



**Public Service Commission of the District of Columbia**  
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**Betty Ann Kane**  
**Chairman**

September 19, 2012

Ms. Julie A. Veach  
Chief  
Wireline Competition Bureau  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, D.C. 20554

RE: Passcodes for Non-Simple Ports

Dear Ms. Veach:

At the March 27, 2012 meeting of the North American Numbering Council (NANC), the representative for the National Association of State Utility Consumer Advocates (NASUCA) reported that at least one national carrier, in its capacity as an Old Service Provider, has required New Service Providers to use its carrier-initiated passcode in order to complete non-simple ports of telephone numbers, in direct contravention with the updated Local Number Portability (LNP) process flows adopted by the Federal Communications Commission in FCC 10-85.<sup>1</sup> The NANC was further advised that the FCC's Wireline Competition Bureau (WCB) was made aware of the matter and has discussed the issue with the NASUCA. Consistent with that discussion, the NANC herein respectfully requests that the FCC clarify, as appropriate, that the imposition of a carrier-initiated passcode is prohibited for any port request, whether simple or non-simple.

As the request for and provision of customer service records (CSRs) is not limited to simple ports, the NANC's recommended LNP process flows, as previously submitted for FCC approval, were intended to restrict the use of a carrier-assigned passcode for all port requests, not just simple port requests. The recommended change regarding passcodes is included in the discussion of Figure 1 of the process flows (Port Type Determination), which occurs for any type of port, not just simple ports. Moreover, in adopting

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<sup>1</sup> See *In the Matter of Local Number Portability Porting Interval and Validation Requirement, Telephone Number Portability*, Report and Order, FCC 10-85, at Para. 24 (Rel. May 10, 2010) ("FCC 10-85").

the LNP process flows, the Commission stated without qualification that "carrier-assigned passcodes may not be required in order to obtain a CSR."<sup>2</sup> The Commission further codified this restriction as it applies to simple ports in 47 C.F.R. §52.36 (c), which specifies that the passcode field is optional unless the passcode is requested and assigned by the end user. Because the text of 47 C.F.R. §52.36 appears expressly applicable to the processing of simple port orders, the WCB staff counsel has indicated that clarification may be appropriate to ensure that the NANC's intent regarding the passcode restriction is consistently implemented for all port requests throughout the industry.

Accordingly, pursuant to the consensus of the NANC at its March 27, 2012 meeting, I respectfully request that the FCC clarify, as appropriate, that the LNP process flows and recommendations adopted by the FCC apply to all ports, as specified in the LNP process flows, and thereby prohibit the use of a carrier-initiated passcode for any porting request and, specifically, that the restriction on use of carrier-initiated passcodes extends to non-simple as well as simple ports.

Please feel free to contact me or Thomas Dixon, NASUCA representative ([Thomas.Dixon@dora.state.co.us](mailto:Thomas.Dixon@dora.state.co.us)) if you or members of your staff have any questions regarding this NANC submittal.

Sincerely,



Betty Ann Kane  
Chair

North American Numbering Council

cc: Ann Stevens, FCC  
Marilyn Jones, FCC  
NANC Members

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<sup>2</sup> FCC 10-85 n.74 (citing NANC Nov. 2, 2009 *Ex Parte* Letter, Attach. 1, Sec. 3.2., at 18. ("Any Service Provider assigned password/PIN may not be utilized as a requirement in order to obtain a CSR.")) .