Discussion

In the NANP Administration Report and Order (R&O),[1] the Commission concluded that "the industry model will best serve the public interest." The industry model with the roles defined in the R&O is summarized in figure 1.

The Commission requested that "the NANC determine the details concerning recovery of the NANP Administrator costs, such as the specific mechanisms for collecting these funds and distributing them to the Administrator."[2] The Commission agreed that "the fundamental principles in establishing a cost recovery mechanism are that the mechanism should be fair, competitively neutral and apply consistently to all users of number resources."[3] The cost recovery mechanism has two components: collection and distribution to the Administrator.

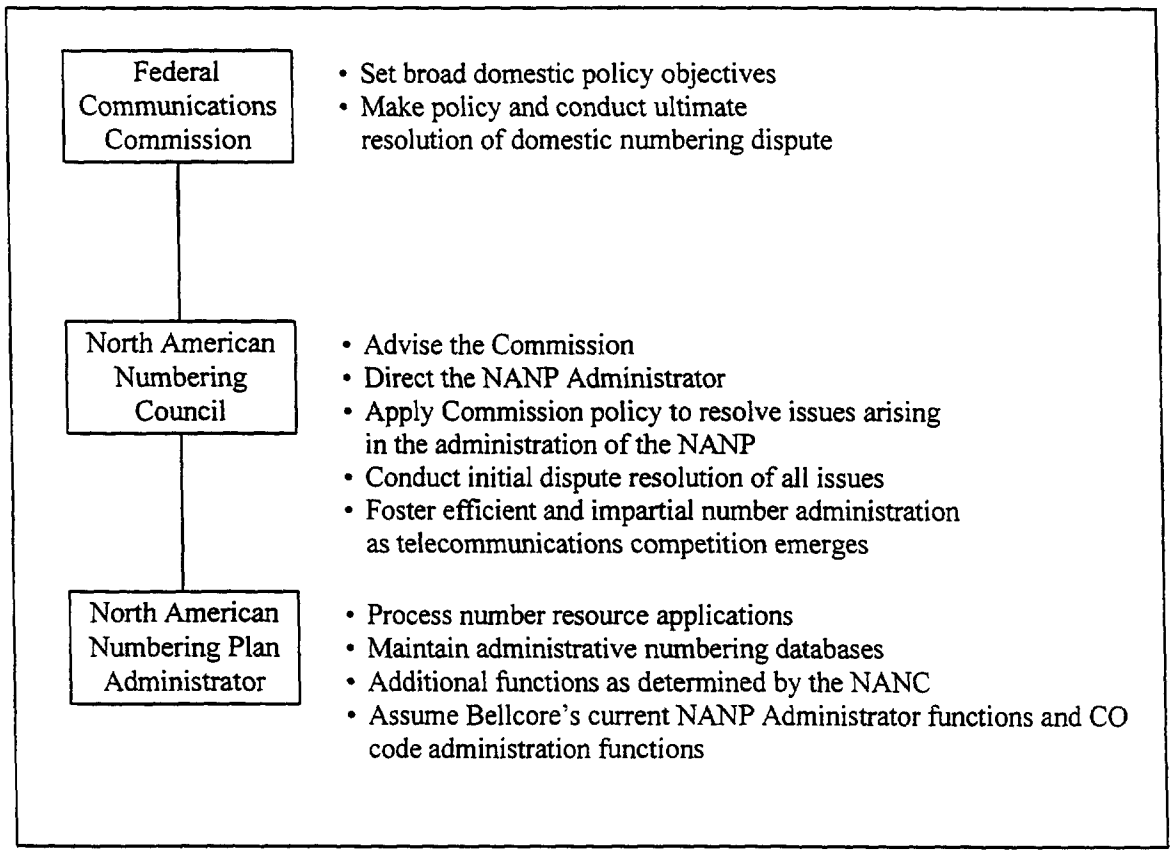

Figure 1. Roles Under the Industry Model[4]

[1] *Administration of the North American Numbering Plan*, Report and Order, FCC Docket No. 92-237, July 13, 1995 (hereafter R&O).
[2] Id. at paragraph 94.
[3] Id. at paragraph 95.
[4] Id. at paragraphs 62 and 117.

The distribution of funds to the Administrator is related to the question of what is the contractual agreement between the NANC and the Administrator. In the same manner that the Commission, at the time of the R&O, did not specify a mechanism for the distribution of funds to the Administrator, the Commission did not specify the contractual mechanism between the NANC and the Administrator.

There are many possible mechanisms for distribution of funds and contract administration. However, as the NANC considers such possibilities, it is imperative that the impartiality and neutrality of the Administrator be protected as intended by the Commission.[5] Accordingly, the NANC should ensure that administration of the contract and distribution of funds does not in any real or apparent way influence the decisions of the Administrator. The integrity of the Administrator must be protected from any real or apparent bias arising from the administration of the contract and from any contractual funding flows to the Administrator. To that end, models that implement the contracting and funding mechanisms and ensure the specific neutrality and impartiality of the NANP Administrator as intended by the Commission include:

1. Using the NANC, with broad and balanced membership, and acting under the provisions of the Federal Advisory Committee Act, to hold and manage the contract, as well as be the organization through which funds are distributed to the Administrator[6]

2. Using a broad, existing industry group(s), experienced in letting contracts or collecting and distributing such funds, to serve solely in the limited role of contract manager and funds distributor[7]

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[5] In the R&O, the Commission addresses the neutrality and impartiality in the following paragraphs:

- In paragraph 116, "the NANP Administrator should be a single, non-government entity that is not closely identified with any particular industry segment."
- At paragraph 57, the Commission states "The NANP Administrator must be fair and impartial. We believe that it would be very difficult if not impossible for a NANP Administrator closely associated with a particular segment of the telecommunications industry to be impartial. Even if a NANP Administrator aligned with a particular industry segment was impartial, there would still likely be the perception and accusations that it was not."
- At paragraph 73, the Commission "agree[d] ... that centralizing CO code assignment in a third party [i.e., the Administrator] not affiliated with any segment of the industry will help to ensure that all those receiving them have equal, non-discriminating access to CO codes." The Commission further states in paragraph 73 that "The linkage between CO code availability and the growth of competition to the LECs' core business increases the potential for and perception of unfair treatment in CO code allocation. An entity requesting CO codes is required to divulge competitively sensitive information to the CO code administrator. Having a CO code administrator unaffiliated with the dominant LEC would assure parties requesting codes that such information could not be used in an anti-competitive manner."

[6] This alternative is illustrated in figure 1.

[7] This alternative is illustrated in figure 2.

3. Using procurement staff from the Commission,[8] or some other government agency, to serve in the limited role of contract manager and funds distributor

Please note that the options are intended solely for contract management and fund distribution and are in no way proposed for NANP Administrator selection, a specifically assigned role of the NANC. Options 1 and 2, above, implement the industry model defined by the Commission in the R&O. If the NANC determines that, under the provisions of the Federal Advisory Committee Act, it would be inappropriate for it to manage the contract or distribute funding, then option 2 is the most viable. In this option, the industry group or groups would serve in roles limited to contract manager and funds distributor. That is, the industry groups would have no role in the substantive oversight of the Administrator or any other role in the substantive task of managing the number resource; these roles are specifically assigned to the NANC itself. This structure is illustrated in figure 2.

The industry groups used as examples in figure 2 have precedent in current operations.[9] Each of these organizations performs similar functions today on behalf of the complete industry and would not require the formation of a new entity. Again, these organizations would be limited to contract and funds management roles.

The above contracting and funding mechanisms have the following advantages:

- The Administrator demonstrably maintains its neutrality and impartiality. The Administrator is overseen only by the NANC and, ultimately, the Commission. Decisions of the Administrator cannot be influenced in a real or perceived manner by its contract management or distribution of funds.

- There are no barriers to participation for any interested stakeholders. Substantive participation related to administration of the numbering resource is through the NANC, with its charter, and the Commission, with its open regulatory structure.

- Establishment and transfer of the number administration function is effected quickly and efficiently because existing organizations are used.[10]

[8] Either as a separate action of the procurement staff or as part of the annual consideration of the Commission's cost recovery, including that of the NANC, as discussed in the R&O at paragraph 84.
[9] ATIS currently contracts with Bellcore for the assignment of SS7 point codes and NECA provides for the distribution of fees collected in association with universal service and access charges.
[10] In R&O paragraph 67, the Commission notes "the widespread interest and need for prompt selection of a new NANP Administrator."

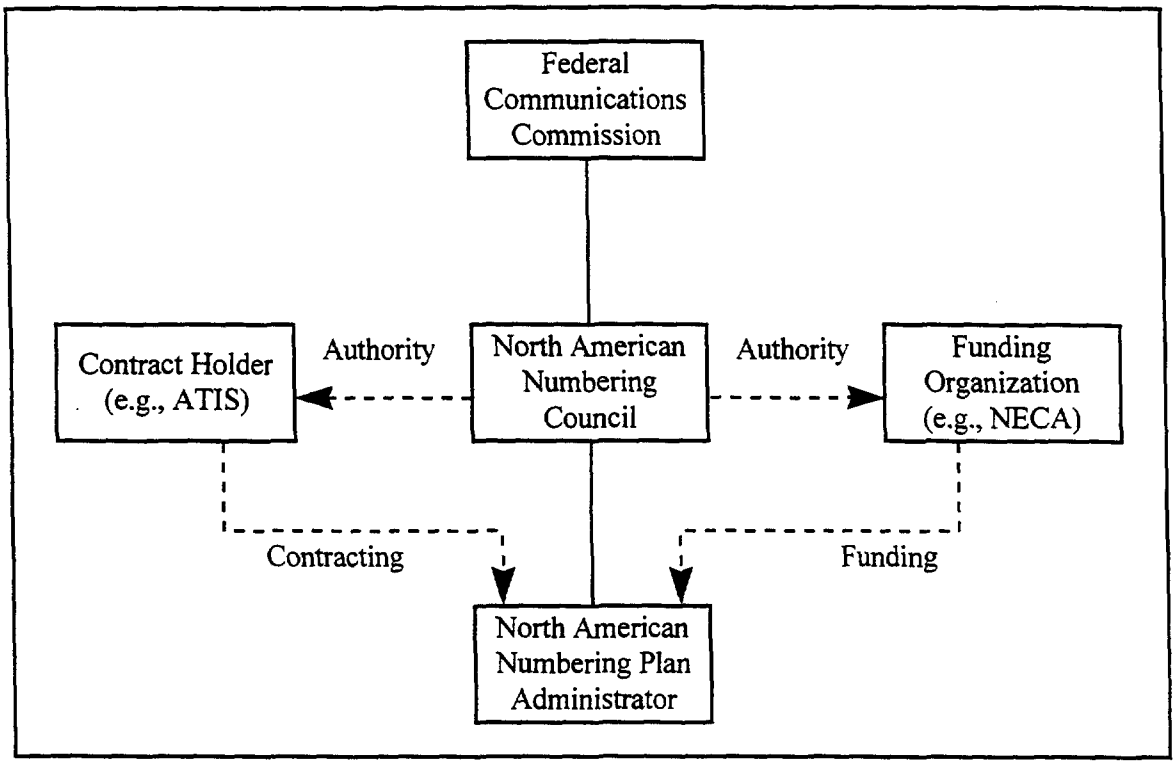

Figure 2. Option 2 - Broad, Existing Industry Group to Serve in Roles of Contract Manager and Funds Distributor

In the discussions of the NANC working groups, others have informally suggested other alternatives that make use of an LLC. These other alternatives appear to use an LLC to:

- Establish a contract (including a substantive oversight role) with the Administrator on behalf of the NANC
- Perform the contracting and funding mechanism (i.e., no oversight role) in parallel to the NANC
- Serve as the NANP Administrator
- Provide the structure of the future NANC

While the LLC model may be appropriate for the routine operation of network databases for supporting telecommunications, the LLC model is not appropriate for the neutral and impartial administration of the numbering resource. There is a different neutrality and

impartiality standard for the administration of the numbering resource and the operation of network management databases.[11] Fundamentally, the LLC-based alternatives:

- Do not ensure appropriate neutrality and impartiality of the Administrator, which would not be independent from the industry segments that form and own the LLC

- Do not ensure ease of participation; in fact, the LLC-based alternatives could create barriers to participation if interested stakeholders were required to join the LLC prior to full participation

- Do not implement the intended Commission's industry model as presented in the R&O and summarized in figure 1

- Do not seek a responsive, timely, and efficient transition to the new Administrator because there are additional entities (i.e., the LLC) that must be established

The LLC model that is being utilized at the state level for the number portability databases grew, in part, out of a lack of existing entities that could provide the necessary contractual functions. As shown above, these entities exist at the national and North American levels.

With respect to the detailed aspects of funding distribution and contract administration, Mitretek suggests the following:

- The contract be set up between the selected contract manager (as discussed above) and the NANP Administrator. An example of such a flexible contract vehicle is a task-order contract, with scope specified by the NANC based on the R&O and other FCC guidance.

- The NANP Administrator functions should be specified by the Administrator in the form of recommended tasks to be performed. The recommended tasks should be provided to the NANC for review, comment, and appropriate adjustment. This task recommendation should occur on an annual basis and be part of the NANC oversight.

- The task recommendation, as approved by the NANC, should contain a funding requirement. This funding requirement, when also approved by the NANC, should then be the basis for the fiscal management of the Administrator. Monthly invoices should be provided by the Administrator, and then reviewed and paid by the distributor of funds, as also discussed above. Deviations (i.e., the need for

[11] Again in the R&O at paragraphs 57, 73, and 116, the Commission discusses the need for neutrality and impartiality especially as related to "potential for and perception of unfair treatment" and to "the need to divulge competitively sensitive information" to the Administration.

additional funds) from the approved funding request would need to be addressed by the NANC.

With all of the above funding and contract management, it is recommended that as streamlined an approach as possible be implemented to reduce costs and to ensure that the Administrator is focused on numbering plan administration.

MITRETEK
SYSTEMS

Dr. H. Gilbert Miller
Vice President
Center for Telecommunications and Advanced Technology

703.610.2900 (voice) 703.610.2303 (fax)
hgmiller@mitretek.org

22 January 1997

Mr. Alan Hasselwander
Chairman
North American Numbering Council
4140 Clover Street
Honeoye Falls, NY 14472

Dear Mr. Hasselwander:

Mitretek offers for the NANC's consideration the enclosed comments on the definition of neutrality for the NANP Administrator. We hope that these comments are useful to the NANC and its associated working groups. Given the complexity and sensitivity of the neutrality issue, we believe that written, publicly available comments are most appropriate.

If you have any questions, please do not hesitate to contact me.

Innovative Technology in the Public Interest

Sincerely,

Original Signed By

H. Gilbert Miller

HGM/dm

cc: Reed Hundt, Federal Communications Commission Chairman
Commissioner James Quello
Commissioner Susan Ness
Commissioner Rachelle Chong
Regina Keeney, FCC Common Carrier Bureau Chief
Marian Gordon, FCC Common Carrier Bureau
Scott Shefferman, FCC Common Carrier Bureau
NANC Working Group Chairpersons

Enclosure

Comments on the Definition of Neutrality
for the North American Numbering Plan Administrator

Summary

1. In the North American Numbering Plan (NANP) Administration Report and Order (R&O), the Commission clearly stated its reasons for changing the current model for NANP administration and the importance for neutrality and impartiality in the NANP Administrator:

   - "[C]hanges in the structure of the telecommunications market make it appropriate to shift administrative responsibilities for all domestic numbering matters to a neutral entity."

   - "Eliminating the potential for discriminatory treatment that exists under the current system is a major purpose behind the decision to adopt the new model for administering numbering resources."

2. Given the required change in the model for NANP administration, the Commission stated the following:

   - "[T]he new NANP Administrator should be a single, non-government entity that is not closely identified with any particular industry segment."

   - "We believe that it would be very difficult, if not impossible for a NANP Administrator closely associated with a particular segment of the telecommunications industry to be impartial. Even if a NANP Administrator aligned with a particular segment was impartial, there would still likely be the perception and accusations that it was not."

   - "The NANP Administrator must be fair and impartial."

3. If the North American Numbering Council (NANC) elects to postpone further specification of neutrality, post-selection conflict mitigation will pose difficult decisions for the NANC and the Commission, and possibly result in:

   - Number allocation delays

   - Perceived discrimination in number allocation

   - Additional NANP administration workload for the NANC, and possibly the Commission, if the new NANP Administrator must be recused on any matter

   - Reselection of the new NANP Administrator

4. Therefore, we suggest that the NANC, as part of its Requirements Statement, and the Commission, as part of its rules under which the new NANP Administrator will operate, adopt a specific definition of conflict of interest and a set of neutrality rules. These rules would serve to protect the credibility and integrity of

the Commission, NANC, and NANP Administrator, and ensure the public trust and confidence in the allocation of the limited number resource. The suggested rules address the nature of external NANP Administrator business and financial relationships, as well as the required disclosure of relevant business affairs and information by the corporate entity serving as the NANP Administrator, its subcontractors, and its personnel.

Discussion

This discussion offers a foundation for defining neutrality and conflict of interest and rules suggested for the selection and operation of the NANP Administrator. This discussion reviews in detail requirements found throughout the NANP Administration R&O,[1] and conflict of interest approaches from other technology-related sectors. The reason for this detailed review is to ensure a foundation upon which to base the suggested neutrality and conflict of interest definition and rules.[2]

Commission Statement of Neutrality Requirements for the NANP Administrator

In the NANP Administration R&O, the Commission clearly stated its reasons for changing the current model for NANP administration and the importance for neutrality and impartiality in the NANP Administrator:

- "These numbers are a public resource, and are not the property of the carriers."[3]

- "[C]hanges in the structure of the telecommunications market make it appropriate to shift administrative responsibilities for all domestic numbering matters to a neutral entity. Increasingly, companies needing numbering resources, such as PCS

[1] *Administration of the North American Numbering Plan*, Report and Order, FCC Docket No. 92-237, July 13, 1995 (hereafter R&O).
[2] Observations, comments, and conclusion drawn in the discussion that follows were prepared for the 'ministerial' or 'resource allocation' functions and role of the NANP Administrator. The neutrality and conflict of interest definitions and rules are appropriate because a limited number resource is being allocated to competing entities.
[3] Id. at paragraph 4.

providers, are competitors for market share of the carriers that directly and indirectly controlled distribution of numbering resources."[4]

- "Parties contend that access to number resources is critical and that increased telecommunications competition demands changes to the current structure that is dominated by the LECs."[5]

- "Changes in the telecommunications industry lead us to reexamine existing numbering resource administration."[6]

- "Eliminating the potential for discriminatory treatment that exists under the current system is a major purpose behind the decision to adopt the new model for administering numbering resources."[7]

Given the required change in the model for NANP administration, the Commission, throughout the R&O, stated the following:

- "[T]he new NANP Administrator should be a single, non-government entity that is not closely identified with any particular industry segment."[8]

- "We believe that it would be very difficult, if not impossible for a NANP Administrator closely associated with a particular segment of the telecommunications industry to be impartial. Even if a NANP Administrator aligned with a particular segment was impartial, there would still likely be the perception and accusations that it was not."[9]

- "Administration of the plan must seek to facilitate entry into the communications marketplace by making numbering resources available on an efficient, timely basis to communications services providers."[10]

- "Administration of the NANP should not unduly favor or disadvantage any particular industry segment or group of consumers."[11]

- "Administration of the NANP should not unduly favor one technology over another. The NANP should be largely technology neutral."[12]

- "The NANP Administrator must be fair and impartial."[13]

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[4] Id. at paragraph 14.
[5] Id. at paragraph 17.
[6] Id. at paragraph 1.
[7] Id. at paragraph 114.
[8] Id. at paragraph 5.
[9] Id. at paragraph 57.
[10] Id. at paragraph 15.
[11] Id. at paragraph 15.
[12] Id. at paragraph 15.

In the same way that the Congress left to the Commission the further definition of impartiality, the Commission left to the NANC further specification of neutrality in its selection and implementation of the NANP Administrator. The NANC may choose to use only the specification in the R&O, or may choose to adopt a set of more specific and clarifying neutrality rules. As it begins its selection process and sets rules for later operational use, the NANC is uniquely positioned to address the neutrality issues. If the NANC elects to postpone further specification of neutrality, post-selection conflict mitigation will pose difficult decisions for the NANC and the Commission, and possibly result in:

- Number allocation delays
- Perceived discrimination in number allocation
- Additional NANP administration workload for the NANC, and possibly the Commission, if the new NANP Administrator must be recused on any matter
- Reselection of the new NANP Administrator

Therefore, we suggest that the NANC, as part of its Requirements Statement adopt a specific definition of conflict of interest and neutrality rules under which the new NANP Administrator is selected and later operates.

Examples from Other Technology and Scientific Areas

Similar definitions and rules exists in other sectors requiring neutrality, impartiality, and conflict of interest. We now review other such definitions and rules. The Massachusetts Institute of Technology (MIT) Ethics Center, examining issues of ethics for engineers, provides a broad definition of conflict of interest as

> A person has a conflict of interest when the person in a position of trust which requires her to exercise judgment on behalf of others (people, institutions, etc.) and also has interest or obligations of the sort that might interfere with the exercise of her judgment, and which the person is morally required to either avoid or openly acknowledge.[14]

Considerations of conflict of interest over the past decade by the scientific and research communities[15] led to the adoption by the National Science Foundation (NSF)[16] and National Institutes of Health (NIH)[17] of an almost identical set of requirements for defining and disclosing actual and potential conflicts of interest. These requirements, which were included in federal regulations[18] following scientific community review and comment through an issued notice of proposed rulemaking, must be followed for all applicable research receiving federal funding.

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[13] Id. at paragraph 57.
[14] At http://www.mit.edu:8001/activities/ethics/gloss/conflict.html.
[15] Of major concern by these communities was the potential for conflict of interest in drug, medical, and gene engineering research with billion dollar impacts.
[16] National Science Foundation, *Issuance of Notice: Investigator Financial Disclosure Policy*, 30 June 1994.
[17] Public Health Service and the Office of the Secretary, Health and Human Services, "Objectivity in Research," *NIH Guide*, Volume 24, Number 25, 14 July 1995.
[18] 42 CFR Part 50.

The NSF/NIH derived federal regulations have been included in the conflict of interest policies of nearly every university in the United States.[19] In adopting the federal regulations, Texas A&M[20] first notes that

> [The] purpose [of this conflict of interest policy] is to protect the credibility and integrity of [the organization], so that public trust and confidence in [its fundamental] activities are maintained.

Again from Texas A&M, a 'Trust Test' is defined:

> Would relevant others (employer, clients, professional colleagues, to the general public) trust my judgment if they knew I was in this situation?

Then, based solely on the federal regulations, Texas A&M specifically defines conflict of interest as:

> A potential conflict of interest occurs when an individual's private interests compete with his/her professional obligations to the System to a degree that an independent observer might reasonably question whether the individual's professional actions or decisions are determined by considerations of personal gain, financial or otherwise. This regulation is to address such conflicts when a significant financial interest reasonably appears to affect or bias the design, conduct or reporting of research or educational activities funded or proposed for funding to sponsoring agencies.
>
> Significant Financial Interest means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria from profit-making enterprises); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights).

Yale University[21] recognizes the equal importance of the appearance of (or perceived) conflict of interest.

> There are certain cases in which the appearance of conflict of interest is present even when no conflict actually exists. Such apparent conflicts can do almost as much damage as actual ones, undermining the credibility of research and scholarship or of University financial decisions and calling into question the integrity of an individual or the University or both. For this reason, it is important for a individual, in evaluating a potential conflict of interest, to consider how it might be perceived by others... These apparent conflicts of interest must also be avoided,

[19] See, for example, Yale University at http://www.med.yale.edu/sciaffr/grants/conflict.html, Brown University at http://www.brown.edu/Administration/Research_Administration/ora-handbook/secvipol/conflict.html, Texas A&M University at http://sago.tamu.edu/policy/15-01-03.htm, Eastern Michigan University at http://www-ord.acad.emich.edu/develop/policy/conflict_of_interest.html, and University of Connecticut at http://cortex.uchc.edu/~orsp/policies/coijoint.html.
[20] At http://sago.tamu.edu/policy/15-01-03.htm.
[21] At http://www.med.yale.edu/sciaffr/grants/conflict.html.

> and the same rigorous evaluation must be applied to situations in which there is potential for such misunderstanding as is applied to situations in which there is the potential for actual conflict.

The Association of American Universities[22] (AAU) defines a structure and process for conflict of interest policies. The AAU explicitly applies the conflict of interest policies and structure to both the organization and the personnel in that organization. Central to the AAU structure, as well as to the federal regulations, is the disclosure of all related financial, and, hence, business relationship, information. Disclosure is required initially, periodically, and at the time a potential conflict of interest is discovered. The disclosure is to include all relevant information so that an independent party can determine if a conflict of interest exists.

Suggested Neutrality and Conflict of Interest Language

We suggest that the NANC, as part of its Requirements Statement, and the Commission, as part of its rules under which the new NANP Administrator will operate, adopt the following definition of conflict of interest and set of neutrality rules. These rules would apply to the selection of the new NANP Administrator and its later operation. We believe that organizations that cannot meet these rules should not be eligible to become the new NANP Administrator.

[22] At http://www.tulane.edu/~aau/Frwk.COI.html.

1. Purpose. The purpose of this neutrality and conflict of interest policy is to protect the credibility and integrity of the Commission, NANC, and NANP Administrator, so that public trust and confidence are maintained.

2. Conflict of Interest Definition. A potential conflict of interest occurs when the interests of the corporate entity serving as the NANP Administrator, or the interests of any personnel supporting NANP Administration functions, compete with the obligations to the NANC to a degree that an independent observer might reasonably question whether the NANP Administrator's actions or decisions are determined by considerations of organizational or personal gain, financial or otherwise. This definition is to address such conflicts when a significant financial interest reasonably appears to affect or bias the administration of NANP activities.

   Significant financial interest means anything of monetary value, including but not limited to, revenues from non-NANP related activities or other payments for services (e.g., revenues from contracts with carriers); equity interests (e.g., stocks, stock options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights).

   The appearance of or a perceived conflict of interest is to be equally avoided and addressed as with any real or actual conflict of interest.

3. Specific Neutrality and Conflict of Interest Rules.

   A. The corporate entity serving as the NANP Administrator will have no direct or indirect significant financial interests with any telecommunications carrier. Specifically:

      - The corporate entity serving as the NANP Administrator may not enter into contracts with the carriers, from which the NANP Administrator will receive revenue or other financial interest or any other consideration for products or services performed.

      - The corporate entity serving as the NANP Administrator may not hold any equity share or equity option in any carrier corporation. Similarly, no carrier will hold any equity share or equity option in the entity serving as the NANP Administrator.

   B. The corporate entity serving as the NANP Administrator will fully disclose to the NANC and the Commission, its affairs, including all financial information and any other corporate information required to assess the potential NANP Administrator's neutrality and conflict of interest position. Disclosure will

occur when responses to the Requirements Document initially are submitted, annually, and at any time after selection as requested by the NANC or the Commission.

C. The corporate entity serving as the NANP Administrator will not engage in any business activity which could make the new NANP Administrator appear unsuitable for having access to sensitive data required to fulfill the NANP administration and CO code administration functions. Examples of such sensitive data include, but are not limited, to:

   - Carrier business or strategic plans.
   - Carrier applications for numbering resources, and any supporting or relevant documentation.
   - Carrier-proprietary methodologies, business practices, or data.

   Examples of such business activities which the corporate entity serving as the NANP Administrator will not engage in include, but are not limited, to:

   - Competing with any carriers.
   - Partnering or otherwise collaborating with any organization, where the purpose of the partnership or collaboration is to compete with any carrier.

D. Compliance of these rules is required when responses to the Requirements Document are submitted.

E. All of the above rules apply equally to all parent entities of the NANP Administrator, all subcontractor entities working to perform NANP functions, and all personnel in the NANP Administrator organization and its subcontractors.

Dun & Bradstreet Inc. Report

APPENDIX G

Past Performance Evaluation

Dun and Bradstreet Information Services

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Attention: Mary Harlow

SUMMARY

D-U-N-S: 93-290-2364
Mitretek Systems Inc.

7525 Colshire Drive
Mc Lean VA 22102

Telephone: 703 610-2000

Chief Executive: Dr. Lydia Thomas, Pres

Management Control: 1996
Sales $75,000,000
Net Worth
Employs 650 Total
505 Here
SIC 8742
Informatin & environ sys technologies consulting

PERFORMANCE SUMMARY

as of March 17 1997

A total of 10 customers rated Mitretek Systems Inc.. There are 50 businesses rated in SIC 8742.

	Company Rating	8742 Average
OVERALL RATING (Overall satisfaction with supplier performance)	1.13	1.34
TIMELINESS -- DELIVERY OR PERFORMANCE (Delivery of product or performance of service in promised time periods)	1.10	1.41
PROBLEM RESPONSIVENESS (Responsiveness to any product or service problem)	1.10	1.31
QUALITY OF PURCHASED PRODUCT OR SERVICE (Level of quality of purchased product or service)	1.20	1.49
TOTAL COST (Promised total cost of product or service versus any additional incurred costs)	1.30	1.19
TECHNICAL SUPPORT (Level of ongoing service to support or enhance purchased products or services)	1.10	1.39
DELIVERY -- QUANTITIES (Actual quantity delivered versus quantity ordered)		1.31
ATTITUDE OF SUPPLIER PERSONNEL (Attitude of supplier personnel about supplier and toward customers)	1.00	1.24

Performance Scale

1 Exceeds Expectations
2
3 Meets
4
5 Below Expectations

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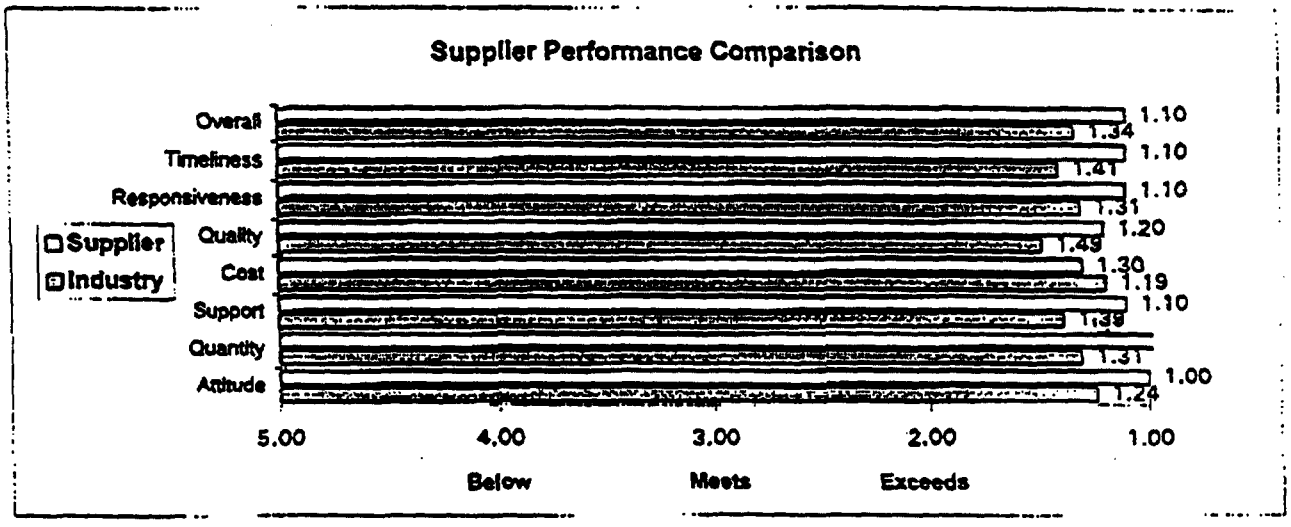

Individual Supplier Ratings

Date of Experience	Overall Rating	Timeliness	Problem Responsive	Quality	Total Cost	Technical Support	Quantity	Attitude
Mar-97	1	1	1	1	1	1	0	1
	SIC: 9199		Government Agency			High Purchase:	$7,000,000	
	Yrs as Customer:	10	Date of Last Purchase:		Mar - 1997	Title of Contact:	Asst Comm	
Mar-97	1	1	1	1	1	1	0	1
	SIC: 9711		Department Of The Air Force			High Purchase:	$1,500,000	
	Yrs as Customer:	3	Date of Last Purchase:		Mar - 1997	Title of Contact:	Program Mgr	
Mar-97	1	1	1	2	1	1	0	1
	SIC: 9651		Securities & Exchange Commission			High Purchase:	$150,000	
	Yrs as Customer:	<1	Date of Last Purchase:		Mar - 1997	Title of Contact:	Dir Of Office	
Mar-97	2	1	2	2	2	1	0	1
	SIC: 9431		Government Agency			High Purchase:	$500 K	
	Yrs as Customer:	<1	Date of Last Purchase:		Mar - 1997	Title of Contact:	Dir Of Div Mgmt	

** A Rating of Zero indicates no response was provided or the question was not attributable.*

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Individual Supplier Ratings

Date of Experience	Overall Rating	Timeliness	Problem Responsive	Quality	Total Cost	Technical Support	Quantity	Attitude
Mar-97	1	1	1	1	1	1	0	1
	SIC: 9611		Government Agency			High Purchase:	$1,000,000	
	Yrs as Customer: 2		Date of Last Purchase:		Mar - 1997	Title of Contact:	Deupty Asst	
Mar-97	1	1	1	1	1	2	0	1
	SIC: 9512		Land, Mineral, & Wildlife			High Purchase:	N / A	
	Yrs as Customer: 1		Date of Last Purchase:		Mar - 1997	Title of Contact:	Dir Of Nat Info	
Mar-97	1	1	1	1	1	1	0	1
	SIC: 9311		Grant And Contract Management			High Purchase:	$3,500,000	
	Yrs as Customer: 2		Date of Last Purchase:		Mar - 1997	Title of Contact:	Project Officer	
Mar-97	1	1	1	1	2	1	0	1
	SIC: 6324		Group Hopsital Plan			High Purchase:	N / A	
	Yrs as Customer: 2		Date of Last Purchase:		Mar - 1997	Title of Contact:	N / A	
Mar-97	1	2	1	1	2	1	0	1
	SIC: 9711		Department Of Defense			High Purchase:	$1,600,000	
	Yrs as Customer: 1		Date of Last Purchase:		Mar - 1997	Title of Contact:	Chief Of Planning	
Mar-97	1	1	1	1	1	1	0	1
	SIC: 9512		Federal Government Agency			High Purchase:	$5,000,000	
	Yrs as Customer: 3		Date of Last Purchase:		Mar - 1997	Title of Contact:	Sr Tech	

** A Rating of Zero indicates no response was provided or the question was not attributable.*

Note: The Supplier Ratings set forth above represent the opinions of Dun & Bradstreet's information providers. Some customers may not have provided ratings for all performance attributes.

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Mitretek History

Mitretek Systems, Incorporated, was created in January 1996 from the Center for Telecommunications and Advanced Technology, Center the Information Systems, and Center for Environmental and Resource Management, and spare components of The MITRE Corporation. References in this proposal to work performed by Mitretek or its staff before Mitretek's incorporation was performed at MITRE by staff or organizations that transferred—all or in part—to Mitretek Systems.

Since we are a divested entity of The MITRE Corporation, our corporate history includes the history of The MITRE Corporation. MITRE was formed in 1958, at the request of the government, in response to a unique set of government and industry needs. Because of the impacts of technology, the government needed an organization that could provide system engineering and other support tasks using proprietary and classified information from a variety of government and industry sources. Also needed was an organization that was independent; objective; and free from any organizational, profit-related, or market-related conflicts of interest. Since that time, we have continued to meet these needs.

In 1958, development of the nation's first major automated air defense system was nearing completion at Lincoln Laboratories at the Massachusetts Institute of Technology (MIT). MIT felt that ongoing implementation of this system and the integration of other related systems were not appropriate activities for the university. MIT and the government

sought options for organizing and conducting the required engineering and systems integration. Options considered included existing government staff, augmented government staff, or an outside organization. Because the technical skills needed for much of the effort did not exist within the government, the first option was not viable. Moreover, staff limitations and turnover, the requirement for difficult-to-obtain skills, and the need for a "corporate memory" precluded the second option. Thus, the third option was chosen. A number of industrial companies were considered, but were rejected because they could not, and would not, accept limitation on their other business activities that the government and MIT believed were important to the success of the job.

The nature of the needed support placed stringent requirements on the organization to be selected because of the large funds to be spent for the acquisition and deployment of equipment and systems. Additionally, the programmatic decisions made by this organization would have significant impact on the then burgeoning computer hardware and software industries. Decisions that were not made in a competition-neutral environment would have serious impact on the then nascent competitive computer marketplace. This organization would have access to government plans, assist in key programmatic decision making, formulate technical material to support acquisitions, and assist in the technical evaluation of vendors. To carry out these activities effectively, the organization would require a cadre of technical experts well versed in the science and engineering aspects of the system, and having free access to the most recent

developmental activities in both the government and private laboratories. This technical support organization would have to be free of any real or implied conflict of interest, both in public image and in fact. It was clear to the government that no such corporate entity existed.

Therefore, at the request of the U.S. government, MIT established The MITRE Corporation. A cadre of experts from MIT's Lincoln Laboratory became the nucleus of the Corporation. To maintain the independent and conflict-free qualities required by the government at the time of formation, as well as throughout its corporate life, MITRE was to operate under stringent constraints, including the following:

- Work only in the public interest
- Refrain from working for any private, profit-seeking concern
- Avoid competition with profit-seeking entities so that such firms would not be reluctant to entrust MITRE with proprietary information
- Not build any production hardware or software
- Remain not-for-profit

Also beginning in 1958, other government agencies, with the knowledge, approval, and encouragement of the Department of Defense, took advantage of MITRE's characteristics and began to use MITRE for their own work. Later, state and local governments, as well as international governments such as Canada, took advantage of our characteristics and

technical expertise. Throughout our history, we developed strict procedures to ensure continuance of its conflict-free posture and to safeguard the confidentially of proprietary information.

In 1995, based on the government's desire to limit the scope of MITRE's support solely to the Department of Defense, the MITRE Board of Trustees split MITRE into two corporations. The MITRE Corporation was to retain its work program to support the Department of Defense and Federal Aviation Administration. A new entity, Mitretek Systems, Incorporated, was formed to continue the remainder of the work programs for such agencies as the General Services Administration, U.S. Postal Service, Department of Justice, and other governmental and public interest organizations.

Mitretek was formed in January 1996 by a cadre of trustees, officers, senior managers, and staff experienced in systems engineering and the operation of a conflict-free organization. As required and as appropriate, Mitretek adopted the same constraints, and associated client advantages, as MITRE. From an institutional perspective, Mitretek and MITRE are identical. Mitretek is an organization with approximately 500 engineering and technical professionals. The Mitretek core capabilities include telecommunications, information technologies, and economic, technology, and requirements forecasting.

Appendix I is redacted in its entirety.

1. **Position: Mitretek NANP Administration Director, McLean VA**

Level: AC7

Responsibilities: The Mitretek NANP Administration Director will have the ability to speak for Mitretek, make commitments on behalf of the corporation, and bring divisional resources to bear in completing projects within the scope of the NANP Administration contract. The NANP Administration Director will be responsible for all aspects of the functions including NANPA, COCA Enterprise Services, and Numbering Plan Administration. The NANPA Director will be a single point of contact for the NANC, International Regulatory Authorities, and the FCC in matters of policy and performance.

Reports to: H. Gilbert Miller, Vice President

Supports: All NANP Administration functions

Education: Master's Degree or in technical area relevant to telecommunications

Experience: At a minimum 10 years experience in telecommunications technical or regulatory matters.

Attributes: The Mitretek NANP Administration Director will be a senior member of Mitretek Systems, technically capable and knowledgeable in local and interexchange telecommunications, standards and industry environment. The Director will have an up-to-date knowledge of the competitive telecommunications marketplace and will have the ability to be a resource in strategy formulation. The Director will be able to work closely with senior members of regulatory authorities, the NANC, standards bodies and industry