



October 29, 2004

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

Re: CC Docket No. 86-10

Mr. Carlisle:

The Alliance for Telecommunications Industry Solutions ("ATIS"), on behalf of the Ordering and Billing Forum ("OBF")'s SMS/800 Number Administration Committee ("SNAC" or "Committee"), hereby notifies the Federal Communications Commission ("FCC" or "Commission") of the Committee's intent to modify the *Industry Guidelines for Toll Free Number Administration* ("*Guidelines*") regarding Responsible Organization ("Resp Org") changes involving toll-free numbers used for shared or bundled services. To avoid unauthorized Resp Org changes being processed by the SMS 800 Help Desk, the *Guidelines* will be changed to provide that, prior to processing a Resp Org change request, the SMS 800 Help Desk will notify the incumbent Resp Org of changes involving numbers used for shared/bundled services.¹ The SNAC believes that this change is consistent with the Order regarding the Provision of Access of 800 Service issued by the Common Carrier Bureau in CC Docket 86-10 ("*NASC Change Order*").²

In the *NASC Change Order*, the Common Carrier Bureau directed the SMS 800 Help Desk to establish a procedure whereby, with written customer authorization, Resp Orgs could effect a change in Resp Org directly through the Help Desk, without the involvement of the incumbent Resp Org.³ This mechanism was intended to prevent the incumbent Resp Org from exploiting prior notification of a Resp Org change to obtain an unfair marketing advantage which could be used by the incumbent Resp Org in an effort to try to retain the customer.

However, the application of this rule has resulted occasionally in unauthorized Resp Org changes being processed by the SMS 800 Help Desk, resulting in the disruption of toll-free service to service subscribers. The situation is particularly serious with numbers that are used for shared/bundled services. First, because many customers can be using the same number, there have been occasions in which Resp Org changes have been requested by a representative of one of the end users who was simply not aware of the shared/bundled arrangement or the fact that only the service subscriber was permitted to request a change in Resp Org. Second, unlike an outbound change, which results in a change to a billing arrangement but no disruption in service, an unauthorized Resp Org change to a toll-free number which is in shared/bundled service can result in hundreds of customers being placed out of service simultaneously with no prior notice.

¹ SNAC deals exclusively with issues related to toll-free service, including the development and maintenance of the *Industry Guidelines for Toll Free Number Administration*. 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 service.

² Provision of Access for 800 Service, 72 RR 2d 333, 8 FCC Rcd 1844 (March 11, 1993)

³ *NASC Change Order*, ¶10.

October 29, 2004
Page 2

SNAC is aware that such service outages have occurred in the past due to Resp Org changes processed through the Help Desk, and has been examining this issue for some time. Therefore, in light of the unique properties of these shared/bundled lines, the SNAC is proposing to change its *Guidelines* to provide that, prior to processing a Resp Org change request, the SMS 800 Help Desk will notify the incumbent Resp Org when (a) the toll free number has been assigned a unique Resp Org code pursuant to Section 3.2.6 of the *Guidelines*⁴, and (b) the service subscriber for the number which has been assigned that unique code has filed a notice with their Resp Org requesting that its incumbent Resp Org be notified prior to the SMS 800 Help Desk's processing of any request for a change to the Resp Org. SNAC believes that this change is consistent with the *NASC Change Order*, and that it draws the proper balance between the public policies of preserving a competitive marketplace without unfair advantage to any carrier, and the avoidance of unauthorized Resp Org changes or slamming. Therefore, SNAC will make the proposed change in its *Guidelines*, unless we hear from the FCC within thirty days.

Should you have any questions or would like additional information regarding this matter, please do not hesitate to contact me at (202) 434-8847 or via email at mcampbell@atis.org, or the OBF SNAC Co-Leaders, Jonnie Bond, ATT, at (330) 925-1417, or via email: jonnie@att.com and Sean Joyce, Sprint, at (913) 752-5446, or via email: sean.r.joyce@mail.sprint.com. Thank you for your attention to this matter.

Sincerely,



Megan L. Campbell
ATIS General Counsel

cc: Chris Read, SBC, OBF Co-Chair
Dean Grady, MCI, OBF Co-Chair
Toni Haddix, Staff Attorney, ATIS
John Pautlitz, OBF Director, ATIS
Jonnie Bond, AT&T Corporation, OBF SNAC Co-Leader
Sean Joyce, Sprint, OBF SNAC Co-Leader

⁴ Current Section 3.2.6 is outlined below. Please note that this section will be revised in the next version of the *Guidelines* as well.

Section 3.2.6 Special Consideration by Assigning a Unique / Distinct Code (XXX99)

XXX99 is a unique Resp Org ID that can be used to identify toll-free numbers that may warrant special consideration before a Resp Org change is made. This Resp Org may be used to identify toll-free numbers involving special conditions, e.g.:

- Shared / bundled services
- Fraudulent or unauthorized Resp Org change attempt
- Government directives / Court Orders
- Specific Customer request

Resp Org's utilizing the XXX99 Unique / Distinct code must have a signed Letter of Agreement on file from the Subscriber or internal Resp Org documentation for the special condition.

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