

December 18, 2014

VIA ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentations, CC Docket No. 95-116; WC Docket No. 07-149;
WC Docket No. 09-109**

Dear Ms. Dortch:

On Tuesday, December 16, 2014, Neustar, Inc. representatives Leonard Kennedy, General Counsel; Steve Edwards, Senior Vice President; Scott Deutchman, Deputy General Counsel; and Neustar counsel Stewart Baker of Steptoe & Johnson, Aaron Panner of Kellogg, Huber, Hansen, Todd, Evans & Figel PLLC, and Michele Farquhar of Hogan Lovells (collectively, "Neustar") met with Mindel De La Torre, Troy Tanner, Nese Guendelsberger, and Kathleen Collins of the International Bureau to discuss foreign ownership issues raised in the LNPA selection process.

Neustar representatives explained that the Number Portability Administration Center ("NPAC") is the world's largest number portability registry, managing over 650 million telephone numbers for over 2,000 carriers across the U.S. Given that the NPAC infrastructure touches every communications company and network, foreign ownership of the NPAC is a critical concern that was not considered as part of the RFP, included in the NANC's review of LNPA applicants, or discussed in the NANC's final recommendation. As Neustar has previously observed, foreign ownership of the LNPA raises serious national security concerns. During the meeting Neustar discussed the lack of opportunity in the LNPA selection process for outside parties, including public safety, law enforcement, and national security stakeholders, to weigh in on foreign ownership issues.¹ The participants also discussed significant trade issues arising

¹ See Reply Comments of Neustar, Inc., WC Docket No. 09-109, CC Docket No. 95-116 at 77-86 (filed Aug. 22, 2014). The Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Secret Service, U.S. Immigration and Customs Enforcement, and representatives of local and state emergency management and law enforcement officials have all written to the FCC regarding their concerns about foreign access to and influence over the sensitive public safety, law enforcement and national security functions performed by the NPAC. See, e.g., 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, WC Docket No. 09-109, CC Docket No. 95-116 at 4-5 (filed Aug. 11,

from foreign ownership of the NPAC, and questioned whether awarding ownership of the NPAC to a wholly foreign-owned subsidiary of Ericsson would satisfy the FCC's foreign ownership review.

At the close of the meeting, Neustar recommended that the FCC conduct a robust and public evaluation of the LNPA selection process, which should include a foreign ownership review, and solicit input from affected public safety, law enforcement and national security stakeholders as well as other interested parties. Review of foreign ownership issues before the final LNPA selection is made is consistent with the FCC's handling of foreign ownership reviews in other contexts, such as Team Telecom and CFIUS ("Committee on Foreign Investment in the United States") reviews of proposed transactions involving even minor foreign ownership. Finally, Neustar noted that a rulemaking proceeding – which is the only means by which the FCC can legally proceed to select a new LNPA – is an appropriate vehicle to examine and fully evaluate these foreign ownership concerns.

Pursuant to Section 1.1206(b) of the Commission's rules, I am filing this notice electronically in the above-referenced dockets. Please contact me directly with any questions.

Respectfully submitted,

/s/ Michele Farquhar

Michele Farquhar

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cc: Mindel De La Torre
Troy Tanner
Nese Guendelsberger
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2014) ("The FCC needs to ensure that the LNPA vendor will not have unwarranted visibility into the queries submitted by a law enforcement agency in order to maintain the confidentiality and integrity of those investigations, and the steps necessary to conduct lawful investigations. Preventing unwarranted, and potentially harmful, visibility means that the FCC cannot allow an LNPA to have remote access outside the U.S. or through a foreign corporate-parent entity, and the LNPA vendor cannot track, log, or preserve the queries submitted by law enforcement agencies.").