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PUCO

# Memorandum

**To:** Daisy Crockron, Chief Docketing  
**From:** Dan Shields, Utilities Department DFS  
**Date:** Monday, June 16, 2003  
**Re:** Document to be Filed in the Telecommunications Federal Activities Docket

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Attached are two copies of a document to be filed in a Case No. 93-4000-TP-COI. The Daily Activities report description of the filing should read verbatim as follows:

The Public Utilities Commission of Ohio's (PUCO's) comments to the Federal Communications Commission (FCC) in CC Docket No. 95-116 (*In the Matter of Telephone Number Portability*). The PUCO's comments respond to the Cellular Telecommunications & Internet Association's (CTIA's) Petition for Declaratory Ruling asking that the FCC clarify certain carrier obligations with respect to certain local number portability issues.

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The Public Utilities Commission of Ohio (PUCO or Ohio Commission) hereby timely submits its comments responding to the FCC's May 22, 2003, Notice in the above-captioned proceeding.

### DISCUSSION

The CTIA's petition asks that the FCC clarify numerous carrier obligations with respect to local number portability (LNP) issues. Many of these issues revolve around the CTIA's request for direction from the FCC as to how to uniformly implement wireless number portability and, specifically, to resolve issues regarding number portability between wireline and wireless carriers (intermodal portability). Although the Ohio Commission recognizes that the ultimate resolution of these issues is important, consistent with our previous comments in this matter, the Ohio Commission believes that it is imperative that the November, 2003 date not be delayed due to the substantial benefit that will be derived from wireless number portability when implemented.

Many of the issues raised by CTIA in this petition and its previous petition filed with the FCC on January 23, 2003 are presented as a request for policy clarification regarding intermodal portability. In its current petition, the CTIA requests that the FCC resolve the following issues by September 1, 2003: 1) inconsistent porting intervals between wireline and wireless carriers; 2) the process for including number portability in the contracts between wireline and

wireless carriers; 3) whether wireline carriers can refuse to port a number to a wireless carrier based on the wireline carrier's network configuration; and 4) whether rural wireless carriers will have to participate in number portability (CTIA Petition at 6). Few of these issues impact wireless-to-wireless number porting. (intramodal porting).

In a perfect world, it would be best to resolve all of the policy issues surrounding both intramodal and intermodal porting prior to implementation. These policy issues have, however, no bearing on the wireless carriers' technical ability to port. Therefore, the Ohio Commission recommends that, at a minimum, uniform standard procedures inherent in implementing number portability, in particular wireless-to-wireless portability, should be the priority of the industry prior to the previously established implementation date. If necessary, the outstanding policy issues regarding intermodal porting delineated by NANC (North American Numbering Council) could be addressed shortly thereafter.

Since many customers, especially sophisticated business users, have an expectation that wireless number portability will occur in November, further delay of the deadline would be counterproductive and would result in a deprivation of customer benefits of wireless LNP. Many of these customers are already paying for number portability through surcharges on their wireless bills and, therefore, have an expectation that the service will be available.

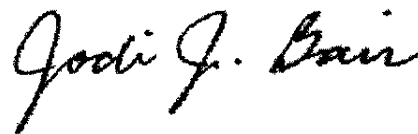
As stated in earlier comments filed with the FCC on this issue, the Ohio Commission believes that the FCC should reaffirm the implementation date of November 24, 2003 for wireless number portability. The telecommunications industry should receive, at a minimum, clear direction and implementation standards for wireless-to-wireless porting prior to the implementation date with resolution of policy issues with regard to intermodal porting shortly thereafter.

**CONCLUSION**

The Ohio Commission thanks the FCC for the opportunity to file comments in this proceeding.

Respectfully submitted,

**On Behalf of The Public Utilities  
Commission of Ohio**



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**Jodi J. Bair**  
Assistant Attorney General  
Public Utilities Section  
180 E. Broad St., 9<sup>th</sup> Floor  
Columbus, OH 43215  
(614) 466-8396  
(614) 644-8599