wallmank@wallman.com
555 12th Street NW
Suite 321
Washington, DC 20004

WALLMAN STRATEGIC CONSULTING, LLC

Phone: 202.347.4964
Fax: 202.347.4961

DOCKET FILE COPY ORIGINAL

RECEIVED
SEP 17 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

John E. Logan
logani@wallman.com

September 17, 1999

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D. C. 20004

Re: Reply Comments in Response to Public Notice DA 99-1647
In the Matter of Request of Lockheed Martin Corporation et al.
CC Docket 92-237
NSD File No. 98-151

Dear Ms. Salas:

On behalf of Mitretek Systems, enclosed for filing in the above dockets is an original and four copies of Reply Comments in response to Public Notice DA 99-1647 issued August 17, 1999. Also enclosed is a list those individuals at the Commission who were provided a copy of the Reply Comments.

Respectfully submitted,

John E. Logan

Enclosures

No. of Copies rec'd 0+4
List ABCDE

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

RECEIVED

SEP 17 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of Request of Lockheed Martin Corporation and Warburg, Pincus & Co. for Review of the Transfer of the Lockheed Martin Communications- Industry Service Business from Lockheed Martin Corporation to NeuStar, Inc.	)))))))))	CC Docket 92-237 NSD File No. 98-151

REPLY COMMENTS OF MITRETEK SYSTEMS
IN RESPONSE TO PUBLIC NOTICE DA 99-1647
(RELEASED: August 17, 1999)

Mitretek Systems (Mitretek) submits these Reply Comments to Public Notice DA 99-1647 (Released August 17, 1999):

Summary

The August 17, 1999 amended request (Amended Request) of Lockheed Martin IMS Corporation (Lockheed Martin) proposes to sell the responsibilities of the North American Numbering Plan Administrator (NANPA) to NeuStar, Inc. (NeuStar). This Amended Request is part of Lockheed Martin's effort to divest itself of the NANPA responsibilities over the last year. Its prior proposal to sell the NANPA responsibility directly to Warburg, Pincus & Co (Warburg) was not approved by the Commission. Mitretek is designated by the Commission as the alternate NANPA.

The record now contains relevant comments from numerous Commission requests for information dating back to January 1999. During this time, the Commission has not publicly ruled on an aspect of the initial request from Lockheed Martin, has not publicly ruled on the request from Mitretek that the Commission enforce its existing rules related to the neutrality of the NANPA, and has not addressed the fundamental issues raised by the Common Carrier Bureau in its letter of November 23, 1998, to Lockheed Martin. As a result, it is incumbent upon the Commission to address the complete issue of Lockheed Martin's violation of the neutrality standard, not simply the most recent supplement to the amendment added to the original transfer request, which was withdrawn in June 1999.

The issues are simple. All parties agree that the acquisition of Comsat by Lockheed Martin results in a violation of the NANPA neutrality standard. Lockheed Martin, through its actions and proposed transfer request, believes that the violation occurs either at the time of the completed acquisition or at some time later. Mitretek believes that the violation occurred with the August 1998 announcement of the acquisition, if not at the start of discussions between Lockheed Martin and Comsat in 1997 prior to the Commission's *Third Report and Order* appointing Lockheed as the NANPA. Lockheed Martin believes that it has a right to 'cure' its neutrality violation by abdication of the NANPA function through a sale to Warburg Pincus. Mitretek believes that the NANPA is a public function and that only the Commission may appoint the successor to Lockheed Martin. Previous actions by the Commission not allowing Bellcore and the Regional Bell Operating Companies to sell the NANPA functions, as well as comments in the *Second Report and Order* that numbers are owned by the public, support the position that only the Commission may name the successor. All parties agree

that Warburg Pincus is unable to meet the neutrality standard as currently established by the Commission. The North American Numbering Council (NANC) declared in its March 1999 meeting that Warburg Pincus did not meet the neutrality standard. Warburg Pincus, through its proposed changes to the rules, clearly recognizes the violation. The initial proposal was not accepted by the Commission. Through its supplemental, amended proposal, Lockheed Martin and Warburg Pincus clearly recognize that the initial proposal did not meet the neutrality standard and now propose a 'voting trust' and a 'neutral' board of directors for the commercial firm that will own the NANPA and LNPA functions. Professor Lynn Stout[1] of the Georgetown Law Center concludes that neither the board of directors nor the voting trust would be neutral and independent of Warburg Pincus. Lockheed Martin insists that the NANPA functions be bundled with the functions of the seven Local Number Portability Administrators (LNPA). Mitretek argues that the NANPA and LNPA functions are distinct, and that if bundled will create a monopoly in the LNPA and other evolving industry services.

The Commission Took the Unprecedented Step to Name Mitretek as the Alternate NANPA

In the *Third Report and Order*,[2] the Commission also formally accepted the NANC's recommendation that Mitretek Systems be the alternate NANPA. Specifically, at paragraph 67, the FCC stated:

> *We note that the NANC recommended Mitretek as the alternate NANPA, and we accept this recommendation formally. If Lockheed [i.e., Lockheed Martin IMS] defaults on its obligations as NANPA, or if the NANC*

[1] Professor Stout was retained by Mitretek to review the proposed corporate structure of NeuStar to determine its independence of Warburg.
[2] Administration of the North American Numbering Plan, *Third Report and Order*, 12 FCC RCD 23014, (October 9, 1997) [hereinafter *Third Report and Order*].

determines that Lockheed [i.e., Lockheed Martin IMS] does not perform those functions in a satisfactory fashion, Mitretek will have the opportunity to assume NANPA responsibilities for the remainder of the five-year term, if it still wishes to do so, without its undergoing another evaluation process.

Lockheed Martin Has Defaulted On Its Obligation to Remain Neutral as the NANPA

Lockheed Martin's entry into the commercial telecommunications business created an actual and apparent conflict of interest, thereby violating its obligation to remain neutral and not to align with any industry segment while serving as the number administrator. Lockheed Martin began consideration of this initiative,[3] including the acquisition of Comsat,[4] prior to its appointment as the NANPA, and actually denied that its telecommunications interests presented neutrality problems prior to its appointment.[5]

---

[3] While the Commission was considering the NANPA appointment, Lockheed Martin was in discussions over entering the "commercial telecommunications industry." Specifically, on August 5, 1997, Lockheed Martin entered into a confidential agreement with Comsat to explore a possible merger or joint venture focused on the commercial telecommunications service industry. The Proxy Statement regarding the proposed merger with Lockheed Martin, filed by the party to be acquired, Comsat, also states that "Lockheed Martin periodically reviewed potential market entry strategies, including the possibility of internal investments, joint ventures and strategic alliances, and acquisitions and business combinations with companies participating in the commercial telecommunications services industry." Proxy Statement at 19. The Comsat Proxy Statement also states that on August 7 and 8, 1997, "Comsat and Lockheed Martin management met to discuss the overall market environment of the telecommunications industry and each company's strategies regarding that industry." From August 1997 through September 1998, Comsat and Lockheed Martin considered the merger of the two companies. www.sec.gov/Archives/edgar/data/936468/0000928385-99-001843.txt.

[4] On September 15, 1999, the Commission approved Lockheed Martin's application, filed in the fall of 1998, to acquire 49 percent of Comsat.

[5] On September 4, 1997, Mitretek filed an *ex parte* letter with the Commission suggesting that Lockheed Martin's telecommunications interests raised serious neutrality concerns with respect to its potential selection as the NANPA. On September 11, 1997, Lockheed Martin responded by minimizing the extent of its interests and downplaying its "periodic review" of options for "participating in the commercial telecommunications service industry." It also stated emphatically that organizational conflicts of interest were

Lockheed Martin is now doing business with and competing against companies over which it is managing the administration of numbers. Lockheed Martin's access to commercially sensitive and proprietary information subjects it to the circumstances the Commission sought to avoid in replacing the previous NANPA, Bellcore, with a neutral party, as "[e]ven if a NANP Administrator aligned with a particular industry segment was impartial, there would still likely be the perception and accusations that it was not."[6] Lockheed Martin has abdicated its public trust responsibility to remain neutral while administering the NANP.

The record contains no comments arguing that Lockheed Martin's actions do not result in a violation of the neutrality standard. The Commission recognizes this violation.[7] Lockheed Martin, through documents[8] provided to the Commission and by

---

supervised with Lockheed Martin by an "organization conflict of interest 'OCI' function which is administered by senior members" of Lockheed Martin. *Ex Parte Presentation* of Lockheed Martin, dated September 11, 1997 at 1. Based on Lockheed Martin's representations, but unaware of the negotiations with Comsat, the Commission concluded that Lockheed Martin's disclosed telecommunications forays did not compromise its neutrality and appointed Lockheed Martin as the NANPA, with Mitretek the alternate.

[6] Administration of the North American Numbering Plan, Report and Order, CC Docket No. 92-237, 11 FCC Rcd 2588 at para. 57 (1996) ("*First Report and Order*").

[7] *See* Letter from Yog Varma, Deputy Chief, Common Carrier Bureau, Federal Communications Commission, to Jeffrey Ganek, Senior Vice President and Managing Director, Lockheed Martin IMS, CIS at 2 (November 23, 1998), and *See* Letter from Yog Varma, Deputy Chief, Common Carrier Bureau, Federal Communications Commission, to H. Gilbert Miller, Ph.D., Vice President, Center for Telecommunications and Advanced Technology, Mitretek Systems (December 2, 1998).

[8] *Report to the North American Numbering Council and the Telecommunications Industry Concerning Lockheed Martin's Global Telecommunications Subsidiary* (August 28, 1998), *Report to the North American Numbering Council and the Telecommunications Industry Concerning Lockheed Martin's Global Telecommunications Subsidiary* (October 22, 1998), See *In the Matter of the Request of Lockheed Martin Corporation and Warburg, Pincus & Co. for Review of the Transfer of the Lockheed Martin Corporation to an Affiliate of Warburg, Pincus & Co.*, CC Docket No. 92-237, NSD File 98-151, at 10 (December 21, 1998).

the very action of proposing to sell its NANPA function, recognizes the violation of the neutrality standard.

However, the comments disagree with respect to the time of the neutrality standard violation. Lockheed Martin's comments appear to suggest that the violation of the neutrality standard will not occur until the acquisition of Comsat is complete, or at some time in the future. Mitretek believes that the violation of the neutrality standard accorded when Lockheed Martin announced its intent to acquire Comsat, if not in July 1997 when Lockheed Martin began its discussion with Comsat. In fact, Mitretek believes that had the Commission been informed of the ongoing discussion between Lockheed Martin and Comsat prior to the release of the *Third Report and Order*, the Commission would have found that the violation of the neutrality standard was more than *de minimis*.[9]

Lockheed Martin Cannot Cure the Violation of the Neutrality Standard by Abdication of the Fundamental NANPA Function

Although Mitretek continues to believe that notice of the neutrality standard violation is not required, and in fact has already been given,[10] Lockheed Martin's proposed 'cure' has been provided. Through the proposed cure, Lockheed Martin would abdicate its public NANPA function and sell the NANPA to Warburg Pincus. However, by its very definition a 'cure' is a 'restoration of health,' not an abdication of

[9] The Commission in its *Third Report and Order* found Lockheed Martin to be in technical violation of the neutrality standard, but also found that the violation was *de minimus*.

[10] *See* Letter from Yog Varma, Deputy Chief, Common Carrier Bureau, Federal Communications Commission, to Jeffrey Ganek, Senior Vice President and Managing Director, Lockheed Martin IMS, CIS at 2 (November 23, 1998).

responsibility or abandonment of life. The *Requirements Document*[11] noted that the NANPA would be allowed "to correct *its* performance."[12]

Only the Commission Has the Authority to Establish a New NANPA

The NANPA is a public function that only the Commission, not Lockheed, is authorized to appoint. The Commission's Orders make clear that its delegation of numbering administration to the NANPA encompasses its authority over domestic numbering administration.[13] The Commission has highlighted the importance of the public function delegated to the NANPA:

> [N]umbers are a public resource, and are not the property of the carriers. Access to numbering resources is critical to entities desiring to participate in the telecommunications industry. Numbers are the means by which businesses and consumers gain access to, and reap the benefits of, the public switched telephone network. These benefits cannot be fully realized, however, unless numbering resources of the NANP are administered in a fair and efficient manner that makes them available to all parties desiring to provide telecommunications services.[14]

Contrary to this premise,[15] Lockheed Martin treats the NANPA responsibilities as a commodity that can be sold to another entity. The extensive evaluation process the Commission instituted to ensure competence and neutrality when the Commission

---

[11] North American Numbering Council, *Requirements Document*, 1997.
[12] *Requirements Document*, at section 1.7.
[13] *First Report and Order* at para. 57.
[14] *Third Report and Order* at para 4.
[15] This was reaffirmed on May 29, 1999 in the *In re Number Resource Optimization, Connecticut Department of Public Utility Control Petition for Rulemaking to Amend the Commission's Rule Prohibiting Technology-Specific or Service Specific Overlays, Massachusetts Department of Telecommunications and Energy Petition for Waiver to Implement a Technology-Specific Overlay in the 508, 617 and 978 Area Codes, California Public Utilities Commission and the People of the State of California Petition for Waiver to Implement a Technology Specific or Service Specific Area Code, Notice of Proposed Rulemaking*, CC Dkt. No. 99-200, FCC 99-122 at paras. 16, 18 (June 2, 1999) (*NRO NPRM*).

ordered the responsibility transferred from Bellcore is removed. The Commission had full opportunity to allow Bellcore to undertake a process to select a successor. Instead, it deliberately pursued a procedure where the Commission, through the North American Numbering Council, established the criteria required and reserved to itself the appointment of the entity selected to be the NANPA.

Any contention that Lockheed Martin's sale is invisible to the public because the unit in Lockheed Martin would simply be moved as a whole from one parent, Lockheed Martin, to another, Warburg Pincus/NeuStar, with no disruption of service or quality, is without basis. Divesting a unit of a larger entity to a new owner does not ensure future effectiveness or adherence to the standards of the law. The divesting firm has no responsibility to share the Commission's commitment to find an effective purchaser. What is more likely, as this circumstance makes clear, is the pursuit of the highest price and/or a buyer who will quickly take the divested property off its hands.[16]

Underscoring the difficulties in divesting the NANPA responsibilities to a party not selected by the Commission, Warburg/NeuStar asks the Commission to amend and relax its conflict of interest standard. Instead of conforming to the neutrality standard that avoids perceived and real conflicts of interest, Warburg/NeuStar contends that information barriers, disclosure requirements, and a Code of Conduct suffice. The Commission should not compromise its standards. The Commission should adhere to policy and appoint Mitretek as the NANPA in the face of Lockheed Martin's default on its neutrality obligation and its inability to cure itself in a fashion that would allow it to

[16] *See* Kenneth Elzinga, *The Antimerger Laws: Pyrrhic Victories?,* 12 J.L. & Econ. 43, 65 (1969).

perform the NANPA function.[17] Mitretek has withstood the scrutiny of the Commission's established rules and evaluation process.[18]

Warburg Pincus, As the NANPA Parent, Lacks the Requisite Experience

The record contains no information to demonstrate that Warburg Pincus has the requisite skills and experience to carry out the duties associated with the responsibility. Unlike each of the applicants responding to the Request for Proposals prior to the Commission's NANPA appointment in 1997, Warburg makes no representation as to its comprehension, much less expertise, to implement the North American Numbering Plan in an efficient and effective way. It relies solely on the present expertise of Lockheed Martin.

In its selection of the NANPA, as well as in the procedures it authorized to attract interested parties to present a proposal, the Commission stressed the overall corporate role of the NANPA parent – that it manage the NANPA with a comprehension of the effect poor performance as the NANPA will have on its overall corporate operations.[19] Warburg, in both its original transfer application and its amended NeuStar proposal, actually attempts to distant itself from the substantive responsibilities in an effort to ameliorate its neutrality violations. Warburg's responsibility to direct the NANPA under both the original and amended proposals, requires a minimal competence in number administration, which it has made no commitment to. The Commission should reject

---

[17] *Third Report and Order* at para. 67.

[18] Interestingly, Lockheed Martin itself endorsed such a step immediately naming the alternate when it reaffirmed its readiness to be the Billing and Collection Agent in December 1997. See North American Numbering Council Meeting Minutes December 15 - 16, 1997 at 29 ("Lockheed Martin, stated that Lockheed Martin would stand behind its original bid to perform the B&C Agent functions.").

[19] *Third Report and Order* at para. 61.

such and demand the same standard of capability it required from those who sought to be the NANPA.

A Warburg Pincus NANPA Under the Original or Amended Request Violates the Neutrality Standard

The record clearly shows that Warburg's substantial telecommunications holdings violate the obligation that the NANPA not be aligned with telecommunications interests. Warburg's failure to meet the neutrality standard was recognized by the NANC.[20] Lockheed Martin and Warburg Pincus also recognized that violation of the neutrality standard as evidenced by the numerous proposed additions and modifications to the Commission's already established neutrality rules, by their withdrawal of the original proposal, and their subsequent re-introduction of the transfer proposal with conditions added to address further the neutrality shortcomings.

The NeuStar Board of Directors nor the NeuStar Voting Trust Would be Neutral and Independent of Warburg Pincus

The record contains a detailed analysis[21] of the August 1999 proposal to avoid violation of the neutrality standard. This analysis was performed by Lynn A. Stout, a Professor of Law at the Georgetown University Law Center and a recognized expert in securities regulation and corporate law. The Amended Request and Supplemental Amended Request state that 59 percent of the shares of NeuStar would be controlled by an "independent" voting trust. Professor Stout's comments state:

> "The trust described in the Amended Request and Supplemental Amended Request thus fails to meet either of the two fundamental requirements for independence from Warburg Pincus and its affiliates. Warburg Pincus can control both who serves as a

[20] Minutes of the March 1999 NANC Meeting.
[21] Comments submitted to Docket 92-237 by Professor Lynn Stout, September 7, 1999.

> trustee, and how much compensation the trustees receive. The trustees accordingly are not independent of Warburg Pincus."

The Amended Request and Supplemental Request state that NeuStar would have a five-member board of directors, consisting of: NeuStar's Chief Executive Officer (CEO), who would serve as Chairman; up to two direct representatives of Warburg Pincus; and two "independent" directors. Professor Stout's comments state:

> "The net result is that Warburg Pincus could enjoy control and influence over a majority, and possibly all, of the members of the NeuStar board. The NeuStar board of directors accordingly would not be independent of Warburg Pincus."

Professor Stout's comments provide other characteristics of the proposed corporate restructuring that would contribute to Warburg Pincus' ability to influence and control NeuStar. First, the initial "independent" members of the NeuStar board will be chosen by NeuStar's CEO and Chairman, a Warburg Pincus nominee. Second, all successor "independent" directors must be nominated by the Chairman of the NeuStar Board, who again need not be independent. Third, any NeuStar director, including any "independent" director, can be removed by the vote of three-quarters of NeuStar's shares including shares in the voting trust which Warburg Pincus can control. Fourth, the trustees of the proposed voting trust will not have control over the shares in the trust with regard to "fundamental" corporate changes such as mergers and consolidations, the issuance of new shares, significant acquisitions, and the incurring of material indebtedness. Fifth, the Amended Request does not provide evidence that NeuStar's

Articles of Incorporation, and/or corporate bylaws, cannot be amended to increase the size of the NeuStar board and so dilute the power of NeuStar's "independent" directors.

Warburg's substantial telecommunications holdings violate the obligation that the NANPA not be aligned with telecommunications interests. Neither the trustees of the Warburg/Management trust, which Warburg offers as a purported insulation from its telecommunications holdings, nor NeuStar's management, nor NeuStar's Board of Directors, are independent. Warburg's substantial telecommunications interest are as much a part of NeuStar as Warburg itself.

Fiduciary Duties Do Not Require NeuStar's Directors and Trustees to Seek Neutrality in Numbering Administration

Professor Stout observes[22] that even if the proposed corporate restructuring effectively insulated NeuStar from the influence and control of Warburg Pincus,

> independent NeuStar directors and voting trustees would remain free to favor the economic interests of Warburg Pincus over the general public's interest in the neutrality of the NANPA.

Under the terms of the proposed corporate restructuring and trust, NeuStar's directors and trustees owe fiduciary duties primarily to NeuStar's shareholders, including Warburg Pincus. NeuStar's directors and trustees accordingly would be under no obligation to ensure NeuStar's neutrality in numbering plan administration. Nor would the directors and trustees be precluded from favoring a particular beneficiary, such as Warburg Pincus, over other beneficiaries where this can be done without affirmatively harming the other beneficiaries.

[22] Comments submitted to Docket 92-237 by Professor Lynn Stout, September 7, 1999.

What is a fundamental element of both the original proposal and that presented by NeuStar, is that the trustees, the members of the Board of Directors, and the management of the NANPA responsibilities are obligated to pursue the economic interests of Warburg. Their fidelity is not to the public interest responsibilities related to the NANPA, not to the neutrality of the NANPA, but to Warburg. Warburg's pervasive and dominating interest over the management and operations of the NANPA and its substantial telecommunications holdings must be viewed as one. The law's demand that the North American Numbering Plan Administrator not be aligned with any telecommunications interests is not met.

NANPA and LNPA Responsibilities Must Be Considered Separately

As Lockheed Martin has succeeded to be the Local Number Portability Administrator (LNPA) in the seven regions across the country, a more than subtle effort has been made for the Commission to consider these responsibilities as part of the NANPA. Failure to consider separately these two functions, which have different statutory origins and obligations will result in a loss of NANPA efficiency, a loss in flexibility in dealing with both functions, and a loss of competition in the LNPA environment. Failure to consider these responsibilities as distinct will result in the Commission formally embracing a horizontal monopoly in the LNPA and vertical monopoly with respect to the LNPA and NANPA.

The NANPA is obligated to administer a critical public resource to ensure the availability of numbering resources and to anticipate the range of unique circumstances across the country and respond effectively and efficiently to each circumstance. In contrast, the LNPA administrators provide call set-up-related, database look-up services

that allow consumers to move from one carrier to another. The Commission has recognized the benefits of multiple entities performing the NANPA function,[23] as well as the benefit of having the NANPA and LNPA functions distributed across different organizations.[24]

The Commission is now being requested to ignore these policies. The reason is that the NANPA incumbent, who since its appointment, has succeeded to the LNPA responsibilities throughout the country, has formulated a sale of the two functions to one entity and claims not to willing to transfer these two functions other than to its chosen successor. The motivations of an entity pursuing a monopoly environment are clear. Yet, the Commission must put this self-interest aside. As it stated in the Third Report and Order, "We recognize that vendor diversity for number administration services has advantages for the industry because it prevents the industry from being captive to a single, monopolistic provider of services."[25]

Conclusion

The NANPA's obligation to be distinct from the telecommunications industry it provides resources to is not an abstract concept. The Commission was succinct throughout its process to appoint a NANPA to replace Bellcore and in the rules it promulgated when it made the present appointment. There can be no equivocation in the requirement of neutrality -- the NANPA cannot be aligned with a segment of the telecommunications industry.

---

[23] In re Telephone Number Portability, Second Report and Order, FCC 97-289 (August 18, 1997) at para. 38.
[24] *Third Report and Order* at paras. 23 and 50.
[25] *Third Report and Order* at para. 66.

Yet, as the record makes clear, equivocation regarding the neutrality standard has been fueled by the incumbent NANPA and its proposed successor. Lockheed Martin commenced its telecommunications ventures prior to its appointment by the Commission as the NANPA. The Commission's approval of its purchase of 49 percent of Comsat on September 15, 1999 accentuates the circumstances. The proposed sale to Warburg similarly seeks to obscure the neutrality standard. Under its original and Amended Request, Warburg, as entity with substantial telecommunications interest, will direct NANPA operations relating to the number resources of these same interests. The record also reveals fears of transition to a new NANPA and purported delays said to accompany such change. The Commission well knows that fears related to delay and transition are historic characteristics of threatened incumbents, and have no basis in this matter.

Lockheed Martin and Warburg essentially advocate that the neutrality standard be amended. Central to their pursuit is that the Commission's decision that Bellcore, an entity owned by telecommunications interests, could have continued to administer number resources if information barriers were in place, disclosure requirements imposed, a Code of Conduct established, and periodic non-public reviews undertaken. Mitretek urges the Commission to adhere to its decision and rules that the North American Numbering Plan Administrator be separate and distinct from the industry it provides resources to. Mitretek should be appointed the North American Numbering Plan Administrator.

Respectfully submitted,

H. Gilbert Miller
Vice President
Center for Telecommunications and
Advanced Technology
Mitretek Systems
7525 Colshire Drive
McLean, Virginia 22102
703.610.2900

September 17, 1999

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of September I caused an electronic copy of the foregoing Comment to be filed using the Commission's Electronic Comment Filing System and additional copies to be served by delivery to the Commission's mail room to the following:

Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, DC 20554

Chairman William E. Kennard
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Commissioner Harold Furchtgott-Roth
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Commissioner Michael Powell
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Commissioner Susan Ness
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Commissioner Gloria Tristani
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Anna Gomez
Chief
Network Services Division
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Blaise A. Scinto
Deputy Division Chief
Network Services Division
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Jared Carlson
Network Services Division
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Tejal Mehta
Network Services Division
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Yog Varma
Deputy Chief
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Jeannie Grimes
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Larry Strickling
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Diane Harman
Common Carrier Bureau
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Kyle Dixon
Office of Commissioner Powell
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

William Bailey
Office of Commissioner Furchtgott-Roth
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Sarah Whitesell
Office of Commissioner Tristani
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Linda Kinney
Office of Commissioner Ness
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

International Transcription Services, Inc.
1231 20th Street, NW
Washington, DC 20036
(first class mail)

Thomas Power
Office of Chairman Kennard
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Dorothy Atwood
Office of Chairman Kennard
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Rick Chessen
Office of Commissioner Tristani
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Rebecca Banin
Office of Commissioner Furchtgott-Roth
Federal Communications Commission
445 12th Street, SW, 8th Floor
Washington, DC 20554

Sung Lee

Sung Lee