

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Rural Call Completion) WC Docket No. 13-39
)

**COMMENTS OF THE ALLIANCE FOR
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS), on behalf of its Next Generation Interconnection Interoperability Forum (NGIIF), hereby submits these comments in response to *Second Report and Order and Third Further Notice of Proposed Rulemaking* released April 17, 2018, in the above-referenced docket. In these comments, ATIS provides input on the Commission’s proposals to require intermediate carriers to register and to meet certain service quality standards.

A. BACKGROUND

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for the technology information, entertainment, and communications industries. ATIS’ nearly 200 member companies are currently working to address 5G, cybersecurity, the All-IP transition, network functions virtualization, smart cities, IoT, emergency services, the network’s evolution to content-optimized networks, quality of service, billing support, operations, unmanned aerial vehicles, and much more. ATIS is accredited by the American National Standards Institute

(ANSI) and is the North American Organizational Partner for the 3rd Generation Partnership Project (3GPP), a founding Partner of the oneM2M global initiative, a member and major U.S. contributor to the International Telecommunication Union (ITU), as well as a member of the Inter-American Telecommunication Commission (CITEL).

ATIS NGIIF provides an open forum to encourage the discussion and resolution of industry-wide issues associated with the operational aspect of telecommunications network interconnection and interoperability, and the exchange of information concerning relevant topics, such as network architecture, management, testing and operations, and facilities. NGIIF includes representatives from leading service providers. Many of these service providers are covered providers, intermediate providers (however defined), and in many cases, both. NGIIF developed and maintains the Intercarrier Call Completion/Call Termination Handbook.¹ ATIS appreciates the Commission's decision not to mandate the Best Practices from the handbook – this will allow the industry to effectively maintain and update this important industry guidance.

B. COMMENTS

A. Certain Intermediate Providers Must Register with the Commission

In the *Third FNPRM*, the Commission proposes to implement a new section 262(a)(1) by requiring that any intermediate provider register with the Commission if that provider offers or holds itself out as offering the capability to transmit covered voice communications from one destination to another and charges any rate to any other entity (including an affiliated entity) for the transmission.² ATIS supports the registration of intermediate carriers and notes that one of

¹ The *Intercarrier Call Completion/Call Termination Handbook* is available on a complimentary basis from the ATIS Document Center at <https://www.atis.org/docstore/product.aspx?id=26780>.

² *Third FNPRM* at ¶70.

the benefits associated with intermediate carrier registration is that it will help with traceback efforts should call termination issues arise.

The Commission also proposes to require intermediate providers to update their registration information within one week of any change.³ ATIS believes that one week may be too short a time period, particularly when the updates are related to mergers or other corporate changes. Instead, ATIS recommends that intermediate carriers have ten (10) business days to update their registrations of any changes.

B. Covered Providers May Not Use Unregistered Immediate Providers

The Commission also asks whether covered providers should be required to ensure that they comply with the requirement to use only registered intermediate providers within thirty (30) days of the registration deadline for intermediate providers.⁴ ATIS notes that covered providers may not be aware of all of the downstream providers that may be carrying their traffic. To the extent that they can identify these providers, ATIS does not believe that thirty days is enough time for covered providers to make any contractual and/or traffic routing adjustments needed to comply with the Improving Rural Call Quality and Reliability Act of 2017⁵ and the Commission's implementing regulations.

ATIS believes that a much longer (i.e., three year) deadline would be more appropriate. This would allow existing retail contracts, which generally are entered into on three years terms, to finish their terms prior to being re-negotiated and updated. It would also permit service providers time to cancel existing agreements with unregistered providers and, as necessary, to

³ *Third FNPRM* at ¶72.

⁴ *Third FNPRM* at ¶84.

⁵ Improving Rural Call Quality and Reliability Act of 2017, Pub L No 115-129 (2018).

replace these with new contracts with registered providers. It would also allow more time for service providers to make any necessary changes to their routing systems.

In the alternative, the Commission should consider grandfathering existing contracts, in effect allowing for a rolling transition. This would significantly reduce the burden that carriers, their customers, and their vendors face in implementing any requirements adopted.

ATIS would support limited exceptions to the requirement that covered providers use only registered intermediate providers if: (1) there are no registered intermediate carriers serving a specific area and no direct connection to that service area available (such as in some U.S. territories); or (2) use of any unregistered intermediate carriers would be necessary to restore service to areas affected by natural disasters (upon activation of the Disaster Information Reporting System (DIRS)).⁶

C. Service Quality Standards for Intermediate Providers

The Commission also proposes service quality standards for intermediate providers. As an initial matter, ATIS notes that many providers are both “covered providers” and “intermediate providers,” changing roles on a call to call basis. These providers largely use the same network facilities, routing tables, and performance monitoring systems, regardless of whether they are providing service to a retail customer as a covered provider or to a wholesale carrier-customer as an intermediate provider. Thus, consistent with its decision in the *Second Report and Order*, ATIS urges the Commission not to mandate the Best Practices from the handbook for intermediate carriers.⁷ This will allow the industry to effectively maintain and update this

⁶ *Third FNPRM* at ¶83

⁷ The Commission seeks comment on how it can ensure that its rules keep pace if ATIS rural call completion Best Practices or another industry-based standard is modified. *Third FNPRM* at ¶89. This problem will be avoided if the Commission continues the approach it took with covered providers. All providers will, of course, continue to benefit from the Best Practices as they evolve over time. As ATIS NGIIF has stated previously, ATIS NGIIF call completion handbook is a living document. NGIIF will continue to update this document to reflect new Best

important industry guidance, and will prevent carriers that serve both retail and wholesale customers from being subject to separate and inconsistent sets of regulatory obligations. Indeed, the need to avoid the imposition of inconsistent regulatory obligations indicates that covered providers and intermediate providers should be subject to the same service quality standards.

The Commission also asks in the *Third FNPRM* whether it should require intermediate providers to take reasonable steps to limit the number of intermediate providers after them in the call chain.⁸ ATIS does not believe such a mandate is necessary. ATIS believes that the proposed registration will be sufficient to mitigate any problems that may arise. However, ATIS NGIIF does support a requirement that an intermediate provider temporarily (until the service level is corrected) or permanently remove subsequent intermediate providers that the initial intermediate provider know have failed to perform at an acceptable service level as indicated by repeated call completion problems along a particular routing path.⁹ This would be more effective than limiting the number of intermediate carriers.

Finally, the Commission asks whether an intermediate provider's persistent failure to comply with the quality standards, or to fully and accurately register, should result in removal from the registry.¹⁰ ATIS supports this proposal and recommends that the Commission should have a clear and conclusive pattern of non-compliance and that before being able to re-register, such intermediate carriers should be required to clearly indicate to the Commission that they have fixed any problems. As stated above, ATIS believes it is vitally important that service providers have ready access, updated on an ongoing basis, to the information that will be

Practices that may mitigate call completion issues. The best way for the industry to keep pace is to participate in NGIIF. NGIIF currently includes participation from many of the leading service providers but would welcome additional participation. ATIS NGIIF also notes that it will inform the Commission when an update the handbook is available and will continue to make the Handbook available to the industry at no charge.

⁸ *Third FNPRM* at ¶89.

⁹ *Third FNPRM* at ¶89

¹⁰ *Third FNPRM* at 97.

contained in the registry. As noted above, ATIS believes that limited exceptions to the registration requirements may be appropriate if there are no registered intermediate carriers serving a specific area and no direct connection to that service area available or if use of any unregistered intermediate carriers would be necessary to restore service to areas affected by natural disasters.

ATIS notes that the proposed service quality rules would not apply to terminating carriers. ATIS recommends that covered and intermediate providers not be held accountable for call completion issues stemming from failures or degradations in the network of terminating carriers.

III. CONCLUSION

ATIS appreciates the opportunity to provide its input to the *Third FNPRM* and urges the Commission to consider the recommendations above.

Respectfully submitted,



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