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August 10, 2015

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VIA E-MAIL

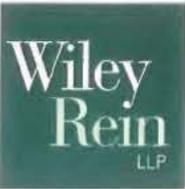
Matthew S. DelNero
Chief, Wireline Competition Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: DA 15-799; *Telephone Number Portability* et al., CC Docket No. 95-116;
WC Docket Nos. 07-149 and 09-109

Dear Mr. DelNero:

In light of the recent correspondence between counsel for the NAPM and the Federal Communication Commission (“Commission or FCC”), this letter informs the FCC that Neustar will allocate and bill the costs of the transition oversight manager (“TOM”) hired by the North American Portability Management LLC (“NAPM”) in the same manner as all other shared costs for local number portability. These shared costs are assessed today to include the billing of entities that are not necessarily number portability administration center (“NPAC”) users but come within the cost recovery rules that apply to all telecommunications carriers and certain other providers of telecommunications pursuant to the *Telephone Number Portability*, CC Docket 95-116, Third Report and Order, 13 FCC Rcd 11701 (1998) (*Telephone Number Portability Third Report and Order*) and its progeny.

On June 23, 2015, the NAPM sought confirmation that the Commission has authorized it “(i) to enter into a statement of work with the current local number portability administrator (“LNPA”), Neustar, and (ii) to bill the costs of the third party [TOM] to, and recover the costs from, [NPAC] users using the existing framework for the allocation and recovery of shared costs.” See Letter from Todd Daubert, Counsel to the NAPM, LLC, to Matthew S. DelNero, Chief, Wireline Competition Bureau, WCB Docket Nos. 07-149 and 09-109 (filed June 23, 2015) (emphasis added). In a July 9, 2015, response, you confirmed that the NAPM may enter into a statement of work with Neustar. See Letter from Matthew S. DelNero, Chief, Wireline Competition Bureau, to Todd Daubert, Counsel to the NAPM, LLC, WCB Docket Nos. 07-149 and 09-109 (dated July 9, 2015). However, the letter then stated that Neustar “may bill the costs of the Transition Oversight Manager to, and recover costs from, current NPAC users. All Transition Oversight Manager contract fees should be assessed to NPAC users in the same manner as all



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other shared costs are assessed today.” *Id.* (emphasis added) In support of this, the letter cited section 251(e)(2) of the Communications Act, which requires that the “cost of establishing telecommunications numbering administration arrangements and number portability . . . be borne by all telecommunications carriers on a competitively neutral basis as determined by the Commission.” *Id.* (emphasis added). The letter also cited to the *Telephone Number Portability Third Report and Order* noting that it adopted “the Commission’s tentative definition of shared costs as costs incurred by the industry as a whole.” *Id.* (emphasis added).

The reference to “current NPAC users” in the July 9th letter may be misread. Pursuant to the *Telephone Number Portability Third Report and Order*, Neustar currently bills the shared costs of number portability to all telecommunications carriers and to certain other providers of telecommunications, many of which are not “current NPAC users.” Consistent with the *Telephone Number Portability Third Report and Order*, the statement of work that Neustar has entered into with the NAPM requires Neustar to allocate and bill the costs of the TOM to the same entities and in the same manner as it allocates and bills today. We likewise understand the July 9 letter to require Neustar to assess the TOM fees “in the same manner as all other shared costs are assessed today,” which includes allocating and billing the costs to a broader group of providers than just “current NPAC users.”

Please contact me if you have any questions or concerns regarding this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read "T. Navin", written over a light blue circular stamp.

Thomas J. Navin

cc Kris Monteith, WCB Deputy Bureau Chief
Ann Stevens, WCB, Competition Policy Division, Deputy Chief