Christopher J. McDonald
Senior Attorney
Public Policy
Northern Region

200 Park Avenue
New York, NY 10166
212 519 4164
Fax 212 519 4569
Christopher.McDonald@wcom.com

June 26, 2002

By Email & Overnight Courier
Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
Commonwealth of Massachusetts
One South Station
Boston, MA 02110

Re: ***D.T.E. 02-28***

Dear Ms. Cottrell:

Pursuant to the Department's Legal Notice dated June 10, 2002, WorldCom, Inc. hereby submits its comments on the draft Mass Migration Guidelines (the "Proposed Guidelines") submitted to the Department on June 7, 2002.

With respect to the Proposed Guidelines generally, WorldCom submits that the Department must be mindful that by their nature, no two "mass migrations" of customers are identical. Thus, while generic processes and procedures to ensure more orderly mass migrations of customers can clearly provide some beneficial structure, carriers must still be afforded an appropriate degree of flexibility in carrying out their responsibilities under those processes and procedures. That flexibility is critical because it assures carriers the ability to handle the complexities of a mass migration in a way that best meets their business needs and capabilities. Accordingly, WorldCom submits that the Proposed Guidelines must be understood and interpreted as being just that – objectives that should guide, but not unduly constrain, a carrier's ability to effect the creation or termination of a carrier/customer relationship.

With respect to the particulars of the Proposed Guidelines, it should be noted that while the Department has used the New York Mass Migrations Guidelines as the model for Proposed Guidelines, the New York Guidelines are themselves in the process of being reviewed by carriers and staff of the New York Public Service Commission. There are a number of changes that have been

suggested with respect to the New York Guidelines that WorldCom believes would also serve to benefit the Proposed Guidelines here in Massachusetts. These include:

?? *An explicit reference to the Number Portability Administration Center ("NPAC").* Although Section VII of the Proposed Guidelines (NXX Code Transfers) alludes to working with the NANPA and PA, there is no reference to NPAC. Ideally, the reference to the INC Guidelines would help ensure that number portability issues are appropriately addressed, but given the importance of NPAC's role in the porting process, it may be beneficial to make specific reference to NPAC in the Proposed Guidelines. NPAC must receive some direction about ported numbers served by an exiting carrier, and about re-associating SPIDs (Service Provider Identification). Customers with ported numbers served elsewhere, but having the NPA-NXX owned by a defunct carrier, are impacted in today's environment. (Change Order NANC 323 in the proposed NPAC software release 3.2, anticipated to be implemented in mid-2003, will ease the complexity of dealing with these number portability aspects, but even with this Change Order implemented, someone still must tell NPAC what to do and when to do it.) It is WorldCom's understanding that in the proceeding analyzing the New York Guidelines, Verizon will be circulating proposed language to address this issue. WorldCom recommends that the proposed language be circulated for comment in connection with this proceeding as well.

?? *The addition of language to make clear that customer lists provided by an exiting carrier will be treated confidentially*. In the Proposed Guidelines, among the items to be included in an "exit plan" to be filed with the Department is "a list of customers with CSR information including circuit Ids (CKIDs)". Section III. Regulatory Notification. Language should be added to the document explicitly stating that customer lists will be treated confidentially by the Department and will not be disclosed to the public, including other carriers. The language should also explain the purpose of requesting this information and how it will be used by the Department. This additional language is important given the highly sensitive, valuable nature of the customer list information. Staff at the New York Public Service Commission has agreed to craft language (which may be circulated by or before next week) addressing this point in connection with the New York proceeding, which the Department may wish to consider.

?? *The recognition that not all customers of an exiting carrier will require migration.* With an increasing number of customers choosing to use cell phones, PDAs with email capabilities and similar tools in lieu of landline service, the "sample" letters ought to acknowledge that fact by stating, for example, that the customer may elect not to subscribe to an alternative local service provider. With respect to the scenario in which there is an acquiring carrier, the letter should further spell out the required action by the customer to avoid being migrated to another local service provider. Again, New York PSC Staff will shortly be circulating language in connection with the New York proceeding that the

Department may wish to consider in connection with its deliberations on the Proposed Guidelines.

Thank you for your attention to this matter.

Very truly yours,

Christopher J. McDonald

cc: Paula Foley, Esq., Hearing Officer
Service List (*by U.S. Mail*)