



1200 G Street, NW
Suite 500
Washington, DC 20005

P: 202-628-6380
F: 202-393-5453
W: www.atis.org

Chairman
Christopher T. Rice
AT&T

January 25, 2008

First Vice Chairman
Nick Adamo
Cisco Systems

Dana Shaffer
Chief
Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Second Vice-Chair
Mark Wegleitner
Verizon

Re: *Industry Guideline for Toll Free Administration*
CC Docket No. 86-10

Treasurer
Harald Braun
Siemens Networks

Dear Ms. Shaffer:

President & Chief
Executive Officer
Susan M. Miller
ATIS

The Alliance for Telecommunications Industry Solutions' ("ATIS"), on behalf of its Ordering and Billing Forum's (OBF) SMS/800 Number Administration Committee (SNAC), seeks guidance from the Commission regarding the status of recommendations made in August 2005 by the North American Numbering Council (NANC) for improvements to the toll free services administrative and implementation processes. The NANC letter regarding this matter is attached hereto for your reference.

Vice President of
Finance & Operations
William J. Klein
ATIS

The recommended improvements, which were initially developed through the OBF SNAC and subsequently adopted by the NANC Toll Free Issues Management Group, were designed to provide procedural protections for customers whose toll free service may be at risk of unauthorized changes to the Responsible Organization (Resp Org) by the SMS Help Desk. The recommended improvements, if adopted, would establish a new code (XXX00) that would allow a subscriber to request that a notification call be made to his or her (Resp Org) prior to making a change to the Resp Org through the SMS 800 Help Desk. As acknowledged by NANC, the proposed improvements "can substantially reduce inadvertent porting."

By way of background, ATIS is a technical planning and standards development organization committed to promoting technical and operations standards in the communications and related information technology industry. ATIS' standards development process uses a pragmatic, flexible and open approach. Industry professionals representing more than 300 companies from all segments

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of the communications industry actively participate in ATIS' open industry committees, forums, and incubators. ATIS has been actively engaged in various wireline competition issues for more than 20 years.

The ATIS OBF is an open industry forum for industry representatives to identify, discuss and resolve national issues which affect ordering, billing, provisioning and exchange of information about access services, other connectivity and related matters. The OBF SNAC deals exclusively with issues related to toll-free service, including the development and maintenance of *Industry Guidelines for Toll Free Number Administration* (ATIS OBF-TFG 013). These guidelines specify the responsibilities of Resp Orgs and of the SMS/800 Help Desk and describe toll free number administration and the coordinated conversion of toll free services.

ATIS appreciates the support that the FCC and the NANC have shown to assist OBF SNAC in its efforts to reduce the number of toll free outages due to unauthorized number porting. Guidance from the Commission regarding the status of the recommended improvements to the administrative and implementation processes would permit the ATIS OBF to complete much-needed work regarding industry guidelines and to issue an updated version of these guidelines. Adoption of the recommended improvements by the Commission would require updates to the OBF *Industry Guidelines for Toll Free Number Administration* (ATIS OBF-TFG 013). ATIS-OBF has delayed issuance of the next updated version of the Toll Free Guidelines in anticipation of incorporating the changes required for implementing the recommended procedural improvements.

ATIS urges the Commission to take the necessary steps to adopt the recommended improvements and would welcome an opportunity to meet with the Wireline Competition Bureau to discuss this matter further.

Sincerely,



Thomas Goode
ATIS General Counsel

cc

Amy Bender, Legal Advisor, Wireline Competition Bureau
Dawn Kaplan, OBF Co-Chair (Telecordia Technologies)
Lonnie Keck, OBF Co-Chair (AT&T, Inc.)
Jon Durst, OBF SNAC Co-Chair (Verizon)
Sheldon Hogueisson, OBF SNAC Co-Chair (AT&T, Inc.)
Yvonne Reigle, ATIS Director - Standards Development
Deirdre Cheek, ATIS Attorney

ATTACHMENT

North American Numbering Council (NANC)
c/o Columbia Institute for Tele-Information
Columbia Business School
1A Uris Hall
3022 Broadway
New York, NY 10027-6902

August 8, 2005

Mr. Thomas Navin
Chief, Wireline Competition Bureau
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

RE: Recommendation for Improving Toll Free Service

Dear Mr. Navin:

In June 2004, the Ordering and Billing Forum (OBF) SMS/800 Number Administration Committee (SNAC) completed a process improvement proposal to diminish the potential of service outages for toll free service customers resulting from unauthorized or inadvertent porting of toll free numbers. On October 29, 2004, the OBF/SNAC via ATIS Ex Parte correspondence to the FCC (CC Docket 86-10) submitted the proposed changes to the Industry Guidelines for Toll Free Number Administration. The FCC then asked the NANC to review this proposal and the NANC, in turn, established an expert Issues Management Group (Toll Free IMG or TF IMG) to conduct the review. The NANC's TF IMG met to assess the proposal in sessions with experts until the OBF/SNAC took the proposal back for further enhancement. The NANC's TF IMG recommenced work in May 2005. The TF IMG submitted the attached report at the NANC's July 19, 2005 meeting. The NANC adopted the IMG's report and recommendation. The purpose of this letter is to transmit the report and recommendation to the Commission.

The IMG's proposal can substantially reduce inadvertent porting. Toll free customers will have the option to control the highest level of Responsible Organization (Resp Org) change security through a written directive. The SMS/800 Help Desk will continue to make Resp Org changes without service interruption, but with customer notification in accordance with the written directive. The Resp Orgs will have a window of opportunity to mitigate any "mistakes," customer-initiated or otherwise, with an additional day in the process. The code number "00" signifies that the additional safeguard should be used at the customer's direction. It will only effect Help Desk changes which are less than one percent of all Toll Free changes.

Implementation of the IMG's proposal would require an interpretation or modification of the Commission's "anti-marketing" rule. Since the rule was adopted to protect the customer from certain re-marketing efforts, it would be reasonable to infer an exception when the customer makes it clear that it does not want the rule applied in specified situations. Such an application of the rule may only require the FCC to interpret the existing rule. Alternatively, a timely change of the rule to accomplish the same result would satisfy the NANC goal.

After a suitable interpretation or modification of the rule, the NANC recommends that the FCC then direct the SMS Management Team (SMT) to:

- 1) Change the SMS/800 Tariff language to support a four (4) business day turnaround for SMS/800 Help Desk Resp Org changes for toll free numbers that are coded as “00” numbers.
- 2) Allow changes to the SMT Tariff so that the “00” coded numbers are deemed to be consistent with the NASC (Number Administration Service Center) and Anti-Marketing rules, so they can allow the SMS/800 Help Desk vendor to alert the incumbent Resp Org of requested Help Desk changes before they are completed.

If you or your staff wishes to discuss the IMG recommendation or require further information, please contact me at (212) 854-7576.

Sincerely,

/Signed/

Robert C. Atkinson
NANC Chair

cc: Narda Jones, FCC
Cheryl Callahan, FCC
Regina Brown, FCC
Marilyn Jones, FCC
NANC Members
OBF/SNAC Co-Chairs

NANC TOLL FREE IMG

TITLE: Final Report and Recommendations on ATIS OBF SNAC Guidelines

DATE: July 20, 2005

SOURCE:

John Jefferson
GM Numbering
SBC

Mark Lancaster
Numbering Planning
AT&T

Jonnie Bond
ATT

Karen Mulberry
MCI
Sr. Project Manager, Numbering

Mike Whaley
Qwest Communications

Maureen Callan
Qwest Communications

ABSTRACT: This report pertains to the proposed changes to the Industry Guidelines for Toll Free Number Administration regarding SMS/800 Help Desk Resp Org changes involving Toll Free numbers.

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EXECUTIVE SUMMARY

This report addresses the Alliance for Telecommunications Industry Solution's (ATIS) Ordering and Billing Forum (OBF) SMS/800 Number Administration Committee (SNAC) proposal for changes to the Industry Guidelines for Toll Free Number Administration ("Industry Guidelines", i.e. ATIS/OBF-TFG-013), submitted to the FCC in October, 2004. The NANC Toll Free IMG has undertaken the task of analyzing the

request and making a recommendation to the NANC as to the direction it should take in advising the FCC with regard to the OBF SNAC proposal. The main driver for implementing this new protection is to prevent customer out of service conditions due to unauthorized and inadvertent porting by adding a new coding option (XXX00). As distinct from carrier changes for outbound long distance services, which do not result in out of service conditions, when a toll free (inbound) number is ported in error the result often leads to a customer out of service condition. The “XXX00” is another tool the customer can use to protect themselves by allowing the Incumbent Carrier (i.e. Incumbent Responsible Organization) the opportunity to validate the port.

1. OBF SNAC Proposal (OBF 26-17)

The OBF SNAC is proposing that a new code (XXX00) be adopted, to allow a Service Subscriber to request that a notification call be made to his/her incumbent Responsible Organization or Resp Org¹, prior to a making a Resp Org change through the Help Desk. This change will further protect customer rights for high usage, shared, sensitive and vanity number resources.

2. Background

2.1 NASC Order

The FCC issued an order establishing over-riding authority in response to a petition calling the question of Resp Org activities versus customer rights.² FCC determined customers should have an option to have their numbers ported through the neutral third party vendor rather than through the incumbent Resp Org. Originally called the Number Administration Service Center (NASC—hence the “NASC” order), this third party vendor is now known as the SMS/800 Help Desk (Sykes Enterprises, Inc.).

2.2 Anti-marketing Rule

The FCC Order commonly referred to as the Anti-Marketing Rule³ applies to all Resp Org changes, even those made through the SMS/800 Help Desk. The Order prescribes that the LOA which Resp Org A (acquiring Resp Org) renders to Resp Org B (the incumbent Resp Org) to initiate a Resp Org change, cannot be used by the incumbent Resp Org to win back its customer before the Resp Org ID has been changed. The Resp Org ID must be changed before an incumbent Resp Org can win its customer back.

¹ See Toll Free Numbers General Definitions, 47 CFR 52.101

² CC Docket No. 86-10, DA 99-2609, Rel. Nov. 22, 1999

³ CC Docket No. 94-129, FCC 03-42, Rel. March 17, 2003, et al.

This rule ensures that Resp Org/carriers can rely on the fact that service ordering and provisioning standards are maintained and customer commitments are met within the industry accepted timeframes.

2.3 Resp Org Coding Change Rationale

The toll free industry, voluntarily governed by the SMS Number Administration Committee, has long labored to maintain a balance between the customer's right to choose its Resp Org/carrier on the one hand, and its right to protections for its toll free number(s) on the other. After portability, the industry adopted a Resp Org code using the digit value of "99" providing a measure of protection for toll free numbers at risk of misappropriation. This measure achieved a level of success by requiring the Help Desk to place a call to the incumbent Resp Org soon after the number had been ported. This was accompanied by specific labeling, designation, definition, documentation, and notification requirements designed to afford a measure of protection for high risk toll free customer numbers.

Since the implementation of "XXX99", the OBF SNAC has considered additional, more secure measures for preventing unauthorized Resp Org changes through the Help Desk. Because certain toll free numbers are at a higher risk of inadvertent or malicious unauthorized Resp Org changes, and because some customers could suffer significant monetary or other damages should such an unauthorized Resp Org change occur without their consent, the Committee set out to provide an additional identifier ("XXX00"), initiated only at the direction of the customer, that would require a call to be made to the incumbent Resp Org by the SMS/800 Help Desk, prior to the Help Desk making a Resp Org change.

The reasons for implementing this new protection are compelling. As stated previously, carrier changes for outbound long distance services do not normally result in out of service conditions, while porting a toll free (inbound) number in error often results in a customer out of service condition.

Note: attachment (Updated Help Desk Resp Org Change Policy and Practices Document and SMS10-00)

2.4 Associated Issues That Must Be Worked To Implement The New Resp Org ID

The Toll Free IMG, in concurrence with the OBF SNAC, is asking the FCC to allow for a proposed exception to the anti-marketing rule, in conjunction with this narrowly defined situation, where the customer has made clear his/her desire to have his/her incumbent Resp Org contacted before a change is made. The NANC must therefore express a clear recommendation to move forward. Further, the Toll Free IMG is not requesting that the SMS/800 Help Desk be given any authority to abandon the change request without the permission of the acquiring Resp Org.

The OBF SNAC, in conjunction with the SMS/800 Help Desk support staff, has selected the new Resp Org ID Code (XXX00) so that no Resp Org would have to make any changes in existing SMS/800 records (i.e. no one will be forced to migrate records from the newly supported code to a different one).

The use of the new code is voluntary and customer driven. Resp Orgs should have a Subscriber Directive on file for each number coded XXX00, indicating that the customer is requesting he/she be contacted before any Resp Org ID change is executed. (Hence a change to the Anti-marketing rule)

2.5 Coding Qualifications

Any customer can request that its number be coded as a “XXX00”. A Resp Org which places numbers in this code should retain all documentation of the customer’s request. The procedures for establishing “XXX00” code will be the same as the procedures currently used for establishing the “XXX99” code. Documentation is required (a sample customer to Resp Org letter is provided for use by Resp Orgs). Some of the numbers that are today managed by the assignment of the “XXX99” code may migrate to “XXX00”, once it is available.

Note: Sample letters are available for Resp Org reference; one for “99” and a Customer Directive letter for “00”.

2.6 Insufficiency of “99”

While XXX99 began to be used by Resp Orgs on a voluntary basis in 1995 to effect a certain measure of customer protection, the “99” code did not adequately address customer protection through the SMS/800 Help Desk Resp Org change process. The Resp Org and its customer can learn of the Help desk Resp Org Change for a “99” coded number, but only after the damage has occurred. The “00” coded numbers (should the proposal be approved) provides a window of opportunity to prevent the damage before it actually occurs.

3. Toll Free IMG Analysis & Recommendation

This IMG would support the work OBF SNAC has done and asks the NANC to endorse the OBF SNAC proposal and would request that the FCC concur in the changes, and then follow up with a directive to the SMT to:

- 1). Change the SMS/800 Tariff language to support a 4 business day turnaround for SMS/800 Help Desk Resp Org changes for toll free numbers that are coded as “00” numbers.
- 2). Allow changes to the SMT (Service Management Team) Tariff so that the “00” coded numbers are allowed despite the NASC and Anti-Marketing rules, so they can allow the

SMS/800 Help Desk Vendor to alert the incumbent Resp Org of the requested Help Desk Resp Org change in advance of the change.

4. Addenda and Appendices

LIST OF ATTACHMENTS APPENDIX II (proposed changes to existing documents or newly created documents intended to support the proposed changes available at: <http://www.nanc-chair.org/docs/documents.html> under "Toll Free IMG")

- Proposed version 14 of the Toll Free Number Administration Guidelines (redline version of revised text only)
- Updated SMS/800 Help Desk Policy and Procedures Document (redline version of revised text only)
- Example letter for industry defined value "00" code (Subscriber Directive).
- SMS 10-00 form
- OBF SNAC Glossary