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**Ex Parte Filing**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20054

Re: *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG  
Docket No. 17-59

Dear Ms. Dortch:

We are writing on behalf of Somos, Inc., in response to recent filings proposing to delay delivery of the Technical Requirements Document (TRD) for the Reassigned Numbers Database (RND). The Numbering Administration Oversight Working Group (NAOWG) has proposed pushing back NAOWG's deadline again to complete the RND's TRD to April 2020.<sup>1</sup> Other recent filings would delay the RND by having the Commission reverse its decision to combine the role of RND Administrator (RNDA) with the proposed consolidated roles of North American Numbering Plan Administrator (NANPA) and Pooling Administrator (PA).<sup>2</sup>

As we will explain, there is no need to grant NAOWG a second extension and no reason to revisit the Commission's sound decision to merge the NANPA/PA and RNDA. If the Commission stays the course—a course that is in the public's best

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<sup>1</sup> Letter from Travis Kavulla, Chair, NANC, to Kris Monteith, Bureau Chief, Wireline Competition Bureau, FCC, and Patrick Webre, Bureau Chief, Consumer & Government Affairs, FCC, CG Docket No. 17-59 (Aug. 14, 2019) (NAOWG's August Letter).

<sup>2</sup> *E.g.*, Letter from Kristine Hackman, USTelecom, to Marlene Dortch, Secretary, FCC, CG Docket No. 17-59 (Aug. 16, 2019) (USTelecom's *Ex Parte*).

interest—a NANPA-administered RND can potentially be up and running expeditiously, just as the Commission envisioned.<sup>3</sup>

A. Keeping To The Original Timeline Is In The Public Interest And Is Possible.

The Commission is appropriately eager to launch the RND as soon as practicable.<sup>4</sup> There is no “dispute[] that unwanted calls to reassigned numbers are a significant problem for callers and consumers,”<sup>5</sup> yet each day the RND is delayed, the public remains vulnerable to disruptive intrusions, missed connections, and even legal liability.<sup>6</sup> The Commission can protect the public and meet its goal of putting out the RND bid by the end of this year by declining any changes to its planned timeline for the RND TRD.<sup>7</sup>

The RND is a vital resource in combating unwanted calls, but it is not a particularly difficult database to set up. Its data inputs are straightforward—a number and the disconnect date of the service.<sup>8</sup> The query is: Has this number been disconnected since a particular date?<sup>9</sup> And the response is limited—a simple “yes,” “no,” or “no data.”<sup>10</sup>

Somos knows that designing a searchable database of real-time disconnection data can be done relatively quickly because Somos has done just that with its Toll-Free Number Administration services.<sup>11</sup> It is not difficult to figure out how providers should supply the requisite information, either. After all, they already

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<sup>3</sup> *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Second Report and Order ¶ 11, FCC 18-177, CG Docket No. 17-59 (rel. Dec. 13, 2018) (Order) (“[We] expect to issue the solicitation for the new reassigned numbers database administrator in the next twelve months.”).

<sup>4</sup> *Id.* ¶¶ 12, 34, 47-48.

<sup>5</sup> *Id.* ¶ 6.

<sup>6</sup> *E.g., id.* ¶¶ 1, 4 & nn. 12, 14.

<sup>7</sup> *Id.* ¶ 11.

<sup>8</sup> *Id.* ¶¶ 18, 35; *see also id.* ¶ 37 (noting that the Commission decided against establishing a “larger, more complex database” with more inputs).

<sup>9</sup> *Id.* ¶ 18.

<sup>10</sup> *Id.* ¶ 19.

<sup>11</sup> *Id.* ¶ 23 (recognizing that the Toll-Free Number Administrator has “real-time visibility into each toll free number’s disconnection status”); *see* Somos, Find a Toll-Free Number, <https://www.somos.com/find-toll-free-number>.

report number-use data,<sup>12</sup> and they would only have to supply disconnect data to the RND once a month.<sup>13</sup>

It should not take nearly a year and half to draft the TRD for such a straightforward database.<sup>14</sup> That is especially true since TRDs are not, despite their name, deeply “technical.” Most of the requirements in the NANPA/PA TRD are business oriented, addressing issues like hours of operation (§ 2.7), staff availability (§ 2.5.1), dispute resolution (§ 2.9), transition planning (§ 2.12), and interfacing with stakeholders (§ 2.15).<sup>15</sup> Few require the kind of complex technical information NAOWG might need additional time or assistance to develop. Indeed, many of the guidelines needed for the RND TRD are already in the NANPA/PA TRD, including ones that NAOWG has flagged as needing development, such as “user help.”<sup>16</sup> And the elements that are system specific are already spelled out in the Order.

NAOWG’s resources may be stretched, but critically, NAOWG does not need to provide a system design of the RND before an administrator can be solicited. Prospective bidders can supply the necessary technical and pricing information for their proposed solutions during the bidding process. This kind of outreach encourages innovation and may result in more cost-effective solutions. And it is common for the government to solicit solutions through the procurement process itself; indeed, the Commission has *already* asked vendors to identify key system components and “propose solutions that would have to be developed or modified to meet” the required numbering tasks.<sup>17</sup>

There are a number of ways the Commission could outsource NAOWG’s remaining tasks to bidders and keep to its original timetable. The Commission could, for instance, incorporate into a request for proposal the already completed parts of the RND TRD or simply attach the Commission’s December 2018 order to the solicitation’s scope of work. The Commission could alternatively include the

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<sup>12</sup> Order ¶ 20.

<sup>13</sup> *Id.* ¶ 40.

<sup>14</sup> *Id.* ¶ 59 (giving the North American Numbering Council six months from December 2018 “to assess and address technical and operational issues”); NAOWG’s August Letter at 2 (asking for a second extension to April 13, 2020).

<sup>15</sup> FCC, Combined NANPA/PA Technical Requirements Document (Sept. 24, 2018), *available at* <https://docs.fcc.gov/public/attachments/DOC-355022A2.pdf>.

<sup>16</sup> NAOWG’s August Letter at 3; *see, e.g.*, NANPA/PA TRD § 10.43 (Help Desk).

<sup>17</sup> FedBizOpps.gov, Administration of the North American Numbering Plan, Thousands-Block Number Pooling & Reassigned Numbers Database, Solicitation No. FCCRFI2019-NANPA-PA-RNDA at 8 (Apr. 16, 2019) (RFI).

RND requirements as an “Enterprise Service” in the NANPA/PA solicitation and ask bidders to explain in their responses how they would operate this service. NAOWG has flagged fee structure and cost recovery as issues it has not yet reached,<sup>18</sup> but those too can be addressed by bidders: The Commission could include a standard Contract Line Item Number for implementation and ask bidders to propose an “enterprise fee” structure for the querying parties.

Even if the Commission wants NAOWG to draft all the technical requirements and finalize cost issues before the Commission puts out the bid, it can direct NAOWG do so more quickly. The companies in NAOWG—especially the large service providers—can certainly reach inward to their own resources to help resolve any outstanding questions about technical requirements and cost handling.

The FCC is seeking to quickly solve the reassigned numbers problem by assigning administration of the RND to the combined NANPA/PA, whose staff and systems can efficiently accommodate it. NAOWG need only incorporate the RND-specific aspects into the already existing NANPA/PA framework, leaving any remaining gaps for bidders to fill in.

The Commission has already granted NAOWG one extension. NAOWG does not need another—especially not one that would delay the RND’s launch until 2021. The public should not have to wait any longer for relief from the scourge of unwanted calls.

#### B. Combination Is In The Public Interest

The Commission has rightly recognized the wisdom of combining the NANPA/PA and RNDA, and there is no good reason to reconsider. Two separate administrators require twice the number of systems that require testing, user training and support, turn-up, and operation, as well as twice the number of contracts to oversee. Combination, by contrast, creates “operational and cost efficiencies” in both the management of the numbering resources and the selection of an administrator.<sup>19</sup> Combination will also result in a contract opportunity that is attractive to a more diverse universe of potential bidders, as well as earlier availability of the RND.

As to the operational efficiencies created by combining the NANPA/PA and RNDA, the RND is not a complicated database, so it would be both logical and

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<sup>18</sup> NAOWG’s August Letter at 3.

<sup>19</sup> Order ¶ 34.



efficient for the NANPA/PA to administer it, because the NANPA/PA and RNDA roles require common technical and administrative expertise and equipment.

To be sure, the systems are not identical.<sup>20</sup> But USTelecom and others overstate the differences.<sup>21</sup> The systems share many fundamental elements, among them the need for data security, privacy protocols, record retention, 24-hour coverage, neutrality, reporting mechanisms, billing and collection processes, user support resources, and server capacity. The NANPA/PA and RNDA will also have to liaise with the same set of stakeholders, including service providers and regulatory bodies. Adding the RND to the NANPA/PA's portfolio would not require a large stretch of existing resources, while separating the NANPA/PA and RNDA would lead to needless expenditure on redundant equipment and personnel. As just one example, a combined NANPA/PA/RNDA facilitates verification that a reassignment report is being made by the appropriate service provider with the responsibility for that number; the requisite validation information resides within the NANPA/PA system (or, in the case of a ported number, can be obtained through an LSMS query).

It is particularly important to combine the roles now. The RND is new, and the first administrator will play an important part in shaping it. The next NANPA/PA will also debut a new build. If the same entity is simultaneously launching the RND and revamping the numbering systems, it can maximize the synergies between them.

As to the cost efficiencies of combining the NANPA/PA and RNDA, one key benefit is that the government need only manage one procurement process rather than two. This is a significant improvement, for the contracting process is time-consuming and expensive for the government and vendors alike.

Contrary to what others have said, splitting the bids will *not* increase vendor diversity.<sup>22</sup> In fact, the opposite is true.<sup>23</sup> Sophisticated vendors might find it

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<sup>20</sup> Letter from Travis Kavulla, Chair, NANC, to Kris Monteith, Bureau Chief, Wireline Competition Bureau, FCC, and Patrick Webre, Bureau Chief, Consumer & Governmental Affairs, FCC, CG Docket No. 17-59 at 2 (Apr. 30, 2019).

<sup>21</sup> *E.g.*, Competitive Carriers Ass'n et al., Reply to Opposition of the Joint Petition for Reconsideration at 4, CG Docket No. 17-59 (June 3, 2019); iconectiv, Notice of *Ex Parte* at 1, CG Docket No. 17-59 (Dec. 6, 2018) (iconectiv's *Ex Parte*) (identifying differences in the proposed RND and NANPA/PA databases, before the Commission issued its order to establish the RND).

<sup>22</sup> *See, e.g.*, Comments of NetNumber, Inc., CG Docket No. 17-59 (May 22, 2019); iconectiv's *Ex Parte* at 1-2.

<sup>23</sup> Even if splitting the roles did increase the number of vendors capable of bidding for the RND contract, that increased diversity would not be justified by the greater expense to the government

economically inefficient to bid on a smaller, separate RND contract. Combination, by contrast, raises the value of the contract and makes it more appealing to a wider range of experienced companies.<sup>24</sup> That is especially true where, as here, vendors must satisfy strict neutrality requirements. A company may be disinclined to bear the substantial costs of satisfying the Commission’s neutrality requirements—as well as the costs borne by any government contractor—for a contract of this size. Combining the contracts will increase competition, which in turn “further[s] the competitive framework envisioned by Congress” in the Telecommunications Act of 1996 and “ensure[s] the selection of the most qualified administrator at the best price.”<sup>25</sup>

Commenters are also wrong to suggest that splitting the bids will lead to an earlier launch of the RND.<sup>26</sup> In fact, that will only further delay it. The process of choosing a combined NANPA/PA/RNDA is already underway: The Commission has solicited and received responses to its request for information regarding the combined role.<sup>27</sup> Breaking the bids apart would force the Commission to backtrack and restart the procurement process.

Nor will splitting the bids make it any easier for NAOWG to meet its deadline to develop the RND TRD. If anything, it will make NAOWG’s job harder, because those who would split the bids make the “related request” that NAOWG reconsider the Commission’s chosen method of funding the RND’s upfront costs.<sup>28</sup> That puts more on NAOWG’s already full plate and runs contrary to the Commission’s judgment that “leverag[ing] existing processes to fund creation of the database” allows for the earliest possible launch of the RND.<sup>29</sup>

Finally, history confirms the wisdom of combining the NANPA/PA and RNDA. Over the years, the NANPA and PA have seamlessly and successfully taken on new responsibilities, including those related to p-ANI and NRUF.<sup>30</sup>

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(and public) of overseeing two separate contracts and paying for the development and management of the two independent systems.

<sup>24</sup> *Administration of the North American Numbering Plan*, Order ¶ 8, FCC 18-88, CC Docket No. 92-237 (rel. July 9, 2018) (July 2018 Order) (relaying comments that small contracts that require building redundant systems are “economically inefficient” and result in few bidders).

<sup>25</sup> *Id.*

<sup>26</sup> See, e.g., USTelecom’s *Ex Parte* at 1.

<sup>27</sup> See RFI.

<sup>28</sup> E.g., USTelecom’s *Ex Parte* at 1.

<sup>29</sup> Order ¶ 47.

<sup>30</sup> See, e.g., Neustar, National Pooling Administration 2012 Annual Report 8-9 (2012) (explaining that the PA assumed responsibility for p-ANI administration via contract and change order).

Administering the RND—a relatively straightforward task—is a natural step in the evolution of the NANPA’s role. (The RND’s simplicity is another reason it does not need a separate administrator—the NANPA/PA can manage it.)

That is not all history teaches. The same reasons that justified combining the NANPA and PA justify adding the RND to the mix: It will “simplify and increase ... operational efficiency ... for both service providers and regulators;” it “will also improve the bidding process for these services, making it more cost-efficient and likely resulting in cost savings,” and “[t]he larger scope of a consolidated ... contract may attract increased vendor competition.”<sup>31</sup> In other words, “consolidating the contracts ... bring[s] about more cost-efficient and effective operations.”<sup>32</sup> As the Commission well knows, it took considerable effort to merge NANPA and PA functions that could have been joined from the start.<sup>33</sup> Here, the Commission can avoid years of inefficient operation and administrative hassle by sticking to its sound decision to combine the NANPA/PA and RND contracts from the outset.

In short, the Commission’s decision to add administration of the RND to the NANPA/PA’s responsibilities applies the lessons of the past to secure cost savings for the future.

For all of the above reasons, the Commission can and should stay the course.

Pursuant to 47 C.F.R. § 1.1206, a copy of this letter is being filed in ECFS and provided to the Commission staff identified in the cc line.

Sincerely,

*/s/ Melanie L. Bostwick*

Melanie L. Bostwick

cc: Kris Monteith  
Patrick Webre  
William Andrie

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<sup>31</sup> July 2018 Order ¶¶ 6, 7, 8.

<sup>32</sup> *Id.* ¶ 1.

<sup>33</sup> *Id.* ¶ 2 (“The NANC concluded [in 1999] that having a separate entity serve as the PA would be more expensive and less efficient, and would likely delay implementation of number pooling. Therefore, it recommended that the NANP administrator also administer pooling.”).



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