

December 12, 2014

Electronically Filed

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Petition of Telcordia Technologies, Inc. to Reform or Strike Amendment 70, To Institute a Competitive Bidding for Number Portability Administration, and To End the LLC's Interim Role in Number Portability Administration Contract Management, WC Docket Nos. 07-149 & 09-109, CC Docket No. 95-116.*

Dear Ms. Dortch:

On behalf of CTIA-The Wireless Association, I write in response to the December 9, 2014, *ex parte* letter of Aaron Panner on behalf of Neustar.

Neustar's challenge to CTIA's advocacy is misconceived. It is no secret that CTIA is a trade association that represents its members' interests—including twenty-six carriers that serve more than 96% of the nation's wireless customers. See <http://www.ctia.org/about-us> ("The association advocates on behalf of its members at all levels of government."). Neustar evidently does not think *its own* advocacy should be discounted simply because of its obvious personal stake in this proceeding; surely, then, a trade association that represents 211 members (including both vendors here) has the right to be heard. Indeed, Neustar itself said as much earlier this year. See, e.g., Letter from Aaron M. Panner, Counsel to Neustar, Inc. to Marlene H. Dortch, Secretary, FCC, CC Docket No. 95-116, WC Docket Nos. 07-149 & 09-109 at 2 (Apr. 8, 2014) (requesting "notice seeking comment on the NANC's proposed recommendation" and urging that notice "specifically request comment on the significant issues that have been framed by the many filings in the Commission's docket, not only from Ericsson and Neustar, but also from the hundreds of carriers ... directly and through their trade associations"). Despite the fact that CTIA filed its initial comments in this proceeding *four months ago*, only now does Neustar ask the Commission to "discount[]" its submissions because Ericsson's President and CEO sits on CTIA's board. Neustar Dec. 9, 2014 *ex parte* at 1. Neustar's myopic focus on Ericsson, of course, ignores the fact that sixteen carriers serve on CTIA's Board of Directors and that CTIA's Officers include the CEOs of both Verizon Wireless and Bluegrass Cellular (a Tier III regional carrier headquartered in Elizabethtown, KY).

But regardless of CTIA's unsurprising interest in advocating on behalf of its members, there is no denying that the NANC *is* impartial, and represents the broadest cross-section of the U.S. telecommunications industry, with representatives from large, medium, and small wireline and wireless carriers, state public service commissions, consumer advocates, and trade associations (including, in addition to CTIA, COMPTTEL, NCTA, NASUCA, and USTelecom). See <http://www.fcc.gov/encyclopedia/nanc-membership-directory>. Equally indisputable is that the NANC voted unanimously (with only one abstention) to recommend Telcordia as the new LNPA.

Neustar continues to misapprehend the significance of CTIA's observation that extending Neustar's LNPA contract beyond its scheduled expiration will cost "over \$40 million *per month*"—a fact that Neustar last week called "wrong on its face" (Neustar Dec. 3, 2014 *ex parte* at 1), but now concedes is "a matter of public record." Neustar Dec. 9, 2014 *ex parte* at 1. This is critical, because simply *delaying* a decision on selection of the LNPA will trigger substantial escalations in the cost of Neustar's services, as CTIA has repeatedly made clear. See Comments of CTIA & USTelecom, filed July 25, 2014, at 3, 20; Reply Comments of CTIA & USTelecom, filed Aug. 8, 2014, at 7-8; CTIA Nov. 20, 2014 *ex parte* at 1-2; Reply Comments of CTIA, filed Dec. 3, 2014, at 2 n.3.

Neustar also persists in mischaracterizing CTIA's reference to the undisputed \$40 million-per-month amount as purporting to represent projected *savings* if Telcordia is selected as the next LNPA. See Neustar Dec. 9, 2014 *ex parte* at 1. CTIA said no such thing. Rather, what it did say—and what Neustar continues to ignore—is that the NAPM's impartial and expert working group (the FoNPAC) evaluated the disparity between the two vendors' costs and explained how much more consumers would pay per month *net of transition costs* if the Neustar contract were extended. See Reply Comments of CTIA & USTelecom at 7-8 (confidential and unredacted version).¹ This does not "assum[e] ... that Ericsson will provide LNPA services for free." Neustar Dec. 9, 2014 *ex parte* at 1. Nor does it give short shrift to transition costs, which were fully considered. See Reply Comments of CTIA & USTelecom at 7-8. But it does recognize both the benefit to Neustar and the massive cost to the industry—and ultimately the public—for every month that the transition is delayed.

Neustar's assertion that the transition "is not remotely worth the cost" (Neustar Dec. 9, 2014 *ex parte* at 2) may accurately reflect its own view, but it does not reflect the NANC's considered judgment and recommendation. As CTIA has noted, the RFP required prospective bidders to submit detailed plans demonstrating how they would manage multiple aspects of a transition. See Reply Comments of CTIA & USTelecom at 3-4. And the FoNPAC, SWG, and NANC itself each diligently evaluated those issues. *Id.* at 5-7. The NANC's unanimous

¹ Neustar questions the common-sense proposition that carriers that are saddled with significantly higher LNPA costs can be expected to pass those costs onto their customers. See Dec. 9, 2014 *ex parte* at 1-2. That "no service provider" has publicly "committed" to doing so (*id.*), of course, does not mean it will not happen. In any event, Neustar's logic is undercut by its own assumptions. See *id.* (asserting that "[s]election of Ericsson ... will cost consumers money.").

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recommendation makes clear that its members were fully satisfied with the qualifications of the recommended vendor (Telcordia). Under these circumstances, consideration of cost is entirely appropriate.

In sum, the Neustar *ex parte* repeats arguments that have been fully addressed. The Commission now has before it an abundant record on which to make its LNPA selection. CTIA urges the Commission to act without further delay and to select a new Administrator in order to allow the carriers' business and technical units to start the necessary logistical planning for a seamless transition.

Sincerely,

/s/

Peter Karanjia

Counsel for CTIA-The Wireless Association

cc: Daniel Alvarez
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