

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

In the Matter of

Telcordia Technologies, Inc. Petition to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration

WC Docket No. 07-149

Petition of Telcordia Technologies, Inc. to Reform or Strike Amendment 70, to Institute Competitive Bidding for Number Portability Administration, and to End the NAPM LLC's Interim Role in Number Portability Administration Contract Management Telephone Number Portability

WC Docket No. 09-109

Telephone Number Portability

CC Docket No. 95-116

OPPOSITION TO MOTION TO STRIKE AND MOTION FOR LEAVE TO FILE OVERLENGTH REPLY OR, IN THE ALTERNATIVE, TO FILE CORRECTED REPLY OUT OF TIME

The Commission should deny the Motion to Strike because the claim by Ericsson's wholly owned subsidiary, Telcordia Technologies, Inc. d/b/a iconectiv ("Ericsson"), that Neustar's May 5, 2016, Reply in Support of its Application for Review exceeded the page limits in the Commission's rules is incorrect. The five-page limit for replies set forth in Section 1.115 applies to application for review of a hearing designation order, *see* 47 C.F.R. § 1.115(e), which this is not. Section 1.115(d) authorizes replies in this proceeding and there is no particular limitation on the length of a reply other than the requirement that it be limited to "matters raised in the opposition," which Neustar's is.¹

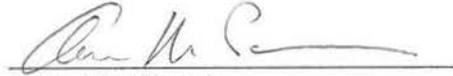
¹ Although a division-level decision from 1997 suggests a different reading of § 1.115(f), it simply assumed (in granting a waiver) that the five-page limit applied to all replies in support

Even if Ericsson's reading of the rule were correct, no purpose would be served by striking portions of Neustar's Reply. There is nothing that limits Neustar's ability to supplement further, on an *ex parte* basis, the arguments contained in its Reply. Indeed, even if a portion of the Reply were stricken, the *ex parte* rules permit such supplementation in a permit-but-disclose proceeding like this one. Unlike in a formal complaint proceeding (for example) where *ex parte* communications may not be permitted, exceeding the page limits cannot give Neustar an opportunity to include material or arguments in a record that would otherwise have been closed.

Accordingly, Neustar respectfully requests that the Commission deny the Motion to Strike and, if the Commission deems it necessary, grant Neustar leave, *nunc pro tunc*, to file an over length reply. In the alternative, in the event the Commission grants the Motion to Strike, Neustar seeks leave to file the attached revised Reply, which complies with the five-page limit, out of time. Given the nature of the proceeding, and the public interest at stake, the Commission should do what is best designed to ensure a decision on the merits of the important issues presented.

of applications for review. See Order, *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, 12 FCC Rcd 10259, ¶ 1 n.3 (P&PPD, CCB 1997). To our knowledge, no Commission-level decision has applied the five-page limit of the current version of § 1.115(f) to a reply filed in a permit-but-disclose proceeding.

Respectfully submitted,



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