

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

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

REPLY COMMENTS OF THE NORTH CAROLINA UTILITIES COMMISSION

The North Carolina Utilities Commission (NCUC) hereby respectfully submits these reply comments in response to the NCTA – The Internet & Television Association’s (NCTA’s) proposal to repeal the 30-day state notification requirement for interconnected Voice over Internet Protocol (VoIP) providers to request numbering resources as required under section 52.15(g)(3)(iv)(C) of the Commission’s rules.¹

Among the February 8, 2019 comments filed with the Commission in this docket concerning the 2018 Biennial Review of Telecommunications Regulations is an NCTA proposal that the FCC repeal section 52.15(g)(3)(iv)(C), which requires interconnected VoIP providers to provide state commissions a 30-day notification before applying for numbering resources from the applicable numbering administrator. The NCTA stated that this requirement does not apply to other voice service providers that request numbers and that it is not necessary to prevent numbering exhaust and should therefore be repealed. The NCTA noted that 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. The NCTA asserted that at that time the Commission believed that this requirement could help to monitor VoIP

¹ NCTA comments at page 1 (Feb. 8, 2019).

providers' number resource requests and guard against numbering exhaust. The NCTA stated that 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.

The NCTA maintained that 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. The NCTA argued that the notification is therefore not necessary to serve the public interest and should be repealed.

The NCUC does not agree with the comments of the NCTA concerning the 30-day notification requirement.

The NCUC has established a docket to receive the 30-day notices from interconnected VoIP providers (Docket No. P-100, Sub 172). The Commission finds the information provided in the notices, including the impacted NPAs, rate centers, and quantities of numbers to be requested, valuable and requests that the requirement not be repealed.

The NCUC notes that the NCTA maintained that states have access to interconnected VoIP providers' numbering applications pursuant to rule 52.15(g)(6) and that therefore the 30-day state notification requirement is unnecessary and should be eliminated. The NCUC notes that rule 52.15(g)(6) states,

State access to applications. State regulatory commissions shall have access to service provider's applications for numbering resources. The state commissions should request copies of such applications from the

service providers operating within their states, and service providers must comply with state commission requests for copies of numbering resource applications. Carriers that fail to comply with a state commission request for numbering resource application materials shall be denied numbering resources.

The NCUC does not regulate interconnected VoIP providers. There are no certification requirements. Therefore, without the 30-day notifications, the NCUC does not have any knowledge of the interconnected VoIP providers operating in North Carolina. It would not be possible for the NCUC to request copies of numbering resource applications from the service providers in this instance because the NCUC simply does not know which interconnected VoIP providers operate within the state. Consequently, the NCUC finds the 30-day notification requirement valuable and is of the opinion that such a requirement does not place an undue burden on interconnected VoIP providers. Therefore, the NCUC requests that the Commission deny the NCTA's proposal to eliminate the 30-day notification requirement for interconnection VoIP providers as required under section 52.15(g)(3)(iv)(C) of the Commission's rules.

Respectfully submitted,

North Carolina Utilities Commission

A handwritten signature in black ink, appearing to read "Edward S. Finley, Jr.", with a stylized flourish at the end.

Edward S. Finley, Jr., Chairman

The North Carolina Utilities Commission

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Date: March 11, 2019