Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
A National Broadband Plan for Our Future	)	GN Docket No. 09-51
	)	
Establishing Just and Reasonable Rates for Local Exchange Carriers	)	WC Docket No. 07-135
	)	
High-Cost Universal Service Support	)	WC Docket No. 05-337
	)	
Developing an Unified Intercarrier Compensation Regime	)	CC Docket No. 01-92
	)	
Federal-State Joint Board on Universal Service	)	CC Docket No. 96-45
	)	
Lifeline and Link-Up	)	WC Docket No. 03-109
	)	
Universal Service Reform – Mobility Fund	)	WT Docket No. 10-208

GENERAL COMMUNICATION, INC. PETITION FOR LIMITED WAIVER

INTRODUCTION

General Communication, Inc. ("GCI") hereby requests a limited waiver of the new call signaling rules (the "Rules") adopted by the Commission as part of the Commission's October 27, 2011 *Report and Order* (the "*CAF Order*").[1] GCI is committed to providing and passing accurate call signaling information. GCI faces significant challenges, however, in complying with the letter of the Rules, as Alaska presents unusual call signaling challenges that can prevent simple compliance with the proposed call signaling rules. Many of Alaska's small ILECs have

[1] *Connect America Fund*, Report and Order and Further Notice of Proposed Rulemaking at Appendix A, 47 C.F.R. § 64.1601(a)(1) & (2), WC Docket Nos. 10-90 et al. (rel. Nov. 18, 2011).

not implemented SS7 signaling. Similarly, in remote Alaska, GCI relies on Demand Assigned Multiple Access (DAMA), a satellite channel access protocol, to allow satellites to "switch" GCI traffic in the sky, eliminating the expensive double-hopping (*e.g.*, satellite link from calling party to switch *and* satellite link from switch to called party) that caused highly degraded voice calling due to latency but that had been needed to complete most intervillage calls in remote Alaska. GCI's DAMA system relies on MF signaling. These nonstandard arrangements often lead to unusual signaling challenges that GCI and other carriers have addressed by developing case-by-case solutions that, in some cases, arguably contradict the letter—but not the spirit—of the new call signaling rules.

GCI's requested waiver will permit GCI to continue these arrangements and avoid unnecessary disruption to existing practices. In addition, the requested waiver will allow GCI to continue to devote scarce resources to service provision and deployment rather than to costly fixes to call signaling issues that the Commission's recent reforms will soon render moot (particularly if the Commission grants GCI's reconsideration petition to align the access charge transition for states in which interstate access rates exceed intrastate access rates with the transition in all other states). For these reasons, GCI asks that the Commission expeditiously grant its requested waiver.

I. GCI'S REQUESTED WAIVER IS NECESSARY TO PERMIT IT TO ADDRESS SPECIFIC CALL SIGNALING AND ROUTING CHALLENGES.

A. Resale of Retail Long Distance

In the absence of a LATA tandem and ubiquitous local exchange carrier transport facilities, Alaska carriers purchase and resell intrastate retail long distance offerings of other providers. This practice has long provided critical competition in the Alaska long distance market. When GCI resells retail long distance, it must, in some instances, populate the CN field with a number associated with GCI, not the original calling party, to ensure that GCI (and not its customer) is billed by the underlying long distance carrier. GCI seeks a waiver to permit it to continue this practice.

GCI's requested waiver would serve the public interest. Alaska prohibits restrictions on the resale of long distance.[2] Denying GCI's waiver would effectively contravene Alaska law by preventing GCI, as a practical matter, from continuing this practice. GCI would instead be forced to purchase intrastate long distance services at much higher wholesale intrastate tariff rates—rates that were last examined in 1991. The end result would be reduced competition and higher rates for Alaska consumers, an outcome that would run directly contrary to the public interest. For this reason, there is good cause for GCI's requested waiver.

B. Rural Wireless Toll-Free Calling

GCI offers wireless service in many satellite-served remote Alaska villages. When users roam to different villages and call a toll-free number, GCI uses the Charge Number field to insert a telephone number associated with the village from which the toll-free call is placed. Doing so allows GCI to bill the cost of the transport from the remote village appropriately to the toll-free provider. Calling party location is necessary to ensure accurate billing for Alaska toll-free calls because wholesale underlying tariff rates for the transport of toll free calls are not deaveraged, but rather set different rates for satellite, bush and non-bush transport. GCI seeks a waiver to permit it to continue this practice.

GCI's waiver would serve the public interest because it would permit accurate billing for rural wireless toll-free calls. In addition, GCI's use of the CN field to ensure proper billing does not distort intercarrier compensation for these calls because Alaska is a single MTA and all

[2] 3 AAC § 52.375(a) ("A certificated interexchange carrier shall offer all its services for resale to other carriers.").

wireless calls originated in Alaska and terminated to an Alaska LEC are subject to reciprocal compensation; intrastate toll terminating access charges do not apply.

C. Call Forwarding and Wireless Roaming

GCI offers its customers call forwarding. In order to ensure proper billing when a customer forwards to a distant location, GCI inserts a CN associated with the called party. Specifically, when an inbound long-distance call terminates to an end-user who has call-forwarded his phone to a distant location, GCI inserts the called party's CN in the SS7 call signaling. Without this change, the calling party would pay the cost of the call from his or her location to the normal location of the called party *and* the cost of the call from the called party's normal location to his temporary distant location. By inserting the called party's CN, GCI ensures that the called party properly bears the cost of the forwarded leg of the call. GCI seeks a waiver to allow it to continue this practice.

Similarly, to ensure wireless roamers are properly billed, in certain circumstances GCI inserts the roamer's number in the CN field. Specifically, when a landline caller calls a wireless roamer, GCI inserts the roamer's phone number in the CN field at the roamer's home switch. Absent this change, the calling party would bear the cost of the call to the wireless roamer's home location *and* the cost of the call from the home location to the wireless roamer's temporary location. Inserting the roamer's phone number in the CN field enables GCI to properly charge the roamer for the cost of the leg of the call from the roamer's home location to the roamer's temporary location. In this circumstance, GCI also provides an Originating Line Identification, or OLI, of 63, as provided for in ANI II digit assignments, which indicates that the call is to a wireless roamer.[3] GCI seeks a waiver to allow it to continue this practice.

GCI's requested waiver will serve the public interest by enabling GCI to offer call forwarding and roaming services and bill customers appropriately for those services. Absent a waiver, GCI would have to expend significant resources to determine whether it could devise alternative methods of ensuring that it bills appropriately for these popular services, and would likely incur even greater costs implementing any changes. It would be particularly inappropriate to impose such costs here, where industry standard ANI II digit assignments provide signaling guidance for wireless roaming that contemplates this circumstance.

D. Privacy Indicators and MF Signaling

GCI relies on MF signaling in areas in which Alaska ILECs have not implemented SS7 signaling. In many villages, GCI's switches are programmed for conventional MF FGD or FGC signaling as defined by industry standards. This protocol is designed for signaling between a LEC and an IXC and does not provide for ANI transmission from the IXC terminating to the LEC switch. Under these standards the ILEC transmits ANI to an interexchange carrier but does not receive ANI from the interexchange carrier.

MF signaling protocol does not include a provision for passing privacy indicators. When it receives a call from an ILEC using MF signaling, GCI receives a number in the ANI field to

---

[3] *See* http://www.nanpa.com/number_resource_info/ani_ii_assignments.html ("63   Cellular/Wireless PCS (Roaming) - The '63' digit pair is to be forwarded to the interexchange carrier by the cellular/wireless PCS subscriber 'roaming' in another cellular/wireless PCS network, over type 2 trunks through the local exchange carrier access tandem for delivery to the interexchange carrier. (Note: Use of '63' signifies that the 'called number' is used only for network routing and should not be disclosed to the cellular/wireless PCS subscriber. Also, ANI information accompanying digit pair '63' identifies the mobile directory number forwarding the call but does not necessarily identify the true forwarded-call point of origin.")).

which it can bill the call; it does not receive a privacy indicator. In many instances, the billing number is also the CPN. Passing that number in the ANI field, as required by the Rules, would cause GCI, in some instances, to pass a number that should not be disclosed. Similarly, even if GCI were to receive a privacy indicator from an originating LEC using SS7, if GCI's outbound route is MF, it cannot pass that privacy indicator on to the next provider in the path GCI therefore seeks a waiver to continue to comply with industry standards that permit it to not transmit CPN when using MF signaling in the origination or termination of the call. Additionally, GCI relies on DTMF (Dual Tone MultiFrequency) signaling in some areas of remote Alaska, as some rural ILECs have existing switches in very small villages that have neither SS7 nor PRI ability, and do not subtend a tandem. GCI's wireless directly connects to these switches using DTMF signaling and a Type 1 Wireless Interconnection. GCI thus further requests that any waiver applicable to MF extend to DTMF signaling.

GCI's requested waiver is in the public interest because it will avoid inadvertent disclosure of calling party numbers that should be blocked. Absent the requested waiver, Alaska customers will be denied the opportunity to protect their privacy, or may have private information inadvertently disclosed. For many victims of domestic violence, reliable caller ID blocking is a critical tool to maintain their personal safety, and this tool must be preserved. Moreover, GCI's approach is consistent with the public interest because GCI's existing practice is consistent with industry standards and will avoid disrupting existing routing and billing arrangement in remote Alaska. Finally, the waiver is in the public interest because transmitting additional information using MF or DTMF signaling (both of which use audio tones to communicate signaling information) will add noticeable and unnecessary delay in connecting calls.

II. GCI'S REQUESTED WAIVER IS NECESSARY TO PERMIT GCI TO CONTINUE TO EVALUATE AND ADDRESS SIGNALING CHALLENGES.

As explained in detail above, GCI requests a waiver to address specific instances where it cannot comply with the letter of the Rules. However, GCI also supports Verizon's request that the Commission reconsider its decision not to adopt technical feasibility or industry standards exceptions to the Rules. If the Commission does not adopt a general technical feasibility/industry standards exception to the Rules, in addition to the its request for a waiver to address the specific circumstances detailed in Part I, above, GCI, like Verizon, seeks a waiver to permit it to continue to evaluate its compliance with the new Rules, develop remediation plans, and seek further additional waivers as appropriate. Such a waiver would serve the public interest by permitting GCI to evaluate particular call signaling challenges in an orderly fashion, explore solutions, and seek waivers in appropriate circumstances. Because the call signaling ecosystem is intricate and interdependent, a measured evaluation serves the public interest by avoiding unnecessary and unintended disruptions to call routing (such as dropped calls) and by allowing for billing arrangements that work for Alaska today.

A measured approach is particularly appropriate here, where the Commission has adopted forward-looking reforms that will end industry reliance on the call signaling information required by the Rules. As Verizon persuasively explains, it would be "inappropriate for the Commission to expect carriers to make significant changes to call signaling practices for intercarrier billing purposes where any investment in the technology and equipment necessary to do so would be wasted after just a few years."[4]

Respectfully submitted,

_________/s/____________

Tina Pidgeon
Megan Delany
Chris Nierman
GENERAL COMMUNICATION, INC.
1350 I Street, N.W., Suite 1260
Washington, D.C. 20005
(202) 457-8815

John T. Nakahata
Brita D. Strandberg
Renee R. Wentzel
WILTSHIRE & GRANNIS LLP
1200 Eighteenth Street, N.W.
Washington, D.C. 20036
(202) 730-1300

Counsel for General Communication, Inc.

February 27, 2012

[4] Petition for Clarification or, In the Alternative, for Reconsideration of Verizon at 10, WC Docket Nos. 10-90 et al. (filed Dec. 29, 2011).