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

Dear Ms. Rhéaume:

**Re: Telecom Public Notice CRTC 2006-3 - Regulatory Issues Related to the
Implementation of Wireless Number Portability**

Summary

1. In this proceeding, the Commission has invited public comments and reply comments on a number of regulatory issues that relate to the implementation of wireless number portability (WNP) in Canada. Rogers Wireless Partnership (Rogers) is pleased to provide the following reply comments.
2. Most parties have agreed that traffic associated with ported telephone numbers should be routed and interchanged within an area that is larger than the incumbent local exchange carrier (ILEC) exchange area. No relevant or significant issues have been identified with respect to the use of ILEC local calling areas (LCAs) as the area within which telephone numbers may be ported between carriers.
3. A number of parties agree that existing wireless interconnection arrangements should be used for WNP routing and trunking.

4. There is agreement that telephone numbers within telephone number blocks that are used by wireless carriers and are supplied from CO codes that are held by ILECs should be bulk-ported to wireless carriers prior to the launch of WNP.
5. The majority of parties agree that wireless two-way voice services associated with a 10-digit telephone number should be subject to number porting.
6. There is a consensus that wireless carriers should be permitted to deny port requests under certain circumstances. A number of these parties agree that this should include circumstances in which the porting customer is unwilling to pay significant outstanding balances, including contract termination charges.
7. The ILECs and their affiliates are opposed to the application of the ILEC winback rules whenever an ILEC local exchange customer ports their telephone number to a wireless carrier.
8. There are differing views regarding whether wireless carriers should be provided with access to ILEC Operational Support Systems (OSS).
9. There is a consensus that existing practices regarding directory listings and enhanced 9-1-1 (E9-1-1) information should continue to apply to local exchange carriers (LECs) and wireless carriers in a WNP environment.

Introduction

10. Rogers is pleased to provide the following reply comments in response to the comments that have been filed pursuant to ***Telecom Public Notice CRTC 2006-3 – Regulatory Issues Related to the Implementation of Wireless Number Portability*** (the Notice).
11. In the Notice, the Commission has invited public comments and reply comments on a number of regulatory issues that relate to the implementation of WNP in Canada.
12. Rogers is in receipt of the comments that were filed by the following parties: Aliant Mobility, Aliant Telecom Inc., Bell Canada, Bell Mobility, Telebec Limited Partnership and Telebec Mobilite (Bell *et al*); Canadian Wireless Telecommunications Association (CWTA); MTS Allstream Inc. (MTS Allstream); Primus Telecommunications Canada Inc. (Primus); Saskatchewan Telecommunications (SaskTel); Telus Communications Inc. and Telus Mobility (Telus); The City of Calgary; Virgin Mobile Canada (Virgin); Xit Telecom Inc., Xittel Telecommunications Inc., and 9141-9077 Quebec Inc. (Xit).
13. Rogers generally denies any assertions or arguments put forward in the submission of other parties which are inconsistent with the positions set out by Rogers. Failure by Rogers to address any assertions or arguments put forward by other parties in this proceeding should not be construed by the Commission as acceptance or concurrence on the part of Rogers where such acceptance or concurrence would be inconsistent with the interests of Rogers.

Trunking arrangements for the interchange of traffic

14. In its comments of 27 February 2006, Rogers requested that the Commission order the use of ILEC LCAs as the area for aggregating exchanges and POIs and within which traffic associated with ported telephone numbers should be routed and interchanged.
15. Rogers also submitted that wireless carriers should be required to have one point of interconnection (POI), one trunk group, one central office (CO) code, and one location routing number (LRN) within each LCA where they will port telephone numbers. Rogers submitted that wireless carriers should be permitted to use their existing POIs, trunk groups and CO codes to satisfy these requirements, and that they should also be permitted to use their existing CO codes for use in the creation of LRNs. These provisions should apply equally to all wireless carriers, including wireless service providers (WSPs) and wireless competitive local exchange carriers (CLECs).
16. Most parties have agreed that an area comprising multiple ILEC exchange areas is practical and should be used for routing and interchanging traffic. These parties have also agreed that existing wireless interconnection trunks and arrangements should be used for WNP.
17. For example, Rogers notes that Telus has advocated the use of the ILEC Extended Area Service (EAS) for this purpose, and has submitted that existing wireless interconnection trunks and trunking arrangements should be used. Specifically, Telus states the following in this regard in paragraph 6 of its submission:

TELUS sees no reason to alter the current established interconnection arrangements between the WSP carriers and the

ILECs. These arrangements are defined in the ILEC tariffs to provide routing of traffic within the ILEC EAS areas. It is TELUS' view that WSP carriers will continue to purchase the WSP Access Service through the ILEC tariff or through an effectively equivalent CLEC access service.

18. SaskTel has also supported the notion that existing wireless interconnection arrangements should be used for the interchange of traffic associated with WNP. SaskTel states the following in paragraph 53 of its submission:

Therefore, no changes to trunking and routing arrangements are required to enable the interchange of traffic between wireless carriers and LECs in a portability environment.

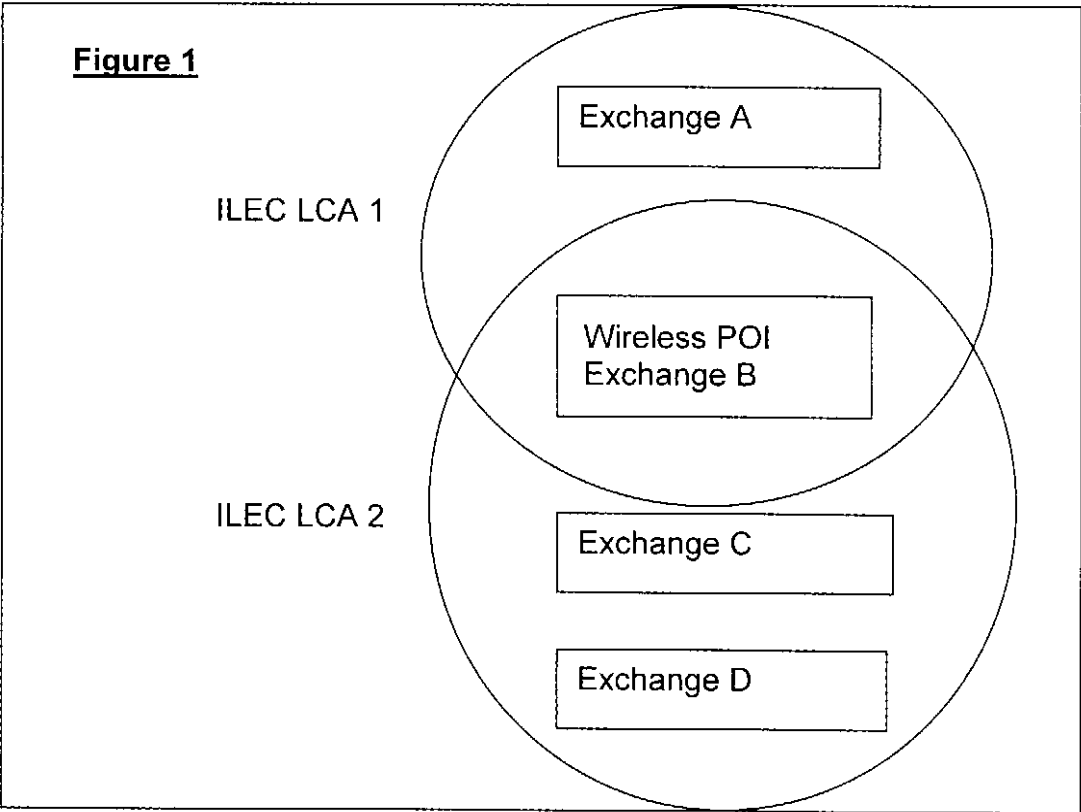
19. Bell *et al* have expressed their support for the use of existing wireless interconnection arrangements for WNP. Bell *et al* state the following in paragraph 12 of their comments:

The Companies also note that in Decision 2004-46, the Commission allowed for grandfathering of pre-existing arrangements. The Companies are of the view that this approach would also be appropriate in a WNP environment wherein WSPs and LECs may have interconnection arrangements already in place.

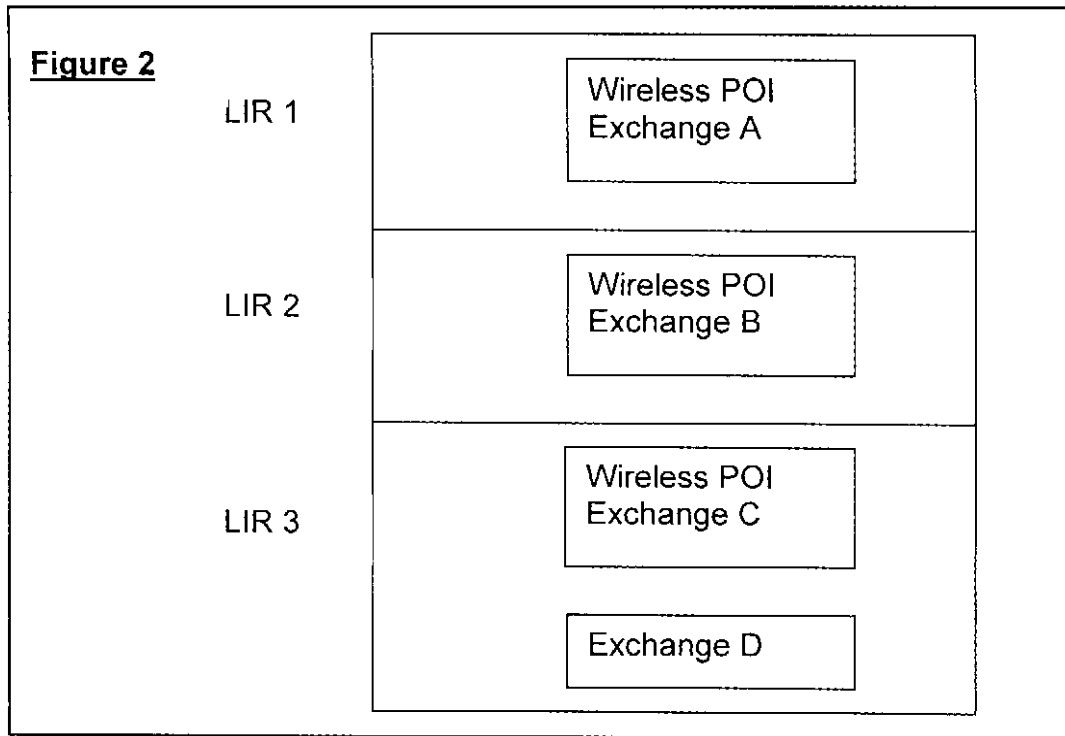
20. As noted above, Rogers and Telus have requested that the ILEC LCA or EAS be used as the area within which ported traffic should be routed or interchanged. Other carriers, however, are opposed to the use of LCAs and have supported the use of the Local Interconnection Region (LIR) as the area to use for this purpose.

21. Specifically, Bell *et al*, MTS Allstream and SaskTel have asserted that the use of LCAs would be too confusing and that the existing LIR regime should be used. These parties have claimed that LCAs would not be appropriate, because LCAs vary from carrier to carrier, and exchanges are often included in more than one LCA, and that LCAs overlap.
22. In response, Rogers submits that the issues identified by these parties are not relevant or significant and provide no basis on which to reject the LCA alternative.
23. In their comments, Rogers and Telus have shown that the use of the ILEC LCA, or EAS, would be simple and straightforward. For example, it has been noted that the use of the ILECs' LCAs would avoid the confusion that could result if the LCAs of all carriers were to be used for this purpose. Further, Rogers has submitted that the ILEC LCA associated with the ported telephone number should be used. As noted above, Telus has pointed to the fact that the existing wireless interconnection arrangements already incorporate the routing of traffic associated with the ILEC EAS, or LCA.
24. The fact that ILEC exchanges are included in more than one ILEC LCA does not create any confusion or difficulty, as claimed by Bell *et al*. If a porting-in carrier has a POI and a CO code within the ILEC LCA of the ported telephone number, then the carrier would satisfy the requirement proposed by Rogers and Telus, and the customer's number could be ported to the carrier. If the porting-in carrier has a POI and a CO code within an exchange that is included in more than one ILEC LCA, then the carrier would continue to satisfy the proposed requirement, and telephone numbers within these LCAs could be ported to the carrier.

25. The simplicity of this approach can be illustrated using the following example. A wireless carrier has a POI and CO code in Exchange B, which is included in ILEC LCA 1 (see Figure 1 below). An ILEC customer has a telephone number in Exchange A, which is also included in ILEC LCA 1. The wireless carrier would satisfy the proposed requirement, and the customer's number could be ported to the carrier. Since Exchange B is also included in ILEC LCA 2, telephone numbers in Exchange C and D could also be ported to the carrier.



26. As noted above, Bell *et al*, MTS Allstream, and SaskTel have proposed that the existing LIR regime should be used for the implementation of WNP. These parties have claimed that the use of the LIR regime would be straightforward, since the LIR regime is already being used by LECs in the context of local competition. These parties have also asserted that less time will be required to implement WNP using the LIR than would be the case if other solutions are used.
27. In response, Rogers submits that the use of the LIR regime would require wireless carriers to acquire a greater number of CO codes, and implement more POIs, trunk groups and LRNs, than would be necessary under the proposal supported by Rogers and Telus.
28. Specifically, Rogers notes that, under the existing LIR regime, CLECs are required to: obtain a CO code for each ILEC exchange; implement a POI in each LIR; establish trunk groups for each exchange within the LIR, and create LRNs for each exchange within the LIR.
29. These requirements can be illustrated as follows. Under the LIR regime, a wireless carrier would require a POI in LIRs 1, 2, and 3 in order to port telephone numbers in these LIRs (see Figure 2 below). The wireless carrier would also be required to obtain a CO code in Exchanges A, B, C, and D (typically, LIRs are comprised of multiple exchanges). Lastly, the wireless carrier would need to establish at least one trunk group, and create one LRN, for each exchange or each ILEC central office (these requirements are currently imposed on CLECs by the ILECs, and are at dispute in the Commission's LIR follow-up proceeding). Under the LIR regime, the wireless carrier would be limited to porting telephone numbers within each LIR.



30. Rogers notes that, typically, LIRs are smaller than ILEC LCAs. This means that the area within which porting may occur will be smaller than if the ILEC LCAs are used. This also means that wireless carriers would be required to implement more POIs and trunk groups, obtain more CO codes, and create more LRNs, than would be necessary if LCAs are used. Clearly, the LIR approach would be less efficient and more onerous for wireless carriers, and it would require a greater degree of time and effort to implement WNP.

31. Rogers submits that Bell *et al*, MTS Allstream and SaskTel have a vested interest in this approach since, among other things, their wireless interconnection revenues will increase as a result of the fact that wireless carriers will require more POIs and trunk groups when implementing WNP using this regime.

32. Contrary to the claims of these parties, the use of the existing LIR regime will not result in a speedier implementation of WNP. In fact, the need for

more POIs, trunk groups and CO codes will, potentially, delay the implementation of WNP.

33. In light of the above, Rogers respectfully submits that the Commission should reject the proposals advanced by Bell *et al*, MTS Allstream and SaskTel regarding the use of the LIR for the implementation of WNP.
34. In paragraph 11 of its comments, Telus has noted that WSPs may purchase WSP interconnection from a CLEC and that traffic that is destined for WSPs must be routed to the CLEC from which the WSP has purchased the interconnection service. Telus has also noted that traffic associated with portable CO codes is routed to LECs using LRNs. Telus states that *“this routing mechanism is expected to continue, and the assignment of LRNs for WSPs should accommodate this routing”*.
35. Rogers agrees with Telus that LRNs should be used for routing WNP traffic.

Need for wireless carriers to have a CO code in every wireline exchange

36. In its comments, as noted above, Rogers submitted that wireless carriers should be required to have one CO code and one LRN in each ILEC LCA where they will port telephone numbers and that they should be permitted to use their existing CO codes for this purpose and for the creation of LRNs.
37. Rogers notes that, in its comments, Telus has proposed that wireless carriers should not be required to obtain a CO code in each ILEC exchange on the basis that such a requirement would cause the premature exhaust of available CO codes in certain NPAs. Telus states the following in this regard in paragraph 12 of its comments:

If all 3 major wireless carriers were required to hold CO Codes in all the exchanges their services covered, many new CO Code assignments would be required in 4Q 2006 or 1Q 2007, which would create premature NPA exhausts across Canada and would likely create jeopardy conditions for the supply of NXXs in NPAs such as 250, 403 and 613.

TELUS and TELUS Mobility do not believe it is necessary for a WSP to hold one CO code in all the wireline exchanges where the WSP has wireless coverage.

38. Rogers notes that Telus' views concerning this matter are consistent with Rogers' proposal.

39. With respect to the assignment of LRNs, Telus states that:

It may, however, be necessary for a WSP to hold one CO code to provide an LRN for use within a given defined multi-exchange area, due to constraints on the usability of an LRN, including, but not limited to, constraints applying if the LRN is not within the EAS of the exchange with the CO Code containing the ported number.

40. Rogers agrees with Telus that wireless carriers should assign a LRN in each ILEC LCA, or EAS where they will port telephone numbers.

41. The proposals advanced by Rogers and Telus would provide for the following regime for the assignment of LRNs. As illustrated in Figure 1 above, a wireless carrier with a POI and CO code in Exchange B, would be permitted to port, for example, ILEC telephone numbers from exchanges A, B, C, and D. To facilitate the routing of traffic associated with the telephone numbers that are ported from Exchanges A, B, C, and

- D, the wireless carrier would create a single LRN using its existing CO code in Exchange B. The LRN would be used for routing traffic that terminates to the ported telephone numbers via the wireless carrier's single existing trunk group associated with the POI in Exchange B.
42. If the wireless carrier has more than one POI, trunk group, CO code and LRN within an ILEC LCA, or a group of ILEC LCAs, the wireless carrier should be permitted to determine the POI, trunk group and LRN that it will use when porting a particular telephone number, as long as the POI, trunk group and LRN are within the LCA of the ported number.
43. The assignment of LRNs and the routing and interchange of WNP traffic in the manner described above would be efficient, simple, straightforward, and would maximize the extent to which WNP can be implemented using the existing POIs, trunk groups, and CO codes of wireless carriers.
44. Rogers submits that the manner in which LRNs are assigned and used for routing WNP traffic, should apply equally to all wireless carriers, including WSPs and wireless CLECs. Further, the assignment and use of LRNs in this manner should apply irrespective of whether a WSP obtains its interconnection from an ILEC or a CLEC.
45. While Bell *et al* do not support the use of LCAs in the manner proposed by Rogers and Telus, it is instructive that these parties have admitted that the assignment of LRNs on the basis of a much broader area than an ILEC exchange would be practical and could be accommodated by making certain modifications to the Canadian Central Office Code (NXX) Assignment Guidelines. Bell *et al* state the following in this regard, starting at paragraph 23:

As the LRN was designed for routing to a specific switch, then the general guideline for this approach would be to assign one LRN per switch per LIR for each WSP.

While the Companies consider that either LRN approach discussed above would be technically feasible, the Companies' preference is for Option 1.

(Emphasis added)

46. This admission by Bell *et al* regarding the straightforward nature of assigning and using LRNs in this manner is consistent with the comments that were filed by Rogers regarding the assignment of LRNs.

47. Rogers notes that certain parties have advocated a requirement that wireless carriers must obtain a CO code in each exchange where they will port telephone numbers. This is surprising since these same parties have noted that this would contribute to the exhaust of available CO codes in certain numbering plan areas (NPAs) in Canada. For example, Bell *et al* have stated the following in this regard in paragraph 16 of their submission:

If wireless carriers were required to obtain CO codes for each exchange covered by their networks there could be, among other things, a significant increase in the demand for CO codes that could potentially cause premature number exhaust in some numbering plan areas (NPAs).

48. As noted by Rogers and Telus, the implementation of WNP can be achieved without any such obligation. Therefore, there is no need to exhaust the available supply of CO codes to successfully implement WNP. Accordingly, Rogers respectfully submits that the Commission should

disregard such proposals and should not require wireless carriers to obtain a CO code in each ILEC exchange where they will port numbers.

Shared CO codes where the carrier of record is an ILEC

49. There is agreement that telephone numbers within telephone number blocks that are used by wireless carriers and are supplied from CO codes that are held by ILECs should be bulk-ported to wireless carriers prior to the launch of WNP. This is consistent with the submission of Rogers.
50. As noted in its comments, Rogers believes that this activity should be completed by the end of 2006 so that adequate time will be available for testing before the implementation of WNP in March 2007.
51. Rogers agrees with MTS Allstream that all wireless telephone numbers in shared CO codes, and not merely active telephone numbers, should be bulk ported to wireless carriers prior to the implementation of WNP. Specifically, in paragraph 14 of its submission, MTS Allstream states that *“the bulk porting responsibility should apply to the entire block of numbers, including those not currently activated. This will ensure that the correct carrier is recorded in the NPAC SMS database and will avoid porting fall-outs or porting failures arising from currently shared CO codes”*.
52. Rogers also agrees with Bell *et al* that recurring telephone number charges should not be applied to wireless carriers once telephone numbers within shared CO codes have been ported to wireless carriers. Specifically, Bell *et al* state the following in paragraph 29 of their comments: *“WSPs would also no longer have to pay ILECs for leasing these TNs in the future, as all such numbers leased to WSPs in ILEC CO Codes would be ported and WSPs could obtain additional numbers in the future by requesting their own CO Codes from the CNA”*.

Wireless services subject to number porting

53. Most parties agree with Rogers that the wireless services that should be subject to number portability are two-way, voice communications services that are associated with a 10-digit telephone number. These parties also agree that telephone numbers associated with post-paid and pre-paid services should be included.

54. Rogers agrees with Telus, in paragraph 17 of its comments, that “*numbers are portable, not services*”.

Criteria for denying a wireless porting request

55. There is a consensus that wireless carriers should be permitted to deny port requests under certain circumstances.

56. A number of these parties, including Bell *et al*, the CWTA, MTS, and Telus have agreed with Rogers that this should include circumstances in which the porting customer is unwilling to pay significant outstanding balances, including contract termination charges.

Applicability of ILEC winback rules

57. In its submission, Rogers noted that the Commission imposed the winback rules so that the ILECs, and their affiliates, would not be able to use their control of, and access to, customer specific information to win back customers before their service is transferred to a competitor. These rules are important because the ILECs are the dominant carrier with over 95% market share in their respective territories. Rogers submitted that the ILEC winback rules should be applied when ILEC local customers port

their telephone numbers to wireless carriers, so that porting from wireline to wireless carriers would not be impeded.

58. Rogers notes that, in their submissions, many of the ILECs and their affiliates have asserted that the winback rules should not be applied in these circumstances on the basis that the wireless market is highly competitive.
59. In response, Rogers agrees with these parties that the wireless market is highly competitive. However, Rogers submits that this does not alter the fact that the ILECs and their affiliates will use their control of, and access to, ILEC customer specific information to win back ILEC customers before their service is transferred to a competitor, such as a wireless carrier.
60. Rogers notes that, in their comments, Primus and Virgin have asserted that the winback rules should be applied to the incumbent wireless carriers when their customers are ported to mobile virtual network operators (MVNOs). In addition, Primus has asserted that winback restrictions should also apply when wireless customers are ported to CLECs. Primus has asserted that *“the Commission should remove a key ‘competitive disabler’ by restricting winbacks by the major wireless carriers”*.
61. In response, as noted above, Rogers submits that the wireless market is highly competitive, and there is no evidence to support Primus’ claim that the state of competition in the wireless market is in any way impeded by the lack of a winback restriction that would apply to wireless carriers.
62. In making these assertions, Primus and Virgin have constructed a fiction which features a monolithic incumbent wireless carrier that has 95% market share in the wireless market. Specifically, Primus has claimed that

Rogers, Telus and Bell “combine to possess almost 95% market share between them”.

63. Primus and Virgin have incorrectly paralleled their fictitious incumbent wireless carrier with the ILECs, each of which in fact control at least 95% of the market in their respective operating territories. Primus and Virgin have reasoned that the fictitious incumbent wireless carrier warrants the same regulatory treatment as the ILECs, and they have claimed that the winback rules should be applied to the incumbent wireless carriers.
64. In response, Rogers submits that the claims of Primus and Virgin are based on circumstances that do not exist. These parties have conveniently ignored the fact that, in most markets, there are at least two or three wireless competitors. Generally speaking, these competitors have equivalent market share. None of these competitors have 95% market share, and none are the dominant carrier. There is no comparison between the market power of the ILECs and the wireless carriers.
65. For these reasons, Rogers respectfully submits that the Commission should disregard the false claims that have been made by Primus and Virgin regarding the ILEC winback rules. The application of the winback rules to wireless carriers is not warranted.
66. Rogers notes that, in the context of its assertions regarding the winback restrictions, Primus has also made the following statement:

It would be even more desirable if the Commission would act to create a workable wholesale regime in the Canadian wireless market as a “competitive enabler”.

67. Apart from the fact that the issue of wireless wholesale is beyond the scope of the current proceeding, Rogers submits that Primus' claim is vague, unsubstantiated, and it also contradicts the fact that Primus has entered into a wholesale agreement with an incumbent wireless carrier.

68. Indeed, a number of Canadian competitors have entered into wholesale arrangements with incumbent wireless carriers on the basis of the current wireless wholesale regime, and this trend will continue. Therefore, contrary to the hollow claims of Primus, the evidence shows that the existing wireless wholesale regime is not unworkable.

69. Rogers respectfully submits that the Commission should disregard the assertions of Primus regarding the wireless wholesale regime.

Wireless carrier access to ILEC OSS

70. In its comments, Rogers submitted that the potential for customer information errors on requests to port wireline telephone numbers from ILECs will be as significant for wireless carriers, as it has been for CLECs. Rogers noted that customer information errors for wireline to wireless porting will result in rejected port requests and customer dissatisfaction. Rogers also submitted that wireless carriers will require access to trouble ticket systems so that porting related errors can be reported, tracked and addressed in a timely manner.

71. Rogers notes that the ILECs and their affiliates have rejected the notion that wireless carriers should be given access to ILEC OSS, and have asserted that such access is unnecessary or that it should not be available to carriers that are not CLECs. These parties have claimed that access to ILEC OSS is only necessary to address local loop issues, which will not arise in the context of WNP.

72. In response, as outlined in its comments, Rogers notes that the Commission provided CLECs with access to ILEC OSS in order to, among other things, address the fact that customer information errors had directly contributed to the delay or failure of port requests for porting of ILEC customer numbers. The reasons for providing CLECs with access to ILEC OSS were not limited to local loop issues.
73. Further, Rogers notes that customer information errors will be an issue any time that an ILEC customer ports their telephone number, irrespective of whether they are porting to a CLEC or to a wireless carrier. The issue relates to the complexity of the data that must be validated when an ILEC customer is ported to a competitor. It is not a function of whether the competitor is a CLEC or a wireless carrier. Therefore, it is clear that this issue will arise in the context of WNP.
74. Rogers notes that Telus has stated that it is not opposed to granting wireless carriers access to ILEC OSS, and it has acknowledge that such access would likely be relevant in the context of WNP.
75. However, Telus has stated that its support for wireless carrier access to ILEC OSS is contingent on the provision of access to wireless carrier OSS to ILECs. Telus claims that a “*level playing field*” is necessary. Bell *et al* have also suggested that ILEC access to WSP OSS should be considered if wireless carriers will be provided with access to ILEC OSS.
76. In response, Rogers submits that Telus and Bell *et al* have ignored an important fact in making their assertions. As noted above, the reason that certain ports are delayed or fail is that the customer information data that is validated when ILEC customers are ported is very complex. In contrast,

the customer information data that will be validated when wireless customers are ported will not be complex.

77. Wireless carriers have deliberately simplified their customer validation process in order to avoid the problems that are caused by the more complex process that is used for porting ILEC customers. For this reason, it is unlikely that customer information errors will occur to the same extent when wireless customers are ported.

78. Rogers notes that the wireless carriers have arrived at a consensus regarding the data that will be validated when a wireless customer is ported. Specifically, the carriers have agreed that the validation process will focus on the wireless telephone number and one of the following data elements: the wireless account number; or the password/personal identification number (PIN); or the electronic serial number (ESN)/ mobile equipment identifier (MEID). With the exception of the password option, these validation data elements are primarily comprised of numeric digits.

79. Rogers also notes that the validation procedures associated with the porting of LEC wireline customers are dictated by the provisions of the Canadian Local Ordering Guidelines (CLOG) version 5.2. The CLOG provides that the LEC wireline validation process must focus on all of the following data elements: the telephone number; the customer name; and the customer address.

80. Rogers notes that the customer name and address contain alphanumeric characters as well as abbreviations. These data elements are also more complex in nature than the data elements that will be used by wireless carriers. As well, the porting-in carrier's spelling of the customer's surname and street name would be subject a greater degree of error than, for example, the telephone number.

81. Clearly, there is a much greater likelihood that errors will arise when LEC wireline customers are ported than when wireless customers are ported. Indeed, the extent of errors caused by the complexity and nature of LEC wireline validation elements, and the high market share held by the ILECs, is what led the Commission to order the ILECs to provide CLECs with access to ILEC OSS. None of the parties that have advocated access to wireless carrier OSS have identified any specific issues with wireless validation data that would warrant any such access, and they have ignored the facts outlined above when making their assertions.

82. In any event, Rogers notes that the Commission ordered access to ILEC OSS only after customer information errors were found to be the cause of a significant number of delayed or failed ports, and after the completion of an extensive examination by the Commission of the issues involved. There is no evidence that the same issues will arise when customers are ported from wireless carriers.

83. Absent access to ILEC OSS, wireless carriers that port ILEC customers will be plagued by the same issues that led the Commission to provide CLECs with access to ILEC OSS. The ILECs, however, will have no such issues to contend with since, as noted above, the validation process that is used for porting wireless customers will be straightforward and simple. Rogers submits that the Commission should "*level the playing field*" by ordering the ILECs to provide wireless carriers with access to ILEC OSS.

Directory listing information for ported numbers

84. Rogers notes that there is consensus that the extent to which wireline and wireless customer information is added to the telephone directory does not require modification with the implementation of WNP.

85. The parties are in agreement that existing practices that apply to LECs and wireless carriers in this regard should continue to apply in a WNP environment.

E9-1-1 customer information for ported numbers

86. Rogers notes that there is consensus that the extent to which wireline and wireless information is added to the E9-1-1 ALI database does not require modification with the implementation of WNP.

87. The parties are in agreement that existing practices that apply to LECs and wireless carriers in this regard should continue to apply in a WNP environment.

Other regulatory issues

88. In the Notice, the Commission invited comments on any other regulatory issue related to the implementation of WNP.

89. Rogers notes that, in their comments, Bell *et al* have claimed that *“current WSP interconnection tariffs may not adequately compensate [Bell et al] for the interchange and transport of WSP traffic under this new regime and may require alterations”*. These parties have also asserted that *“the Commission should be prepared to approve modifications to the Companies’ WSP interconnection, and other, tariffs to ensure that the Companies are adequately compensated”*.

90. In response, and as noted above, the ILECs’ wireless interconnection tariffs and arrangements already provide for the routing of wireless carrier traffic within the ILEC LCA and EAS areas. These tariffs and

arrangements include transiting and tandeming functionality and WSPs compensate the ILECs for wireless traffic that originates or terminates on the ILECs' networks.

91. Clearly, the ILECs are already compensated by wireless carriers for these costs. Therefore, the Commission should ignore the claims made by Bell *et al* that the ILECs may not be adequately compensated for the interchange and transport of WSP traffic under the proposed regime.

92. Rogers notes that Virgin has claimed that customer education requirements should be imposed on wireless carriers. Virgin asserts that such requirements are warranted on the basis of its allegation that wireless carriers *"use handset subsidies combined with long-term contracts to constrain customer mobility"*.

93. In response, Rogers submits that Virgins claims are false. Wireless handset subsidies are used by wireless carriers to increase the adoption rate of wireless services by reducing the up-front cost that must be born by wireless customers. Further, it is only reasonable that wireless carriers would recover the cost associated with handset subsidies by means of term contracts.

94. These practices are driven by the significant cost of wireless handsets, and are not, as Virgin claims, tactics that are employed by wireless carriers to constrain customer mobility. Contrary to Virgin's assertions, these practices have the effect of making wireless services more affordable and accessible to Canadians.

95. Absent the use of term contracts in this manner, wireless carriers would either be required to eliminate the handset subsidy, or absorb the cost of

the subsidy. Rogers submits that neither of these alternatives would be reasonable or in the public interest for the following reasons.

96. First, as noted above, the benefit of handset subsidies is that they reduce the up-front cost of subscribing to wireless services. A greater number and broader range of Canadians are able to avail themselves of the convenience and efficiency associated with wireless services as a result of the lower up-front cost made possible by the handset subsidy. Removing the subsidy would introduce a cost barrier that would decrease the adoption rate of wireless services in Canada.
97. Second, the notion that wireless carriers should be required to absorb the significant cost associated with handset subsidies is absurd. In an industry that requires a recurring capital investment in the Billions of dollars, wireless carriers can hardly be expected to be profitable if they will be required to absorb hundreds of dollars in handset costs for every customer that they serve.
98. Rogers submits that handset subsidies and term contracts benefit wireless customers and wireless carriers by reducing the up-front cost to consumers, increasing the adoption rate of wireless services, and ensuring that wireless carriers are adequately compensated for the significant cost of wireless handsets.
99. For these reasons, Rogers respectfully requests that the Commission disregard the claims of Virgin regarding handset subsidies and term contracts.
100. Rogers notes that Virgin has also claimed that the Commission should *“require the use of marketing tools such as consumer education/publications regarding WNP by certain wireless service*

providers". Virgin has also asserted that wireless carriers should be required to warn customers of the impending implementation of WNP before they enter into long-term contracts.

101. In response, Rogers submits that the customer education requirements requested by Virgin are unnecessary and unwarranted.

102. Rogers notes that the impending implementation of WNP has been, and continues to be, widely reported in the news media. Canadians do not lack generally available information regarding the upcoming implementation of WNP.

103. In any event, wireless carriers and the wireless industry have already taken steps to ensure that wireless customers and prospective customers, will be well informed regarding WNP.

104. For example, the industry WNP implementation plan provides for the introduction of a WNP customer education web portal. This portal, which has already been implemented by the wireless industry, contains helpful and specific information regarding the implementation of WNP in Canada and is designed to respond to a range of questions that wireless customers will likely have regarding WNP.¹ Going forward, this portal will be updated as necessary.

105. Further, each individual carrier has, as part of its WNP implementation plan, a work stream and tasks that relate specifically to the issue of customer education. Wireless carriers will employ a range of available customer communications tools to ensure that customers and prospective customers will have all of the relevant information regarding WNP.

¹ www.wirelessnumberportability.ca / www.transferabilitesansfil.ca

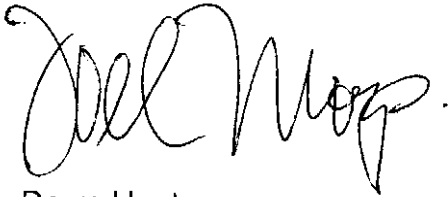
106. The wireless industry has already implemented customer education initiatives regarding WNP. Wireless carriers will continue to plan and implement their own initiatives, and these efforts will only intensify as the WNP implementation date approaches.
107. Further, as noted above, wireless handset subsidies and term contracts are reasonable, beneficial and entirely justified, and wireless carriers should not be required to implement specific customer education initiatives that would interfere with these legitimate practices.
108. For the reasons outlined above, Rogers submits that the Commission should disregard the claims of Virgin regarding customer education requirements.


Conclusion

109. Rogers respectfully requests that the Commission deal in an expeditious manner in addressing the issues that are under consideration in this proceeding. The resolution of these issues is necessary so that wireless and wireline carriers can incorporate the associated outcomes in the planning and development work that must be completed in order to achieve the WNP implementation dates that have been ordered by the Commission.

110. Rogers requests that the Commission order the proposals advanced by Rogers in its comments and reply comments, so that WNP can be implemented to the greatest extent possible, in a manner that will minimize customer dissatisfaction and that will provide customers with the widest possible choice of service providers to meet their needs.

Sincerely,



 Dawn Hunt
DH/jt

Cc: Interested Parties Telecom Public Notice CRTC 2006-3

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