



Federal Communications Commission
Washington, D.C. 20554

September 8, 2006

Thomas M. Koutsky
Chair, North American Numbering Council
c/o Phoenix Center for Advanced Legal and Economic Public Policy Studies
5335 Wisconsin Avenue, NW
Suite 440
Washington, D.C. 20015

Ms. Amy L. Putnam
Director, Number Pooling Services
NeuStar, Inc.
3519 North Fourth Street
Harrisburg, PA 17110

Dear Mr. Koutsky and Ms. Putnam:

This letter addresses a recommendation by the North American Numbering Council (NANC) that NeuStar, Inc. (NeuStar), the current Pooling Administrator, serve as the Interim Routing Number Authority (Interim RNA) for the pseudo Automatic Number Identification (p-ANI) codes¹ used for routing emergency calls.² After review of the materials supplied by the NANC, the Wireline Competition Bureau (Bureau) agrees with the NANC's recommendation and finds it would be in the public interest to assign NeuStar to be the Interim RNA. Furthermore, the Bureau concludes that the p-ANI administration function falls within the broad scope of NeuStar's existing Pooling Administration Contract.³ Accordingly, the Bureau hereby

¹ A p-ANI is a number, consisting of the same number of digits as Automatic Number Identification (ANI), that is not a North American Numbering Plan (NANP) telephone directory number and may be used in place of an ANI to convey special meaning to the selective router, public safety answering point (PSAP), and other elements of the 911 system. *See IP-Enabled Services, E911 Requirements for IP-Enabled Service Providers*, WC Docket Nos. 04-36, 05-196, First Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 10245, 10252-53, para. 17 (2005) (*VoIP 911 Order*); 47 C.F.R. § 9.3.

² *See* Letter from Hoke Knox and Karen Mulberry, pANI Issues Management Group Co-Chairs, to Robert C. Atkinson, NANC Chair (Sept. 2, 2005) *in* Letter from Robert C. Atkinson, NANC Chair, to Thomas J. Navin, Chief, Wireline Competition Bureau, FCC (Sept. 8, 2005) (NANC Sept. 8 Letter); p-ANI Issues Management Group, NANC, pANI Interim Assignment Guidelines for ESQK (issued Sept. 1, 2005) (Initial Interim Guidelines) *in* NANC Sept. 8 Letter. The Initial Interim Guidelines were revised by the NANC on December 5, 2005. *See* Letter from Robert C. Atkinson, NANC Chair, to Thomas J. Navin, Chief, Wireline Competition Bureau, FCC (Jan. 5, 2005) at 2; p-ANI Issues Management Group, NANC, pANI Interim Assignment Guidelines for ESQK (revised Dec. 5, 2005) <[http://www.nanc-chair.org/docs/nowg/Jan06_pANI_Guidelines_\(Revised\).doc](http://www.nanc-chair.org/docs/nowg/Jan06_pANI_Guidelines_(Revised).doc)> (Interim Guidelines).

³ *See generally* Pooling Administrator - NeuStar, FCC Contract No. CON01000016, signed by Sonna Stampone, Contracting Officer, Federal Communications Commission (dated June 15, 2001) (Contract). We note that the Thousands-Block Pooling Contractor Technical Requirements are set forth in Section C of the Contract. *See id.*, Section C (Contract Technical Requirements).

directs NeuStar to perform the p-ANI administration function. NeuStar must perform this function in accordance with the NANC's Interim Guidelines and the instructions in this letter. This assignment is interim in nature until a permanent p-ANI solution is in place, the expiration of NeuStar's performance as Pooling Administrator, or further notice, whichever occurs first.

As you know, the Federal Communications Commission (FCC) ordered providers of interconnected voice over Internet Protocol (VoIP) service to supply their customers with enhanced 911 capabilities.⁴ The NANC proposes temporary measures for the administration and issuance of p-ANI resources. Specifically, the NANC recommends that NeuStar administer the p-ANI function on an interim basis until NANC's p-ANI Issue Management Group proposes a permanent recommendation. In addition, the NANC proposes Interim Guidelines that would apply to the Interim RNA's administration of p-ANI resources, and to entities that seek to obtain p-ANI from the Interim RNA.

The Bureau accepts, as set forth below, the NANC's proposed temporary measures for the administration and issuance of p-ANI resources. The Bureau recognizes, however, that a permanent solution to this issue will best serve the public interest. The Bureau therefore directs the NANC to advise the Bureau, no later than October 10, 2006, as to the date the NANC will recommend to the Bureau such a permanent solution.

The Bureau agrees with the NANC that NeuStar should serve as the Interim RNA. Given its experience as the Pooling Administrator, NeuStar is qualified to perform this role. Moreover, the Contract encompasses this additional function. The Contract in general assigns NeuStar responsibilities over assignment of thousands-block numbering resources – pools smaller than ten-thousands blocks or central office codes administered pursuant to other agreements.⁵ In addition, Section 2.5 of the Contract provides that the FCC “may issue rules, requirements, or policy directives in the future, which may increase, decrease or otherwise modify the functions to be performed by the contractor.”⁶ Section 2.5.1 further states that “the FCC, the NANC, and/or the [Industry Numbering Committee] may establish NANP numbering resource plans, administrative directives, assignment guidelines (including modifications to existing assignment guidelines) and procedures that may have an effect on the functions performed by the contractor.”⁷

The Bureau therefore directs NeuStar to serve as Interim RNA until: (1) a permanent p-ANI solution is in place; (2) the expiration of NeuStar's performance as Pooling Administrator; or (3) further notice, whichever occurs first. During this interim period, however, NeuStar is not the sole provisioner of p-ANI resources. Carriers or other entities that have been voluntarily providing p-ANI may continue to do so until a permanent solution is found.

⁴ See generally *VoIP 911 Order*, 20 FCC Rcd 10245.

⁵ Contract Technical Requirements, § 1.1.

⁶ *Id.*, § 2.5.

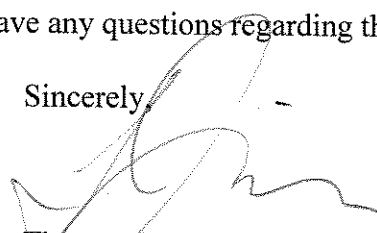
⁷ *Id.*, § 2.5.1; see also *id.*, § 1.4 (“The contractor shall also ensure that domestic numbering administration shall be effective.”).

The Bureau further requires NeuStar, in its capacity as Interim RNA, to comply with the NANC's Interim Guidelines, except as explained in this paragraph. Section 3.3 of the Interim Guidelines states that Part 52 of the FCC's rules⁸ (which governs numbering) does not apply to p-ANI except as provided in the Interim Guidelines.⁹ NeuStar shall not follow this section. Until the Commission determines that Part 52 does not apply to p-ANI or makes some other ruling on the topic, we require NeuStar to operate consistently with the requirements of Part 52.¹⁰ Accordingly, an entity seeking p-ANI from NeuStar must have appropriate authority to access numbering resources in general. The entity must be licensed or certified by the FCC or a state commission to operate as a telecommunications carrier and must provide NeuStar with evidence of such authority.¹¹ Thus, "Eligible Users," as defined in the Interim Guidelines, shall be no broader than indicated in this paragraph. Furthermore, NeuStar may assign p-ANI to VoIP service providers that can provide such evidence of carrier status as well as to carriers that provide wholesale 911-related services to VoIP service providers. Requests for waivers of this requirement may be filed by any entity that certifies that it fully remits 911 emergency service fees into all state and local 911 funds, and fully contributes into universal service mechanisms.

Finally, the Bureau directs NeuStar to submit a Change Order Proposal on this issue to begin the contract modification process. Section 2.5.3 of the Contract directs that "within a period of not more than 30 calendar days" from the date that the FCC modifies the functions to be performed by the contractor, "[t]he contractor shall ... provide the Contracting Officer, state PUCs, and the NANC with written notice regarding these changes and summarize the potential impact of the changes upon service and cost, if any."¹² Therefore, NeuStar must submit the Change Order Proposal within 30 calendar days of the date of this letter.

Please let me know if you have any questions regarding this matter.

Sincerely,



Thomas J. Navin
Chief
Wireline Competition Bureau

⁸ 47 C.F.R. § 52.1 *et seq.*

⁹ Interim Guidelines, § 3.3.

¹⁰ *Cf. Numbering Resource Optimization*, CC Docket No. 99-200, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574, 7591, paras. 31-32 (2000) (placing wireless E911 emergency service routing digits (ESRD/ESRK) in the general category of administrative numbers, which includes "any numbers used by carriers to perform internal administrative or operational functions necessary to maintain reasonable quality of service standards").

¹¹ *Id.* at 7615, para. 97.

¹² Contract Technical Requirements, § 2.5.3.