

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

In the Matter of)	
)	
2018 Biennial Review of)	WC Docket No. 18-378
Telecommunications)	
Regulations)	
)	

COMMENTS OF NCTA – THE INTERNET & TELEVISION ASSOCIATION

NCTA – The Internet & Television Association (NCTA) hereby submits these comments in response to the *2018 Biennial Review Public Notice* regarding telecommunications rules that can be eliminated or modified when they are no longer necessary in the public interest.¹ NCTA urges the Commission to repeal section 52.15(g)(3)(iv)(C) of its rules, which requires interconnected Voice over Internet Protocol (VoIP) providers to provide state commissions a 30-day notification before applying for numbering resources from the applicable numbering administrator.² This requirement does not apply to other voice service providers that request numbers and it is not necessary to prevent numbering exhaust and should therefore be repealed.

The Commission adopted the 30-day notice requirement in 2015 when it first allowed interconnected VoIP providers to obtain numbers directly, rather than receiving them through a local exchange carrier.³ At that time the Commission believed that this requirement could help

¹ *FCC Bureaus and Offices Seek Public Comment in 2018 Biennial Review of Telecommunications Regulations*, CG Docket No. 18-375 *et al.*, Public Notice, DA 18-1260 (WCB rel. Dec. 17, 2018) (*2018 Biennial Review Public Notice*).

² 47 C.F.R. § 52.15(g)(3)(iv)(C). In addition to the 30-day notice requirement in section 52.15(g)(3)(iv)(C), the Commission also should eliminate the acknowledgement of the requirement contained in section 52.15(g)(3)(i)(C).

³ *Numbering Policies for Modern Communications*, WC Docket Nos. 13-97, 04-36, 07-243, 10-90, and CC Docket Nos. 95-116, 01-92, 99-200, Report and Order, 30 FCC Rcd 6839, 6855, ¶ 34 (2015).

to monitor VoIP providers' number resource requests and guard against numbering exhaust.⁴ It has been nearly four years since that order was adopted and no numbering exhaust issues have arisen related to interconnected VoIP providers' numbering requests. Moreover, potential number exhaust is a function of the numbering resources requested in aggregate by all service providers, irrespective of technology. The Commission's semi-annual Form 502 reports are the best source for this aggregate information. As a result, there is no reason to retain the 30-day notice requirement for VoIP providers on the basis that they alone could hasten number exhaust.

When it adopted the state notification requirement, the Commission declined to require providers to separately notify the Commission, because "the Commission will have access to this information once it is made available to the Numbering Administrators."⁵ Under the same rationale, the 30-day state notification requirement is unnecessary because states have access to interconnected VoIP providers' numbering applications pursuant to rule 52.15(g)(6).⁶ Therefore the 30-day state notification requirement is unnecessary and should be eliminated.

⁴ *Id.* at 6855, ¶¶ 33-34.

⁵ *Id.* at 6855, ¶ 35.

⁶ 47 C.F.R. § 52.15(g)(6).

The 30-day state numbering notification requirement is unnecessary to prevent numbering exhaust, does not provide state commissions with any additional information not already available to them, and is anticompetitive because it does not apply to non-VoIP providers. It therefore is not necessary to serve the public interest and should be repealed.

Respectfully submitted,

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