

BEFORE THE MISSOURI PUBLIC SERVICE COMMISSION

In the Matter of the Petition of Grand River)
Mutual Telephone Corp. for Suspension and)
Modification of the FCC's Requirement)
to Implement Number Portability)
Case No. TO-2004-0456

**STATUS REPORT AND
REQUEST FOR LEAVE TO FILE OUT OF TIME**

COMES NOW Grand River Mutual Telephone Corporation ("Grand River"), and
for its Status Report and Request for Leave to File Out of Time states to the Missouri
Public Service Commission ("Commission") as follows:

Local Number Portability and PSC Modification

1. In 2004, the Commission issued an order modifying Grand River's
intermodal (*i.e.* wireline-to-wireless) local number portability (LNP) requirements
established by the Federal Communications Commission (FCC). Specifically, the
Commission's order modified Grand River's requirements to provide LNP as follows:

[The FCC's] local number portability requirements are modified to provide that if
wireline-to-wireless local number portability is requested after Grand River
Mutual Telephone Corporation has become fully LNP-capable, then Grand River
shall notify the wireless carrier that it is not the responsibility of Grand River to
establish facilities or arrangements with third-party carriers to transport calls on a
local basis to a point outside of Grand River's local service area. This also
applies to a situation where a wireless carrier that has established facilities or
arrangements, or both, with third-party carriers to transport calls to a point
outside of the Petitioner's local service area is requested to port numbers to
another wireless carrier that has not established such facilities or arrangements.

[And further,] while this modification is in effect, neither Grand River Mutual
Telephone Corporation, nor its wireline customers, will be responsible for any
transport or long distance charges associated with porting numbers and any
associated calls outside Grand River's local service area.

Petition of Grand River Mutual Telephone Corporation for Suspension and Modification of the FCC's Requirement to Implement Number Portability, Case No. TO-2004-0456, *Report and Order*, issued August 26, 2004, para. 3-4.

2. Both federal law and the FCC's 2007 order on number portability recognize Grand River's ability to petition for and the Commission's ability to grant a modification of the requirements for local number portability. See 47 U.S.C. § 251(f); see also FCC Order on Telephone Number Portability and Wireline-Wireless Porting Issues, CC Docket Nos. 95-116 and 99-200, released Nov. 8, 2007, par. 51, fn 174 and Appendix D, par. 15.

3. To date, the FCC has not clarified the rating and routing issues that gave rise to Grand River's LNP modification, nor has the FCC preempted the modification.

4. Grand River is fully LNP-capable and is currently providing LNP to two major wireless carriers (AT&T Wireless and Verizon Wireless) that have established appropriate arrangements to transport traffic outside of Grand River's local service area.

Sprint PCS Request for LNP

5. Grand River has received a request for local number portability (LNP) to port three wireless numbers from one wireless carrier (Verizon Wireless) to another wireless carrier (Sprint PCS). Verizon Wireless has an agreement and has established facilities to transport calls outside of Grand River's local service area, but Sprint PCS has not established an agreement or facilities to transport calls outside of Grand River's local service area. The Commission's LNP modification for Grand River requires that any wireless carrier seeking to port calls outside of Grand River's local service area must make its own arrangements for the transport of such traffic. Although other

wireless carriers such as AT&T Wireless and Verizon Wireless have made such arrangements, Sprint PCS has not made the necessary arrangements.

Summary Status Report

6. In 2006, the Commission issued a delegation order in this case directing Grand River to file a status report regarding requests for intermodal (wireline-to-wireless) local number portability that sets out the date of the request, the nature of the request, and the Company's plan for meeting the request:

- a. Date of Request. September 22, 2010.
- b. Nature of Request. Sprint PCS requested porting of three (3) numbers currently assigned to Verizon Wireless. Although Verizon Wireless has a direct interconnection with Grand River, Sprint PCS has not established facilities, made arrangements, or entered into agreements to address the transport of calls outside of Grand River's local exchange service areas.
- c. Grand River's Response to the Request. Grand River has corresponded with Sprint PCS to identify the transport issue, explain Grand River's modification to the LNP rules regarding transport approved by the Commission, request information about how Sprint PCS plans to arrange for the transport of ported calls, and offer technical assistance with making such arrangements. Communication is ongoing, but to date Sprint PCS has not identified how it plans to address the transport issue.

Request for Leave to File Out of Time

7. The Commission's 2006 order clarifying continuing obligations directs Grand River to file a status report within thirty (30) days of receipt of a request for intermodal LNP. The requirement for this status report was inadvertently overlooked due to excusable neglect. Grand River is currently porting numbers with two major wireless carriers (AT&T Wireless and Verizon Wireless) that have made the necessary arrangements for transport, so Grand River did not expect that transport arrangements would present an issue. In other words, this appears to be the first request for intermodal LNP to trigger Grand River's modification. Also, the requirement for the status report was not contained in the original modification order, so it was overlooked. Finally, Grand River provided a status report regarding this request to PSC Staff on November 17, 2010 in the belief that the report to Staff would fulfill the requirements of the order. PSC Staff advised last week that the report should be filed formally in this case. Thus, the delay in filing this report was not intended to delay or hinder notification to the PSC's Staff. Accordingly, Grand River hereby requests leave to file this report out of time pursuant to 4 CSR 240-2.050(3)(B).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent by electronic mail, U.S. Mail, postage prepaid, or hand-delivered on this 17th day of December, 2010, to the following parties:

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/s/ Brian McCartney

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