BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

In the Matter of a Possible Amendment	)	Case No. TX-2006-0444
To Section 4 CSR 240-29.040	)	

AT&T MISSOURI'S COMMENTS

AT&T Missouri[1] respectfully submits the following Comments and requests the

Commission find it unnecessary to amend 4 CSR 240-29.040 to require inclusion of Calling Party

Number ("CPN") in the Category 11 billing records exchanged between telecommunications

carriers for calls wireless carriers directly terminate to the LEC network.

RESPONSES TO COMMISSION QUESTIONS

In its May 24, 2006 Notice Opening New Case, Inviting Comments and Issuing Protective

Order, the Commission invited any interested person to file comments addressing the following

questions:

> **1.** **Why would a terminating carrier need CPN for wireless calls in the Category 11 records if the carriers receives CPN contemporaneous with the call?**

The evidence adduced in Case No. TE-2006-0053 shows that there is no need for CPN to be

included in the wireless billing record. The evidence unequivocally established that the small

carriers are able to use, and are using, AT&T Missouri's existing wireless Category 11 records to

bill wireless carriers for terminating their wireless traffic.[2] The information in these records is the

same information that AT&T Missouri itself uses to bill the wireless carriers.[3]

Even if CPN was included in the wireless billing record, the small carriers readily admitted

that they would not use it to bill terminating charges to wireless carriers. They indicated that they

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[1] Southwestern Bell Telephone, L.P., d/b/a AT&T Missouri will be referred to in this pleading as "AT&T Missouri." It previously conducted business as "SBC Missouri."
[2] See April 18, 2006 testimony of Robert Schoonmaker in Case No. TE-2006-0053, T. 340-341; and Exhibit 13 from Case No. TE-2006-0053.
[3] See Direct Testimony of Chris Read in Case No. TE-2006-0053, filed March 24, 2006, at p. 21.

would use Operating Company Number ("OCN") (as they do today), which accurately and reliably identifies the proper wireless carrier to bill.[4] They also acknowledged that because of roaming, CPN cannot be used reliably to jurisdictionalize a terminating wireless call.[5] And in fact, the Commission itself specifically prohibits it:

> . . . We also agree that Calling Party Number (CPN) cannot in all instances be used to determine the proper jurisdiction of wireless calls. We caution all terminating carriers that any attempt to use an OCN or CPN to determine the proper jurisdiction of wireless telephone calls on the LEC-to-LEC network is not permissible under our local interconnection rules.[6]

2. **Is it possible for a terminating carrier to reconfigure its equipment to collect the CPN in lieu of receiving it in a Category 11 record? If so, at what cost?**

It should be possible for most, if not all, of the terminating carriers to collect CPN on incoming calls when there is a business need for them to do so. AT&T Missouri delivers CPN over its SS7 signaling network on nearly all calls that cross its network and terminate to other carriers.[7] Thus, if a terminating carrier has a business need to do so, the small LECs could capture and record CPN at their own switches. And evidence from prior cases before the Commission shows that they have done that.

For example, as part of Case No. TO-99-593, the Missouri LEC industry in July, 2000, conducted a record exchange test, in which 10 of the small LECs recorded terminating call data during a two-day period (during that same period, Southwestern Bell, Verizon, Sprint and Alltel, who were responsible for providing originating records, extracted the corresponding originating call detail records). The industry then matched data from the terminating and originating recordings at

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[4] See April 18, 2006, testimony of Robert Schoonmaker in Case No. TE-2006-0053, T. 346-350.
[5] Id., p. 344-346. See also, April 17, 2006, testimony of Jason Constable, T. 18 ("the problem is you never know when they're roaming"), and Mr. Schoonmaker's April 18, 2006 testimony, T. 346 (indicating he had no information to contradict evidence that the telephone network and the billing systems do not know when a cell phone is roaming and when it's not).
[6] Order of Rulemaking Adopting 4 CSR 240-29.010, Mo. Reg. Vol. 30, No. 12 (June 15, 2005) pp. 1377-1378.
[7] See Direct Testimony of Jason Constable, in Case No. TE-2006-0053, filed March 24, 2006, at p. 14. But AT&T Missouri cannot signal CPN in the relatively rare instances when it does not receive it, nor can AT&T Missouri pass CPN on to terminating carriers who utilize non-SS7 trunks (e.g., Multifrequency or MF trunks). Id.

the call detail level. Pursuant to the Technical Plan agreed to by the parties for the record exchange test, data to be captured at the terminating location on an individual call basis was specifically to include "Calling Number/Originating Number (if available) -- NPANXXXXXX -- 10 digit numeric (zero if none available)."[8]

And more recently, Mark Twain, Chariton Valley, Mid-Missouri and Northeast Missouri Rural Telephone Companies used CPN they captured from SS7 call signaling information to perform traffic studies to develop interMTA factors in arbitration proceedings with wireless carriers.[9] Accordingly, to the extent a terminating carrier wishes to collect CPN data, it is clear that a terminating carrier can collect CPN data passed in the signaling by a transiting carrier and the data need not and should not be provided in the billing record provided by the transiting carrier.

3. **How much revenue have terminating carriers lost because wireless CPN has not been included in the Category 11 records? How was that revenue number calculated? What percentage of overall revenue is that "lost" revenue number?**

To AT&T Missouri's knowledge, terminating carriers have not lost any revenue from wireless CPN not being included in the Category 11 records. OCN is provided in wireless Category 11 records, and this provides the proper company to bill. Since pursuant to the Commission's rules, wireless CPN cannot be used for jurisdictional purposes, [10] primarily due to roaming, the unavailability of CPN in the wireless records should not cause any carrier to lose revenue.

4. **Why are wireless calls treated differently from wireline calls in relation to CPN in the Category 11 records?**

Wireless calls are treated differently from wireline calls in relation to CPN in Category 11 records because different information is needed to bill these two different types of calls. In _wireline_ billing, geographic location is critical for determining jurisdiction and distance billing and CPN can

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[8] Technical Plan for Missouri Record Exchange Test, attached as Appendix 1 to the Missouri Record Exchange Test -- Final Report, filed in Case No. TO-99-593 on January 26, 2001, Section 3(f)(1).
[9] See Rebuttal Testimony of Robert Schoonmaker in Case No. TE-2006-0053, filed April 7, 2006, at pp. 14-15.
[10] See fn 6.

be used to determine the precise geographic location of the party originating a <u>wireline</u> call. In a standard interexchange carrier call, the CPN will usually be passed as a part of the SS7 signaling message and be contained in the Category 11 billing record. The local exchange carriers involved on the call path should be able to determine the jurisdiction based on a comparison of the calling and called party telephone numbers.[11]

But in <u>wireless</u> billing, geographic location cannot be obtained from CPN due to the mobile nature of the wireless end of the call, making CPN unreliable in this setting. Accordingly, industry standards, as established by the Ordering and Billing Forum ("OBF") of the Alliance for Telecommunications Industry Solutions ("ATIS"), do not require the Category 11 billing records for these types of calls to contain CPN. Rather, the standards require Category 11 records for these calls to contain the OCN of the wireless carrier that terminated the call to the LEC network, which is the carrier responsible for paying terminating charges on these calls. And in situations when traffic is exchanged with missing or unreliable CPN information, like with these wireless calls, carriers generally rely on the use of percentages (factors) to determine the jurisdiction.[12]

The evidence in Case No. TE-2006-0053 has shown that no carrier uses CPN to bill other carriers for the termination of these wireless calls. Rather, all carriers use the OCN provided in the Category 11 records being provided by AT&T Missouri, CenturyTel and Sprint for this wireless traffic.[13] The evidence in that case has also confirmed that a wireless customer's ability to roam across multiple jurisdictions and onto other wireless carriers' networks makes the wireless end-user's CPN unreliable for use in intercarrier billing on these types of calls.[14] And for this very

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[11] Chris Read Affidavit, paras. 2, 6.
[12] <u>Id</u>., paras. 2, 6-9.
[13] <u>See</u> Direct Testimony of Chris Read in Case No. TE-2006-0053, filed March 24, 2006, at pp. 7-9; <u>and</u> Direct Testimony of Robert Schoonmaker in Case No. TE-2006-0053, filed March 24, 2006, at pp. 12-13.
[14] <u>See</u> Direct Testimony of Chris Read in Case No. TE-2006-0053, filed March 24, 2006, at pp. 11-12.

reason, the Commission's own rules prohibit CPN to be used to jurisdictionalize these wireless calls:

> . . . We caution all terminating carriers that any attempt to use an OCN or CPN to determine the proper jurisdiction of wireless telephone calls on the LEC-to-LEC network is not permissible under our local interconnection rules. We recognize that this limitation contrasts with processes historically employed on the Interexchange Carrier network in which CPN is used to determine the jurisdiction of wireless calls. Again, we caution that our rules will not permit such practices on the LEC-to-LEC network.[15]

5.   What is the estimated cost to the transiting carrier to reconfigure its equipment to capture a wireless CPN for the Category 11 records?

AT&T Missouri's Lucent 5ESS™ tandems do not have the technical capability to populate CPN in the AMA switch records for wireless-originated calls, making CPN unavailable for inclusion in the Category 11 billing records for this type of traffic.[16] As shown in the attached Affidavit of Jason Constable, Lucent Technologies would be required to develop this functionality as a new capability in its 5ESS™ switches at an estimated cost ranging from $900K - $1.3M, and with an estimated development time of 6-12 months from a signed agreement. (As this estimate is nearly a year old, it is possible that Lucent's current cost would be higher.)[17] This cost is specific to Missouri and would not be spread across AT&T's 13-state region. None of the other AT&T states has placed this non-standard requirement on its carriers.

These costs do not include the additional costs that AT&T Missouri would incur to load and test the new software package, or the costs (estimated to exceed $100,000) AT&T Missouri would incur in changing its internal data processing systems that would be needed to generate a wireless Category 11 record that includes CPN (if CPN became available in the AMA data).[18]

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[15] Order of Rulemaking Adopting 4 CSR 240-29.010, pp. 1377-1378 (emphasis added).
[16] Jason Constable Affidavit, paras. 2, 5.
[17] Id., paras. 2, 7-8. A copy of Lucent's September, 2005 feature development estimate is attached to Jason Constable's Affidavit as Schedule 2HC. It should be noted that Lucent's response was a high-level response and made no firm commitments until a contract was signed.
[18] Jason Constable Affidavit, paras. 7-8; Chris Read Affidavit, paras. 2, 10-14.

6. What is the estimated time frame within which such reconfiguration is practicable?
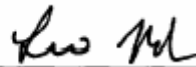
As shown in the attached Affidavits of Jason Constable and Chris Read, AT&T Missouri estimates that it would take approximately 13-19 months to have its equipment and internal data processing systems reconfigured to capture CPN for the wireless Category 11 records. This estimate includes up to 30 days to negotiate a development agreement with Lucent Technologies and agree on a price for Lucent to write new software to develop this new functionality in its 5ESS tandem switches; six to 12 months for Lucent to deliver the new software to AT&T Missouri;[19] and six months after AT&T Missouri loads and tests the new software package for AT&T's Information Technology organization to change the company's internal data processing systems to actually generate the wireless Category 11 record that includes CPN once CPN becomes available in the wireless AMA data.[20]

WHEREFORE, AT&T Missouri respectfully requests the Commission to enter an order finding it unnecessary to amend 4 CSR 240-29.040 to require CPN to be included in the Category 11 billing records exchanged between telecommunications carriers for calls wireless carriers directly terminate to the LEC network.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE, L.P.,
D/B/A AT&T MISSOURI

BY _____

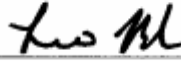| PAUL G. LANE | #27011 |
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[19] Constable Affidavit, paras. 2, 7-8.
[20] Read Affidavit, paras. 2, 10-14.

CERTIFICATE OF SERVICE

Copies of this document were served on the following parties by e-mail on July 7, 2006.

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