



## Iowa Utilities Board

Governor Terry E. Branstad  
Lt. Governor Kim Reynolds

Elizabeth S. Jacobs, Chair  
Nick Wagner, Board Member  
Sheila K. Tipton, Board Member

November 3, 2014

The Honorable Tom Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: Transition of the Local Number Portability Administrator

Dear Chairman Wheeler:

Concerns about the transition of the Local Number Portability Administrator (LNPA) have recently appeared in the national media.<sup>1</sup> While we take no position on which of the two vendors competing to administer local number portability (LNP) should be awarded the contract, we respectfully suggest that the Federal Communications Commission (Commission) delay the transition date to the extent necessary to address what appear to be legitimate concerns related to national security and public safety, and to assure that the quality of all current LNP functionalities are at least as good after the transition to a new administrator as they were prior to the transition.

According to the transition project plan, all seven of the NPAC Regions are intended to be live on the new vendor's system by June 28, 2015. However, the Commission still has not affirmed the North American Numbering Council's recommendation that the LNPA should be transitioned from Neustar, Inc. (Neustar) to Telcordia Technologies, Inc. (Telcordia). Assuming the Commission ultimately awards the LNPA contract to Telcordia, there will be little time for testing necessary to provide assurances to government agencies tasked with protecting national security and public safety, the telecommunications industry, or the public itself that this critical telecommunications infrastructure will continue to function as well after the transition as it did before.

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<sup>1</sup> See for example, "Spy Agencies Urge Caution on Phone Deal," [New York Times](#), (online) September 29, 2014, and "Security Concerns Arise with Phone-Database Contract," [Wall Street Journal](#), (online) September 28, 2014.

The national media have reported comments filed with the Commission by interested government agencies and service providers. In general, these government agencies and service providers are concerned about the potential for a disruption in functionality of the LNP system if that system is transitioned to a new administrator without comprehensive testing. These concerns appear increasingly legitimate as the June 28, 2015, transition date approaches and the final decision for awarding the LNPA contract has not been made.

Four key government agencies tasked with protecting national security and public safety recently filed joint reply comments in the Commission's proceeding to select the next LNPA vendor.<sup>2</sup> The reply comments note that:

Law enforcement investigations depend on accurate information, including accurately identifying the service provider who handles a suspect's telecommunications account. Law enforcement agencies, including the FBI and DEA, typically query the system maintained by the LNPA vendor to obtain accurate current and historical information about the company who provides the service to the account so that the law enforcement agency can serve the appropriate legal process on the correct provider. Law enforcement agencies also require that their queries of the system maintained by the LNPA remain confidential so that a potential criminal will not learn that law enforcement is investigating them, which could result in an individual fleeing, destroying vital evidence of their criminal activity, or continuing to compromise national security.<sup>3</sup>

The four agencies state that the Commission must ensure that a new LNPA vendor continues to provide, at a minimum, the same information that is currently provided by the existing LNPA vendor. "This information must be available to law enforcement in real or near real time immediately upon granting the contract to the (new) LNPA" vendor. Our reading of these comments is that the four agencies contend that any loss of LNP functionality provided by the current vendor, Neustar, would be unacceptable, because national security and/or public safety could be compromised. Thus, it is imperative that comprehensive testing of all LNP functionalities occur prior to finalizing the transfer.

Intrado Inc. (Intrado) also filed comments in the Commission's proceeding.<sup>4</sup> Intrado is a leading provider of 9-1-1 products and services in the United States and relies upon the LNPA to support call routing and delivery of reliable location information used by emergency responders. Intrado states that Neustar has developed over time critical data management

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<sup>2</sup> See Reply Comments of the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Secret Service, and the U.S. Immigration and Customs Enforcement, dated August 11, 2014, Docket Nos. CC95-116 and WC 09-109.

<sup>3</sup> *Ibid.*, page 3.

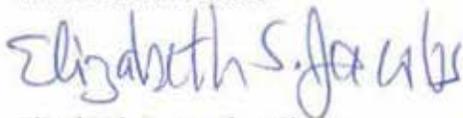
<sup>4</sup> See Comments of Intrado Inc., dated July 24, 2014, Docket Nos. CC95-116 and WC 09-109.

tools (at no cost to Intrado) to determine data errors associated with the tens of thousands of telephone numbers that are ported each day. Such data errors must be resolved in a timely fashion to ensure 9-1-1 reliability. Neustar's data management tools permit Intrado and other data management users to query telephone number ownership status of up to 1,000 telephone numbers at a time in a matter of minutes. Without tools like this, Intrado states that it would need to resort to labor intensive, manual, and complex processes to resolve migration errors which, unresolved, could result in erroneous caller location information and loss of lives and property.<sup>5</sup> Intrado is concerned that there could be a loss of LNP functionality as the LNPA is transitioned from Neustar to Telcordia. Again, the FCC can alleviate these concerns by requiring comprehensive testing to assure that all LNP functionalities of the current system are maintained after the transition to Telcordia.

The delay in finalizing the LNPA contract has likely increased the concerns of the commenters tasked with protecting Americans from harm. If the FCC decides to award the LNPA contract to Telcordia, it seems prudent to delay the project plan's June 28, 2015, transition date to allow for comprehensive testing to insure that all LNP functionalities will be maintained in the future.

Respectfully,

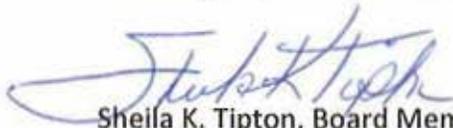
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cc: Commissioner Mignon Clyburn  
Commissioner Jessica Rosenworcel  
Commissioner Ajit Pai  
Commissioner Michael O'Rielly

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<sup>5</sup> *ibid.*, pp. 2-3.