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BEFORE THE

COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

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Proceeding by the Department of )

Telecommunications and Energy to Conduct )

Mandatory Thousands-Block Number Pooling ) D. T. E. 99-99

Trials Pursuant to Authority Delegated by the )

Federal Communications Commission )

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COMMENTS OF

RCN-BECOCOM, L. L. C.

RCN-BecoCom, L. L. C. ("RCN"), by undersigned counsel and pursuant to the January 26, 2000 Order in the above-captioned proceeding, hereby submits its Comments with respect to the implementation of thousands-block number pooling. As a facilities-based competitor operating in many towns and cities throughout this area, RCN is acutely aware of the number exhaust problem facing carriers in this region. However, RCN requests that before the Department of Telecommunications and Energy ("DTE") adopts the Bell Atlantic-Massachusetts ("BA-MA") proposal for Thousands-Block Number Pool ("TNP") implementation, it consider the inherent financial and technical concerns this would raise for smaller carriers.

Competitive carriers have neither the established network nor the expansive customer base that Incumbent Local Exchange Carriers ("ILEC") possess. Many smaller carriers such as RCN are just now deploying the networks and operational systems that will give them the capability to compete with the likes of BA-MA, AT&T, and MCI. The FCC recognized such concerns about the technical and competitive implications of TNP and stated in the Delegation Order that any pooling trial "should be limited in nature." (1)

In particular, RCN believes that the Department should take into account the fact that pooling rules and guidelines are certain to change over the course of the next year. Under the proposed time frame for implementation, carriers that are capable of Local Number Portability ("LNP") would supply the TNP pool with vacant blocks from their embedded inventories on June 13, 2000 for the 617 NPA and June 28, 2000 for the 508 NPA. However, RCN understands that Version 3.0 of the Industry Numbering Committee Pooling Software being developed by Lockheed Martin will become available sometime during the month of June, and that testing should be completed by October 2000. RCN and other carriers would therefore need to incur the expense of beginning to implement number pooling with the Version 1.4 software available today, and then

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doing the same again only a matter of months later with the Version 3.0 software. This potential for "double implementation" would be costly, wasteful, and burdensome for carriers. The Department should consider carefully the costs associated with such "double implementation" before compelling carriers to implement thousands-block number pooling under the current Version 1.4 software. RCN submits that waiting the additional few months for the newest version of the industry-accepted pooling software would be more cost efficient and minimize the administrative burden on the industry.

The FCC further recognized that carriers must be given adequate transition time to implement pooling in their switches and administrative systems. (2) TNP will require carriers to "alter significantly the manner in which they account for their inventory of telephone numbers, including their Operations Support Systems (OSSs) and retraining their staffs." (3) As a new entrant, RCN is still developing many of the processes and training the personnel that it will need to compete effectively in Massachusetts. Forcing RCN and other carriers to divert their limited resources and personnel to implementing pooling within the next five months - and then asking these carriers to upgrade to pooling with Version 3.0 software only a few months later - will place a serious burden on CLECs just establishing themselves in the Massachusetts local exchange market. The Department should consider a separate, realistic implementation for RCN and other small carriers once Version 3.0 software has been made available and tested.

The final phase of TNP implementation calls for LNP-capable carriers to supply the pool with those thousands-blocks with less than 10% contamination from their embedded inventory of NXX on February 1, 2001. Current industry guidelines specify that only blocks with less than 10% contamination shall be donated to the industry pool of thousand blocks. (4) RCN requests that the DTE adopt the proposed contamination rate so that carriers are not faced with inconsistent regulations throughout different states, and so that when the FCC releases a final order in the Number Optimization proceeding carriers are not faced with the likelihood of changing course midstream. The Delegation Order also makes clear that the DTE must follow industry guidelines in implementing TNP. (5)

Rather than requiring competitive carriers to incur the additional expense associated with utilizing two separate versions of the Industry Numbering Committee Pooling Software, RCN suggests that the DTE implement a time frame that will allow competitive carriers to use the newer version of the software. RCN further requests that the DTE adopt a time frame that does not require competitive carriers to divert its resources from other important tasks. Thus, the deadline for Phase II of TNP implementation should take into account the time needed by competitive carriers to make the necessary technical changes to their switches and to retrain their staff. Finally, RCN asks that the DTE adopt a contamination rate that conforms with industry guidelines and that it adjust the deadline for Phase III in accordance with the modified schedule needed for Phase II.

Respectfully submitted,

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1. Massachusetts Department of Telecommunications and Energy's Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes, CC Docket No. 96-98, NSD File No. L-99-19, Order (rel. Sept. 15, 1999) ("Delegation Order"), at ¶ 19.
2. See *id.* at ¶ 17.
3. *Id.*
4. See Thousand Block (NXX-X) Pooling Administration Guidelines, Draft (INC99-0127-023) (rev. Jan. 27, 1999) at §§ 8.1.4-8.1.5.
5. See Delegation Order, at ¶ 26.