Telecommunications Alert: FCC Finalizes Rules on One-Day Porting Interval, Adopts Standardized Data Fields and Process Flows

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The Federal Communications Commission (FCC) has issued an order finalizing its rules requiring simple wireline and intermodal number ports to be completed within one business day.[1] The deadline for providers to implement the one-day porting requirement is August 2, 2010.[2] Shortened porting intervals apply to telephone number transfers between two wireline providers, a wireline and wireless provider, or an interconnected voice over Internet protocol (VoIP) service provider and any other service provider.

Standardized Data Fields

To effect uniformity in data fields for simple ports, the FCC adopted the proposal of the NANC LNP Working Group to mandate use of 14 data fields for simple ports:

1. Customer Carrier Name Abbreviation (CCNA)—A three-letter code identifying the company that submitted the Local Service Request (LSR)
2. Purchase Order Number (PON)
3. Account Number (AN)—The account number assigned by the current service provider
4. Desired Due Date (DDD)
5. Requisition Type and Status (REQTYP)—Specifies the type of order to be processed
6. Activity (ACT)—Identifies the activity involved in the service request
7. Company Code (CC)—Identifies the exchange carrier initiating the transaction
8. New Network Service Provider (NNSP)
9. Agency Authority Status (AGAUTH)—Indicates that the requesting carrier has a porting authorization on file
10. Number Portability Direction Indicator (NPDI)—Lets the new service provider direct the correct administration of E-911 records
11. Telephone Number (Initiator) (TEL NO (INIT))—The telephone number of the requesting carrier
12. Zip Code (ZIP)—The zip code of the end user's service address used to validate that the correct end user's telephone number has been sent on the port request
13. Ported Telephone Number (PORTED NBR)—Identifies the telephone number to be ported
14. Version (VER)—Identifies the requesting provider's order version number for tracking the ongoing progress of the port request and ensuring the correct version of the order is being processed.

The FCC also agreed with the NANC Working Group recommendation that a "passcode field" should be considered an optional data element "unless the passcode has been requested and assigned by the end user."

The Commission did not adopt a particular form or format for exchange of the standard data elements between providers, but maintained that the question of a standard form "remains an open issue before the Commission."

Adoption of Provisioning Process Flows

The FCC order adopts and requires providers to use the LNP provisioning process flows that NANC submitted to the Commission on November 2, 2009. The provisioning flows "consist of diagrams and accompanying narratives setting forth the processes to be used by service providers and database administrators in specific scenarios, including a new flow for determining the type of port at the beginning of the porting process." The NANC-recommended provisioning flows are available on the FCC website here: www.fcc.gov/wcb/cpd/Nanc/nanccorr.html. The FCC said that mandated use of NANC provisioning flows "will ensure that communications between service providers and database administrators proceed in a clear and orderly fashion so that porting requests can be handled in an efficient and timely manner."

The Commission delegated authority to the Wireline Competition Bureau to approve future revisions to LNP provisioning flows that may be recommended by NANC, and said that any such revisions approved by the Bureau and posted on the NANC website will be binding on providers.

Obtaining a Customer Service Record (CSR) for Porting Purposes

Noting that its efforts to streamline the porting process may be frustrated by delays in the interval for returning a requested customer service record (CSR), "which is often a prelude to porting," the FCC adopted the NANC recommendation that a requested CSR be returned within 24 hours, "unless otherwise negotiated, excluding weekends and current service provider holidays." Carriers cannot require a carrier-assigned pass code to obtain access to a CSR. The Commission rejected suggestions that the CSR requirement needed to be altered to protect sensitive customer information, but reminded providers of their continuing obligation to protect sensitive customer and carrier information, and that adoption of the CSR return requirement "does not alter the application or enforcement of the Commission's customer privacy rules."

Definition of "Business Day" for Porting

The FCC adopted the NANC recommendation that for porting purposes a business day is defined as a day in the traditional work week of Monday through Friday, excluding company-defined

holidays, with minimum business hours of 8 a.m. to 5 p.m. An accurate and complete Local Service Request (LSR) must be received before 1 p.m. local time for a simple port request to be eligible for activation at midnight on the same day. LSRs received after 1 p.m. will be considered received on the following business day. An appendix to the order includes charts making clear the timeframes that must be followed for LSRs received at various times on various days through the business week.

Please contact your Mintz Levin telecommunications attorney, or any attorney listed in the column to the right, for more information as we continue to follow these developments.

Endnotes

[1] Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability, FCC 10-85 (rel. May 20, 2010). The Commission said the porting interval for non-simple ports would remain four business days.

[2] Small providers are allowed until February 2, 2011 to implement the new requirements.

For assistance in this area please contact one of the attorneys listed below or any member of your Mintz Levin client service team.

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