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Attorney for the Commission Staff

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

**IN THE MATTER OF THE PETITION OF  
IDAHO TELEPHONE ASSOCIATION FOR  
SUSPENSION OF NUMBER PORTABILITY  
REQUIREMENTS.**

)  
) **CASE NO. GNR-T-04-1**  
)  
)  
) **COMMENTS OF THE**  
) **COMMISSION STAFF**  
)

**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Weldon B. Stutzman, Deputy Attorney General, in response to Order No. 29428, the Notice of Petition and Notice of Modified Procedure in Case No. GNR-T-04-1 issued on February 20, 2004, and submits the following comments.

On February 5, 2004, a Petition was filed by the Idaho Telephone Association (ITA) on behalf of 16 of its members requesting a 6-month suspension of the requirement that they provide number portability from wireline to wireless carriers. The Petition states that the member companies are pursuing an economical and technically feasible way to provide local number portability (LNP), but that a system upgrade is required. Specifically, the companies propose to provide number portability through shared equipment and services provided by Syringa Networks, LLC, requiring that Syringa convert its switch to a tandem switch. The Petition states that the conversion is already underway but that it cannot be completed prior to the May 24, 2004 deadline.

## **STAFF ANALYSIS**

As mentioned in the ITA petition, Section 251(f)(2) of the Telecommunications Act of 1996 provides small carriers the opportunity to petition a state commission for suspension of local number portability requirements. According to their Application, it is technically infeasible for the ITA member companies to provide LNP without significant system changes and their proposal to provide it through Syringa Networks is an attempt to mitigate the significant costs of the necessary changes. Staff believes that the ITA companies are making reasonable efforts to comply with the LNP requirements by exploring a technically feasible and cost effective solution, and Staff generally supports the ITA's request for an extension until November 24, 2004.

Because the plan to have Syringa Networks provide LNP to the ITA members is unique, it is important to ensure that this solution is technically equivalent and that it will be transparent to customers. For example, Staff would want to know that Syringa's solution would not require 10-digit dialing to ported numbers, that inappropriate toll charges would not be incurred to ported numbers, that default routing would occur appropriately, and that any other technical performance would be the same as if each of the ITA member companies provided the LNP. Also, Staff would expect that approval of the extension gives the ITA adequate time to work out any technical requirements with Syringa or, alternatively, provide LNP as individual companies so that no suspension of LNP obligations should be expected beyond November 24, 2004.

Staff recommends the ITA submit a written update to the Commission no later than August 24, 2004, regarding the progress made to implement LNP capability for its member companies. Staff will also be in contact with the North American Number Plan Administration (NeuStar) seeking its confirmation that Syringa's plan to provide LNP for the ITA companies will work appropriately.

## **STAFF RECOMMENDATION**

Staff recommends that the Idaho Telephone Association's petition for temporary suspension of local number portability obligations be granted until November 24, 2004. Staff further recommends that the ITA provide a written update to the Commission by August 24, 2004, regarding the technical feasibility of Syringa Networks providing local number portability effectively for the ITA member companies.

Respectively submitted this 12<sup>th</sup> day of March 2004.

  
Weldon B. Stutzman  
Deputy Attorney General

Technical Staff: Doug Cooley

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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 12TH DAY OF MARCH 2004, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. GNR-T-04-01, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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