



March 6, 2006

Ms. Diane Rhéaume  
Secretary General  
Canadian Radio-television and  
Telecommunications Commission  
Ottawa, ON  
K1A 0N2

Dear Ms. Rhéaume:

**RE: CWTA Reply Comments — Telecom Public Notice CRTC 2006-3**

1. The Canadian Wireless Telecommunications Association (the “CWTA”) is in receipt of comments filed by Aliant Mobility, Aliant Telecom Inc (Aliant); Bell Canada, Bell Mobility, Télébec Limited Partnership and Télébec Mobilité (the Companies); City of Calgary; MTS Allstream Inc. (MTS);; Primus Telecommunications Canada Inc. (Primus); Rogers Wireless Partnership (RWP); Saskatchewan Telecommunications (SaskTel); TELUS Communications Inc. and TELUS Mobility (TELUS); Virgin Mobile Canada (Virgin Mobile); and Xit Telecom Inc. (Xit) regarding Telecom Public Notice CRTC 2006-3 - *Regulatory issues related to the implementation of wireless number portability* (the Notice).
2. In accordance with the direction on procedure contained in the Notice, the CWTA is pleased to file the following reply comments. CWTA has limited its response to those areas of the Notice where its members share a common position consistent with the position taken in the initial comments filed on 27 February 2006. Failure of the Association to reply to any particular argument put forward by another party should not be construed as acceptance of, or agreement with, that argument.
3. A thorough review of the comments reveals the amount of effort required to make WNP a success. In CWTA’s view it also reveals the importance of timely resolution to the outstanding issues identified in the Notice as well as the impact those determinations will have on the implementation of WNP. The WNP project involves developing many new inter and intra-carrier procedures and requires building significant new IT/IS systems and the modification of other systems already in production within the wireline and wireless carriers. The development of these procedures and systems is underway, but are predicated on both business and regulatory requirements. In order to move forward, assumptions are being used as placeholders. Until the rules are finalized, there is the risk that systems could need to be re-built and systems could need modification — and the carriers would need to re-test this work.

### **C. Shared CO Codes where the carrier of record is an ILEC**

4. The Commission sought comments on the issue of Shared CO codes where the carrier of record is an ILEC. CWTA notes that there is general consensus among interveners that bulk porting is the preferred solution to the problem. As identified in the CWTA comments, even with a preferred solution identified, a number of details remain unsettled. At a minimum, the impacted carriers will need to work with the Number Portability Administration Centre (NPAC) through the Canadian Local Number Portability Consortium (CLNPC) to establish the process(es), schedule the job(s) and settle bulk port pricing with the NPAC.

### **D. Wireless services subject to number porting**

5. In response to the request for comments as to which wireless services should be subject to WNP CWTA proposed that the Commission adopt the assumption included in the PwC Report that "*WNP will apply to wireless services characterized by two-way voice service associated with a 10-digit telephone number.*" CWTA notes this is a consensus position within the wireless industry. CWTA further provided some explanatory text to assist the Commission to understand the intent of the proposal.
6. Xit is the only party to provide an alternate proposal that "*all WSP services which make use of E.164 NANP telephone numbers which are interconnected to the PSTN*" should be subject to WNP. CWTA notes that this proposal would include every service identified by CWTA, but it would also include pagers. This would be extremely problematic for the implementation of WNP.
7. In the 12 months since WNP was mentioned in the Budget speech, through the development of the PwC Plan, there has been no suggestion that pagers should be included. As a result, paging systems – and paging operators – have not been included in the plan.
8. Further, Xit's contention that "*WSP may attempt to deny porting of telephone numbers used for multimedia services or find-me-follow-me telephone numbers on the pretence that such numbers are forwarded by the WSP to other telephone numbers which are those which are ultimately used to provide two-way voice*" does not reflect PwC's proposal and simply provides the Commission a canard.
9. CWTA reiterates its support for the text in the PwC Plan.

### **E. Criteria for denying a wireless porting request**

10. The Commission sought comments as to whether WSPs should be permitted to deny customers' requests to port their wireless numbers and, if so, under what circumstances should the porting requests be denied, and what process should apply. With respect to the first question, no party proposed that WSPs should never be permitted to deny a port request.
11. CWTA submits there was widespread agreement that the criteria listed in the Canadian Local Ordering Guidelines (CLOG) should be available to WSPs. That is, WSPs should be able to deny a port request where:
  - The number is not working due to a company-initiated suspension
  - The number is not working due to a company or customer initiated termination

12. CWTA also submits that sufficient rationale was provided by parties to allow WSPs to deny a port request where:

- The account associated with the number is subject to an outstanding early-termination charge and no arrangement for the payment of such charge has been negotiated between the service provider and the departing customer.
- The account associated with the number is subject to an outstanding balance for which no payment arrangements have been negotiated between the service provider and the departing customer.
- The customer has not yet paid their first invoice

#### **H. Directory listing information for numbers ported between wireless carriers and LECs**

13. In response to the Commission's request for comments as to how telephone directory listings should be handled for intermodal porting situations, CWTA submitted the rules applying to the receiving service provider should apply. Most parties explicitly supported this view, while no party proposed alternatives.

#### **I. E9-1-1 customer information for numbers ported between wireless carriers and LECs**

14. The Commission requested comments as to what customer information should be included in the E9-1-1 databases for intermodal porting situations. CWTA proposed that the existing rules applying to the receiving service provider should apply. No party provided an alternate view.

15. The City of Calgary did provide comments with respect to the potential impacts WNP may have on 9-1-1 service. CWTA notes that the impacts on 9-1-1 were considered<sup>1</sup> in the development of the PwC Plan. As the CWTA WNP Implementation Task Force moves forward with the development of WNP processes 9-1-1 will continue to be considered.

#### **J. Other regulatory issues related to the implementation of WNP**

16. In response to the Commission's request for comments on other regulatory issues related to the implementation of WNP, a few parties have raised issues that are truly out of scope. In CWTA's view it is of critical importance that this proceeding deals expeditiously with those issues that directly impact the implementation of WNP. CWTA respectfully requests the Commission reject outright calls to use ENUM for WNP, changes to the block size of numbering resources, mandate a wireless wholesale regime, or changing the regulatory status of WSPs.

17. As in the proceeding leading to Telecom Decision CRTC 2005-72, some parties posited that Canada's wireless industry is not competitive without the implementation of WNP. CWTA is not interested in reiterating the evidence previously presented, but would like to address the assertion that handset subsidies "act as an impediment to the development of full, robust competition". Rather than impeding competition, such arrangements represent a legitimate business tool and have greatly benefited consumers by making leading-edge equipment and technology more widely accessible and affordable earlier than would otherwise have been possible.

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<sup>1</sup> This included meetings with CISC ESWG, Toronto PSAP, Vancouver PSAP, Montreal PSAP, and review of WNP and 911 CTIA WNP Critical Issues Forum, Washington, D.C., September 11, 2003 –National Emergency Number Association; See PwC Report, Appendix D

18. Virgin Mobile raised the issue of consumer education with respect to WNP. The PwC report recommended the development of communication tools for residential and business consumers as part of a successful implementation. To this end, the CWTA WNP Implementation Task Force has developed an industry-neutral web portal<sup>2</sup> to provide basic WNP information to interested parties.

## **Conclusion**

19. CWTA reiterates that the wireless carriers are committed to a successful implementation of WNP and ensuring there is a positive customer experience from the outset. CWTA urges to Commission to continue to act expeditiously to resolve the outstanding regulatory issues affecting WNP.

Sincerely,

*Filed electronically*

J. David Farnes  
Vice President,  
Industry and Regulatory Affairs

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<sup>2</sup> [www.wirelessnumberportability.ca](http://www.wirelessnumberportability.ca) / [www.transferabilitesansfil.ca](http://www.transferabilitesansfil.ca)