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Advocacy Asks FCC to Provide Relief to Small Carriers When Reducing Local Number Portability Interval

On November 17, 2004, the Office of Advocacy (Advocacy) filed a comment with the Federal Communications Commission (FCC) on a recommendation of the North American Numbering Council (NANC) that would reduce the intermodal porting interval. Advocacy believes that reducing the porting interval will have a significant impact on small telephone companies and recommended that the FCC grant small telephone companies an exemption to the reduced porting interval. A complete copy of Advocacy's letter may be accessed at http://www.sba.gov/advo/laws/comments/.

- Intermodal porting is the transfer of a number from a wireline carrier to a wireless carrier at a customer's request. The NANC recommended the combination of two proposals, which it determined would result in a shorter porting interval. The first proposal called for orders to be received in a mechanized manner and responded to in five hours or less. The second proposal called for the 10-digit triggers to be set a full day before 12:01 a.m. of the confirmed due date. The NANC predicts that these two proposals will reduce the porting interval from 96 hours to 53 hours.

- The FCC issued an initial regulatory flexibility analysis as part of its proposed rule. The FCC recognized that reducing the porting interval may require system upgrades and impose new obligations and costs on carriers. The FCC sought comment on the impacts of the proposed rule on small telephone companies and ways to reduce the burden, pursuant to the Regulatory Flexibility Act (RFA).

- Advocacy believes the cost of requiring small telephone companies to comply with a shorter porting interval would outweigh the benefits of shortening the time their customers have to wait for their numbers to be ported from wireline to wireless phones in rural areas. Advocacy recommends that the FCC grant an exemption to small businesses, because of the small number of porting requests received in rural areas and the expense to small telephone companies who must either rely on third parties or perform the ports manually.

- The RFA and Executive Order 13272 require government agencies to analyze the impact of proposed and final rules on small entities and consider less burdensome alternatives. Advocacy was pleased that the FCC solicited comments on whether certain classes of telephone companies, including rural and small carriers, needed exemptions or differential implementation timeframes under the proposed rule.

For more information, visit Advocacy's website at http://www.sba.gov/advo/ or contact Eric Menge at (202) 205-6949.