

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of

Rural Call Completion

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WC Docket No. 13-39

**Reply Comments of the
Alliance for Telecommunications Industry Solutions**

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The Alliance for Telecommunications Industry Solutions (ATIS) submits these reply comments on behalf of its Next Generation Interconnection Interoperability Forum (NGIIF) to the *Further Notice of Proposed Rulemaking (FNPRM)* released November 8, 2013, in the above-referenced docket. ATIS’ reply comments address a number of issues raised by the Commission and commenters.

I. Summary and Background

As explained more fully below, ATIS: (1) does not support the adoption of new regulatory mandates regarding call blocking, choking or call degradation; (2) recommends that providers be permitted, but not required, to exclude autodialer traffic; (3) supports recommendations regarding the implementation of the existing safe harbor, as well for new safe harbors; (4) strongly supports the use of existing industry processes related to trouble detection and reporting; (5) recognizes the value of test lines, where available, in resolving call completion issues reported by the called party; and (6) opposes imposition of a new requirement that the

Carrier Identification Code (CIC) be transmitted by service providers in the call stream.

ATIS is a global standards development and technical planning organization that leads, develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS' diverse membership includes key stakeholders from the ICT industry – wireless and wireline service providers, equipment manufacturers, broadband providers, software developers, consumer electronics companies, public safety agencies, digital rights management companies, and internet service providers. Nearly 600 industry subject matter experts work collaboratively in ATIS' open industry committees and incubator solutions programs. Technical, operational, and business priorities are also examined by ATIS through its Technology and Operations (TOPS) Council, a group established by the ATIS Board of Directors to identify and address the ICT ecosystem's needs through focused, expedited efforts.

The ATIS NGIIF provides an open forum to encourage the discussion and resolution of industry-wide issues associated with telecommunications network interconnection and interoperability, and the exchange of information concerning relevant topics, such as network architecture, management, testing and operations, and facilities. This input addresses, and is used to develop, operational procedures associated with these emerging technologies as well as next-generation network interconnection and interoperability issues that involve architecture, disaster preparedness, installation, maintenance, management, reliability, routing, security, and testing between network operators.

NGIIF is the primary forum within ATIS that has been examining and addressing call completion issues. NGIIF has developed and maintains the *ATIS Intercarrier Call*

Completion/Call Termination Handbook (ATIS-0300106).¹ The handbook provides valuable information for telecommunications providers to help mitigate the problems being encountered in receiving long-distance calls. It also describes new and existing industry Best Practices to assist in ensuring call completion, and lists relevant voluntary industry standards that may be useful in addressing the completion of calls.

II. Reply Comments

A. Additional Regulatory Mandates Should Not Be Adopted

In the *FNPRM*, the Commission seeks comment on whether it should adopt rules formally codifying existing prohibitions on blocking, choking, reducing, or restricting traffic.² ATIS is concerned that the adoption of unnecessary or overly broad restrictions on network management could hamper the ability of service providers to identify and resolve problems and to provide reliable, secure, and high-quality services to consumers.

Effective network management is essential to the reliable provision of communications services. For instance, CenturyLink notes in its comments the need to address situations where misrouted traffic is sent to a network without a preexisting traffic agreement or tariff.³ Network management tools, including those that may restrict or block traffic in a non-discriminatory manner, are also necessary to address instances of congestion. As Hypercube Telecom, LLC notes in its comments, “[w]ithout traffic-stream adjustment using common network-routing techniques such as Automatic Call Gapping (“ACG”), heavy call volumes resulting from consumer voting during television and radio contests or audience-response programs (such as

¹ The handbook is publically available on a complimentary basis from the ATIS document center at: <https://www.atis.org/docstore/default.aspx>.

² *FNPRM* at ¶130.

³ Comments of CenturyLink at pp. 5-6.

“American Idol”) could overload networks and cause calls to be disconnected or not completed.”⁴

The adoption of regulatory mandates prohibiting the use of reasonable network management could also frustrate industry effort to address another significant issue – Telephony Denial of Service (TDoS) attacks. These attacks, often perpetrated to harass or commit fraud, flood telephone lines with false traffic to intentionally inhibit real users from connecting with one or more end-users. Addressing these types of attacks is made more complex by the perpetrators’ use of caller identification spoofing, which makes identifying the originator in a timely manner difficult. The industry’s work to address these issues would be hampered by overly broad blocking or choking rules.

ATIS notes that industry work on important network management tools continues. This work will be vital to maintaining the reliability of the PSTN as it continues its evolution toward an all-IP environment. ATIS therefore supports CenturyLink’s recommendation that the Commission “should not prohibit non-discriminatory blocking, choking, reducing or restricting traffic in networks that are fundamentally engineered with industry standard blocking objectives as is found in the Public Switched Telephone Network (PSTN), *e.g.*, LEC networks.”⁵

ATIS also opposes the adoption of new call degradation rules as proposed by Bay Springs Telephone Company *et al* in their joint comments.⁶ ATIS believes that the adoption of

⁴ Comments of Hypercube Telecom, LLC at p. 16.

⁵ Comments of CenturyLink at p. 5.

⁶ Joint Comments of Bay Springs Telephone, Inc.; Cooperative Telephone Company; Crockett Telephone Company; Dumont Telephone Company; Hickory Telephone Company; Modern Cooperative Telephone Company, Moultrie Independent Telephone Company; Mutual Telephone Company of Morning Sun; National Telephone of Alabama, Inc.; Palmer Mutual Telephone Company; Peoples Telephone Company; Roanoke Telephone Company; Royal Telephone Company; Sharon Telephone Company; Springville Cooperative Telephone Company; Terril Telephone Company; The Farmers Mutual Telephone Company of Stanton, Iowa; Viscilla Farmers Telephone Company; (continued....)

mandated “call quality” rules would be misguided and premature. ATIS does not believe that there has been sufficient substantive data provided to justify new regulatory mandates on this issue. ATIS recommends that the Commission allow its recently-adopted call completion reporting rules to go into effect before considering new and potentially unnecessary call degradation rules. ATIS also recommends that, if there is a demonstrated need to address call quality issues, the industry be allowed to work to identify a cause(s) and to develop appropriate standards before any new rules are considered.

B. Providers Should Be Permitted But Not Required to Exclude Autodialer Traffic

In the *FNPRM*, the FCC seeks comment on the ability of providers to identify and segregate autodialer calls, noting that it is unclear whether autodialer traffic can be reliably distinguished from regular traffic.⁷ ATIS believes that the record is now clear that it is not feasible for carriers to identify autodialer traffic in all circumstances.⁸ Therefore, ATIS does not believe that service providers should be required to file a separate report that segregates autodialer traffic from other traffic,⁹ although service providers should be permitted to segregate such data, if feasible, on a voluntary basis.

ATIS further notes that significant industry work has been completed on the issue of autodialers and their impact on telecommunications networks, including wireless and VoIP

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Wellman Cooperative Telephone Company; West Tennessee Telephone Company, Inc.; and WTC Communications Inc. at p. 4.

⁷ *FNPRM* at ¶120.

⁸ *See, e.g.*, Comments of National Cable & Telecommunications Association at p. 2, Comments of Level 3 at pp. 7-8, Comments of the Independent Telephone & Telecommunications Alliance at p. 2, Comments of Sprint Corporation at p. 3, Comments of CenturyLink at p.1, Comment of Associated Network Partners, Inc. and Zone Telecom, Inc. at p. 9.

⁹ *FNPRM* at ¶121.

networks. NGIIF's *Auto Dialers Reference Document – Autodialer Basics* (ATIS-0300105) provides an overview of the impacts, which can range from mild to catastrophic.¹⁰

C. New and Modified Safe Harbors Should Be Considered

In the *Report and Order* in this proceeding, the Commission adopted a safe harbor through which service providers could reduce their data reporting and retention obligations.¹¹ To qualify, a provider must certify annually that it uses no intermediate providers, or that all of its contracts with directly-connected intermediate providers allow those intermediate providers to pass a call to no more than one additional intermediate provider before the call reaches the terminating provider or terminating tandem.¹² In the *FNPRM*, the Commission seeks comment on whether there are other measures that can be taken by the industry that could constitute safe harbors.¹³ As explained below, ATIS supports recommendations made by some commenters regarding the implementation of the existing safe harbor, as well for a possible new safe harbor.

ATIS supports the recommendation made by Verizon and Verizon Wireless that the Commission should explicitly exclude overflow traffic from the existing safe harbor's limitation to two intermediate providers.¹⁴ ATIS agrees with Verizon and Verizon Wireless that many carriers have arrangements in place to route calls to other providers in the event of network outages or congestion and that this network management practice serves to enhance the reliability and resiliency of the network.

¹⁰ NGIIF's *Auto Dialers Reference Document – Autodialer Basics* (ATIS-0300105).

¹¹ *Report and Order* at ¶86.

¹² *Id.*

¹³ *FNPRM* at ¶125.

¹⁴ Comments of Verizon and Verizon Wireless at p. 3

ATIS also agrees with the recommendation by Verizon and Verizon Wireless to modify the existing safe harbor so that calls to non-rural locations are not limited to two intermediate providers.¹⁵ ATIS believes that application of the safe harbor's restriction on the number of intermediate providers is unnecessary for non-rural calls, particularly given the lack of data indicating problems with non-rural call completion rates.

ATIS generally supports the recommendation made by CenturyLink that an additional safe harbor be adopted for service providers that meet certain minimum performance benchmarks. Working together with industry, the Commission should determine the appropriate performance metrics and adopt a safe harbor that relieves a service provider of reporting and data retention obligations. Such a safe harbor would minimize the burden of the new rules and create incentives for a provider to demonstrate through hard data that its rural call completion performance is satisfactory.

Finally, ATIS supports the recommendation by CenturyLink that an additional safe harbor be established for providers that certify that they are complying with the industry Best Practices found in the *ATIS Intercarrier Call Completion/Call Termination Handbook*, independent of a requirement that the company limit its use of intermediate carriers.¹⁶ As noted above, this handbook describes new and existing industry Best Practices and voluntary industry standards that, if followed, may be useful in addressing call completion issues.

¹⁵ *Id.* at p. 5.

¹⁶ Comments of CenturyLink at p. 3

D. The Use of Existing Industry Processes Related to Trouble Detection and Reporting Should Be Supported

In its comments, Hypercube Telecom, LLC proposes the establishment of an industry alert and response system as an alternative to the existing safe harbor.¹⁷ Under this proposal, a provider experiencing a rural call completion problem would use the proposed Alert Service to notify participating providers, who would review their traffic records to determine if there was evidence of anomalous routing arrangements and contact the notifying provider to share information.¹⁸ While ATIS supports the sharing of information among originating, intermediate and terminating providers, it believes that the proposed Alert Service may duplicate the existing trouble reporting processes that the industry already has in place.

ATIS strongly supports the use of existing industry processes related to trouble detection and reporting. Documents related to many of these processes are outlined in the *ATIS Intercarrier Call Completion/Call Termination Handbook*.¹⁹ ATIS also maintains a publically-available Service Provider Contact Directory, and strongly encourages providers to update their contact information in this directory to facilitate cooperation and the sharing of information among providers.

¹⁷ Comments of Hypercube Telecom, LLC at pp. 20-24.

¹⁸ *Id.* at pp. 20-21.

¹⁹ *ATIS Intercarrier Call Completion/Call Termination Handbook* (ATIS-0300106), Section 6 (see also *NGIIF Reference Document Part I - Installation and Maintenance Responsibilities for Special Access Services, WATS Access Lines, and Switched Access Services Feature Group "A"* (ATIS-0300009); *NGIIF Reference Document Part II - Installation and Maintenance Responsibilities for Switched Access Services Feature Groups "B," "C," and "D"*; (ATIS-0300010); *NGIIF Reference Document Part III - Installation and Maintenance Responsibilities for SS7 Links and Trunks* (ATIS-0300011); *NGIIF Reference Document Part IX - Installation, Testing, and Maintenance Responsibilities for Facilities* (ATIS-0300030); *Next Generation Interconnection Interoperability (NGIIF) Reference Document: Part X, Interconnection Between LECS Operations Handbook – Local Interconnection Service Arrangement* (ATIS-0300032); *NGIIF Reference Document Part XII - Toll Free Industry Test Plan* (ATIS-0300035); and *Guidelines for Reporting Local Number Portability Troubles in a Multiple Service Provider Environment* (ATIS-0300082)).

ATIS notes that, in its joint comments, the National Carrier Association, Inc., NCTA – The Rural Broadband Association, Eastern Rural Telecom Association and WTA – Advocates for Rural Broadband request a complete, updated, and reliable provider contact list.²⁰ ATIS would welcome the opportunity to work with these associations, as well as the Commission, to foster greater participation in the directory by all stakeholders, including originating, intermediate, and terminating carriers. ATIS notes that it takes steps to encourage this participation and sends out reminders to the industry regarding the need to complete and update the information in the directory.

While ATIS does not believe new regulatory mandates are necessary, it would welcome statements by the Commission to emphasize the importance of using existing industry trouble reporting processes and of ensuring that updated contact information is available to facilitate the cooperative resolution of problems.

E. The Availability of Test Lines Can Expedite Call Completion Trouble Resolution

In its comments, Comcast Corporation recommends that all rural incumbent LECs be required to activate a Milliwatt line in each of their end offices that originating and intermediate carriers can use to create a fully automated test call process.²¹ ATIS notes that its *Intercarrier Call Completion/Call Termination Handbook* recognizes the value of test lines, where available, in resolving call completion issues reported by the called party. Such lines can expedite trouble

²⁰ Comments of National Carrier Association, Inc., NCTA – The Rural Broadband Association, Eastern Rural Telecom Association and WTA – Advocates for Rural Broadband at p. 5.

²¹ Comments of Comcast Corporation at p. 4.

resolution, avoid CPNI-related issues and exclude problems that may be specific to the called party's access and CPE arrangements.²²

F. The FCC Should Not Mandate the Transmission of the Carrier Identification Code

In its joint comments, Idaho Alliance, Oregon Telecommunications Association and Washington Independent Telecommunications Association recommend that service providers be required to transmit the Carrier Identification Code (CIC) in the call stream to the terminating carrier.²³ ATIS opposes this recommendation.

ATIS notes that CICs are used to route and bill calls on the PSTN. The Commission's rules do not require, and some carriers do not transmit, CIC in the call stream to the terminating carrier. Any new mandate requiring the transmission of the CIC would impose significant costs on service providers to update the signaling path in these legacy systems. These costs are unnecessary, particularly given the ongoing transition to IP-enabled networks that do not use CICs.

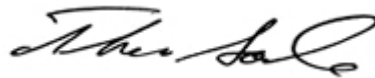
²² ATIS *Inter-carrier Call Completion/Call Termination Handbook* (ATIS-0300106), Section 6.2.

²³ Comments of Idaho Alliance, Oregon Telecommunications Association and Washington Independent Telecommunications Association at p. 7.

III. Conclusion

ATIS appreciates the opportunity to provide its input regarding the *FNPRM* and the comments submitted in response thereto. As explained above, ATIS does not support the adoption of new regulatory mandates regarding call blocking, choking or call degradation. ATIS also recommends that providers be permitted, but not required, to exclude autodialer traffic, and that additional safe harbors be considered. Finally, ATIS strongly supports the use of existing industry processes related to trouble detection and reporting and opposes a mandate regarding the transmission of the CIC in the call stream.

Respectfully submitted,



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