

DECLASSIFIED

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

In the Matter of)
)
Telephone Number Portability) CC Docket No. 95-116
)
)

ERRATUM

Released: September 4, 1997

By the Deputy Chief, Common Carrier Bureau:

1. This Erratum corrects a final rule in the *Second Report and Order* in the above captioned docket, which was released by the Commission on August 18, 1997. *Telephone Number Portability*, CC Docket No. 95-116, Second Report and Order, FCC 97-289 (rel. August 18, 1997) (*Second Report and Order*). This error was corrected prior to publication of the *Second Report and Order* in the Federal Register and the FCC Record.

2. In order to comply with the formal requirements of the Office of the Federal Register, Appendix B to the *Second Report and Order*, containing a rule to be codified at 47 CFR 52.26, is corrected to include certain information contained in the text of the *Second Report and Order*. Appendix B, and the rule contained therein, shall read as follows:

APPENDIX B - FINAL RULES

AMENDMENTS TO THE CODE OF FEDERAL REGULATIONS

PART 52 -- NUMBERING

Part 52 of Title 47 of the Code of Federal Regulations (CFR) is amended as follows:

A new Section 52.26 is added to read as follows:

§ 52.26 NANC Recommendations on Local Number Portability Administration.

(a) Local number portability administration shall comply with the recommendations of the North American Numbering Council (NANC) as set forth in the report to the Commission prepared by the NANC's Local Number Portability Administration Selection Working Group, dated April 25, 1997 (*Working Group Report*) and its appendices, which are incorporated by reference pursuant to 5 U.S.C.

§ 552(a) and 1 CFR part 51. *Except that:* Section 7.10 of Appendix D of the *Working Group Report* is not incorporated herein.

(b) In addition to the requirements set forth in the *Working Group Report*, the following requirements are established:

(1) If a telecommunications carrier transmits a telephone call to a local exchange carrier's switch that contains any ported numbers, and the telecommunications carrier has failed to perform a database query to determine if the telephone number has been ported to another local exchange carrier, the local exchange carrier may block the unqueried call only if performing the database query is likely to impair network reliability.

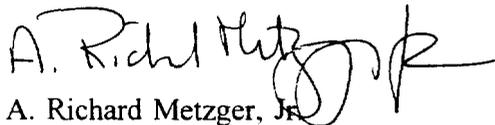
(2) The regional limited liability companies (LLCs), already established by telecommunications carriers in each of the original Bell Operating Company regions, shall manage and oversee the local number portability administrators, subject to review by the NANC, but only on an interim basis, until the conclusion of a rulemaking to examine the issue of local number portability administrator oversight and management and the question of whether the LLCs should continue to act in this capacity; and

(3) The NANC shall provide ongoing oversight of number portability administration, including oversight of the regional LLCs, subject to Commission review. Parties shall attempt to resolve issues regarding number portability deployment among themselves and, if necessary, under the auspices of the NANC. If any party objects to the NANC's proposed resolution, the NANC shall issue a written report summarizing the positions of the parties and the basis for the recommendation adopted by the NANC. The NANC Chair shall submit its proposed resolution of the disputed issue to the Chief of the Common Carrier Bureau as a recommendation for Commission review. The Chief of the Common Carrier Bureau will place the NANC's proposed resolution on public notice. Recommendations adopted by the NANC and forwarded to the Bureau may be implemented by the parties pending review of the recommendation. Within 90 days of the conclusion of the comment cycle, the Chief of the Common Carrier Bureau may issue an order adopting, modifying or rejecting the recommendation. If the Chief does not act within 90 days of the conclusion of the comment cycle, the recommendation will be deemed to have been adopted by the Bureau.

(c) The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. § 552(a) and 1 CFR part 51. Copies of the *Working Group Report* and its appendices can be obtained from the Commission's contract copier, International Transcription Service, Inc., 1231 20th St., N.W., Washington, D.C. 20036, and can be inspected during normal business hours at the

following location: 1919 M Street, N.W., Room 239 (FCC Reference Center), Washington, D.C. 20554 or at the Office of the Federal Register, 800 North Capitol Street, N.W., Suite 700, Washington, D.C. The *Working Group Report* and its appendices are also available on the Internet at <http://www.fcc.gov/ccb/Nanc/>.

FEDERAL COMMUNICATIONS COMMISSION

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

A. Richard Metzger, Jr.
Deputy Chief, Common Carrier Bureau