER: Again, that helps, it definitely helps but if carriers are not -- even the conditional -- the optional is optional but conditional, if you're not using the same rules applying what's conditional then you really haven't helped that

much.

Today we have a set of required fields. We went through an effort several years ago to map out which of the large carriers, of the large wireline carriers, which rules are we using as required conditional option and we found that some of the required fields were conditional for some companies.

By and large required was required. It's when you get to the conditional that you say okay, and I'm sorry I'm on Verizon for a minute, Verizon east does it this way, Verizon west does it that way, AT&T has merged and they have the old (unintelligible) southeast and they have the SBC territory and they haven't yet had the opportunity to merge all their systems so you end up not only with different carrier rules to deal with but within that carrier, different rules to deal with.

So that's why you're hearing from us anyway that the -- and when we go and ask the wireline industry, wireless has gone many times saying can you please standardized. We've been able to standardize and we can do this in two and a half hours if we're all doing it the same way. And every time we come up against, well, it's going to cost us money to change so we're not going to change.

So that's why we've gone to everybody, the wireline carriers from the OBF, the LNPA, and people in this room have all, Comcast and Cox, that's one of the points that their making in their letter that they disagree on the number of fields but one of the key points they made was we need to standardize.

And the only way it's going to happen I believe is if the FCC tells the carriers they have to, then they will spend the money to make the changes they have to make.

And they're going to be in that code anyway as part of the one business day porting so this would seem to be a good time to do it.

CHAIRMAN KANE: Thank you. Do you have one more comment? I think the charge is if you can get something done, get some agreement, that would be terrific.

MS. SHEEHAN: Cindy Sheehan, Comcast. I was just going to share, if we do take it back to the LNP for a directive I would just ask or recommend that the NANC comes up with what the number should be, rather than saying -- because if we come back and still get 21 required fields, again I don't think we've made progress.

I guess that would just be the one request, do we pick what we think would be a reasonable number versus -- we could come back with like potentially more, I don't know. So that's just a thought.

FEMALE SPEAKER: You know, my question has already been is it a number, everyone probably has their own magic number, or is it the actual fields and that's why I appreciated you actually had field examples because that was the first time that we had heard specific questions about fields that then I can take back and we can all talk about.

But if we're just looking for a number, I mean I think that everyone's got their own kind of number. I guess I would look for more specific concerns about fields that we could kind of discuss and address as opposed to saying okay, we've got to get 12 or okay we have to get to 19.

CHAIRMAN KANE: I don't hear the concern about number but a minimum, what the minimum number is or the minimum fields that are required to effectuate a port.

FEMALE SPEAKER: And I guess you have to look at what those specific fields are and not just a number.

CHAIRMAN KANE: Yes. You have to look at what they are and what's their function. It's kind of nice to have -- make it a little easier versus absolutely necessary to make it work.

MR. SACRA: And I will say this, it kind of sounds like it's the validation fields and required fields for simple ports because once you get into the non-simple ports then the only time certain fields are required is if it's a certain service that the new provider is requesting. Then it becomes required. Otherwise it's conditional, that's why it has a conditional tag to it.

CHAIRMAN KANE: And where we have the short timeframe is in the simple ports. Okay, thank you.

MR. SACRA: That's helpful, thank you.

CHAIRMAN KANE: We have on the agenda public comments and participation. I don't know if anyone from the public wants to say anything after they've listened to all this.

Okay, for the record, it's 4:58 p.m. We are adjourning. Thank you all very, very much. I'm sorry, Anna.

MS. MILLER: Anna Miller, T-Mobile. Just for clarification, on the

agenda there was a summary of action items and I'm not real clear or maybe I missed something but I'm not real clear on what the follow-up action items are for the LNPA working group on the one day porting recommendation.

CHAIRMAN KANE: The action item is to take the modifications that were agreed to here when we reached consensus and incorporate them into a revised document with the changes redlined and to distributed that as soon as possible to the members and with a short timeframe for everyone to get back and say yes, that reflects what we agreed to and then to get it to me so I can submit it with a cover letter to the FCC as the recommendations of the NANC.

MS. MILLER: Thank you.

MR. SACRA: Don Gray has emailed me the wording, but for the business day and hour definition I'm going to get the wording to state that we're not requiring or placing any staffing requirements, just paraphrasing what that says, and drop the caveat that's in the footnote.

The other one was with relation to the CSR being returned within 24 hours, added in there if requested and available.

For the broadband verification flow, added in the narrative that this is a description of the current process and for the standardized fields section three, that section will be deleted at this time, perhaps something to be added at a later time.

CHAIRMAN KANE: Okay. And then finally it's the minority reports, that they would be incorporated.

MR. SACRA: Yes.

MS. O'DONNELL: Beth O'Donnell, Cox Communications. I'm not clear what happens after. If they manage to do something in two weeks, what happens to the revised OBF form? I mean it gets mailed out to NANC members and then what? I mean would it necessarily go into the report? It wouldn't necessarily be forwarded to the FCC. Then what?

CHAIRMAN KANE: Well, let's see what consensus can be reached on it, if something can be reached.

MS. O'DONNELL: I'm not trying to be difficult but you've got -- the OBF is going to come to consensus or not, and then it has to come to NANC and come to consensus or not. That's an awful big chore, just those consensus things. I mean the OBF could throw in the towel tomorrow and then NANC could come to consensus or not but I'm just wondering what happens to that. So I guess (unintelligible).

CHAIRMAN KANE: Yes, to see what can happen, to see if there's any (unintelligible) around. Yes, Mary.

MARY RETKA: Mary Retka, Qwest. In the past if we have needed it we have done an interim call so if OBF would deliver something to the NANC chair, the NANC chair could set up an interim call so that we could discuss it as the NANC and try to reach consensus.

MS. O'DONNELL: I don't think we have enough time to do that because we have to have public notice.

CHAIRMAN KANE: We'll look at the requirements there. There can be

expedited notice I believe in some cases. It may not be in time to be an official recommendation of the NANC. It may be an industry recommendation or a group recommendation.

MALE SPEAKER: There is no barrier to the NANC rendering its recommendation to the FCC on October 29th or November 2nd, or whatever the date is and then sending the FCC a supplemental recommendation ten days later.

CHAIRMAN KANE: Right. Since that is the process in the NPRM process, it's an NPRM issue too. The NPRM is still open for not formal comments but (unintelligible) until they put it on the agenda. This will not delay the things we have reached consensus on. That is going to go forward and get to the FCC by October 31st.

MALE SPEAKER: May I ask, how many minority reports were there? I know there was the COMPTTEL --

CHAIRMAN KANE: COMPTTEL and the Cox/Comcast are the two I'm aware of and Windstream's letter.

MALE SPEAKER: Okay, I haven't seen that one.

CHAIRMAN KANE: That was a letter.

FEMALE SPEAKER: And Nebraska's.

CHAIRMAN KANE: Well, Nebraska got resolved.

MR. SACRA: That was a minority report or --

CHAIRMAN KANE: No, I think there's a difference between a position paper that goes to inform a discussion and an actual minority report so I took the

Comcast/Cox to be an actual minority report.

MR. SACRA: I just wanted to make sure I've got them all because when I email the revised report I'll include those in the email as well so there's three of them. Thank you.

CHAIRMAN KANE: Thank you.

FEMALE SPEAKER: I just have one quick question. I'm sorry, I know we're out of time. (Unintelligible) Sprint Nextel. Gary, when you took the action item for the OBF or the action item to look at the fields again, I just want to make sure I didn't misunderstand. We're looking at only the required fields for a simple port?

MR. SACRA: That's my understanding. It's the validation fields which there are four, and then any required fields to effectuate a simple port.

FEMALE SPEAKER: So going through this whole process, we didn't differentiate between simple and non-simple and the reason for that is because a lot of carriers do not differentiate between simple and non-simple so if we are asked to come up with a set of fields just for simple that will complicate the process and it's not helping at all.

And so the number of fields, it really doesn't matter whether the port is simple or non-simple. Once we have a standard it's the old service provider that determines that.

So I feel that if we look at only simple ports we're defeating the purpose of what we've done already. I mean I think that a lot of work has been done on those

standard set of fields that were presented and so I just wanted to make sure that that's the action item that we all want to take back because the standard set of fields, it's independent of simple versus non-simple.

CHAIRMAN KANE: Yes, we know there was a lot of work done on it but there does not seem to be consensus on what the results should be and what should be mandated et cetera, and as I said I don't think this is a final process. Things will go on. Okay?

FEMALE SPEAKER: Okay.

CHAIRMAN KANE: All right, being no further comment, the meeting is adjourned.

(END OF AUDIOTAPE 4, SIDE B)

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CERTIFICATE OF AGENCY

I, Carol J. Schwartz, President of Carol J. Thomas Stenotype Reporting Services, Inc., do hereby certify we were authorized to transcribe the submitted cassette tapes, and that thereafter these proceedings were transcribed under our supervision, and I further certify that the forgoing transcription contains a full, true and correct transcription of the cassettes furnished, to the best of our ability.

CAROL J. SCHWARTZ

PRESIDENT

ON THIS DATE OF: