



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News media information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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Common Carrier Bureau
Responses to Questions in the Numbering Resource Optimization Proceeding
CC Docket No. 99-200
Released: July 11, 2000

On March 31, 2000, the Federal Communications Commission (Commission) released a Report and Order and Further Notice of Proposed Rulemaking on Numbering Resource Optimization (*NRO Order*).¹ In that Order, the Commission took action pursuant to section 251(e)(2) with regard to numbering administration, adopting administrative and technical measures allowing it to more closely monitor the way numbering resources are used within the North American Numbering Plan (NANP). These measures will also promote more efficient use of our numbering resources. The Commission also adopted certain cost recovery principles that are similar to those established for number portability, and sought further comment on which costs are eligible for recovery as carrier-specific incremental costs of thousands-block number pooling.

We have received questions from NeuStar, the Industry Numbering Committee (INC),² GTE,³ SBC,⁴ and several state commissions⁵ relating to the *NRO Order*. The following are informal answers to some of those questions. Some questions have been restated for the sake of clarity, and some questions have been consolidated.

¹ *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000).

² See Letter from Megan L. Campbell, Alliance for Telecommunications Industry Solutions (ATIS), to L. Charles Keller, FCC, dated May 5, 2000.

³ See Letter from May Y. Chan, GTE, to Magalie R. Salas, FCC, dated June 13.

⁴ See Letters from Fred Goodwin, SBC, to L. Charles Keller, FCC, dated June 1, 2000 and June 8, 2000.

⁵ See Letter from Trina Bragdon, Maine Public Utilities Commission, to Magalie Roman Salas, FCC, dated April 19, 2000.

Uniform Definitions

- Q. The *NRO Order* states that the upper limit for aging business telephone numbers adopted by the Commission is intended to be consistent with the INC Guidelines. The *NRO Order* states that the upper limit in the Guidelines is 360 days. However, the Guidelines have an upper limit of 365 days, not 360 days. Did the Commission intend to adopt the 365-day limit in the Guidelines (para. 29)?**
- A. Yes, the reference to 360 days is a typographical error. The Commission intended to be consistent with the 365-day limit in the INC Guidelines.

Mandatory Nature of Reporting

- Q. May carriers submit their utilization and forecast data without Operating Company Numbers (OCNs) (para. 41)?**
- A. No. All carriers required to report utilization and forecast data must have an OCN.
- Q. May a service provider submit a single utilization and forecast report for all of its OCNs, or must it separately file utilization and forecast data for each OCN it is assigned (para. 52)?**
- A. A service provider with multiple OCNs may submit a single utilization form and a single forecast form for companies with the same parent OCN, unless a different form is required because the carrier is both a primary and an intermediate carrier, is both a rural and non-rural carrier, is both a pooling and non-pooling carrier, or is located in both pooling and non-pooling areas. The provider must separately report each NPA or NXX, as applicable.
- Q. What is the time period within which state commissions must determine whether utilization and forecast data submissions found by the NANPA to be inconsistent or anomalous are valid and instruct the carrier on how to remedy any deficiencies (para. 54)?**
- A. The *NRO Order* does not specify a time by which state commissions must resolve disagreements between carriers and the NANPA, but the Bureau expects such disagreements to be resolved expeditiously.
- Q. Do the additional record-keeping requirements in the *NRO Order* change the NANPA's current audit responsibilities or requirements (para. 62)?**
- A. No.
- Q. Is each carrier's NPA-wide utilization rate subject to confidential treatment (para. 79)?**

A. No. Such aggregated data do not require the type of confidentiality protections adopted in the *NRO Order* because the data do not provide detailed information on the level of a carrier's activity or operational plans in a specific local exchange market.

Q. Is the NANPA required to verify that a state commission has appropriate procedures in place for protection of confidential information or may it rely on a state commission's certification?

A. The NANPA is not required to verify the sufficiency of state commissions' confidentiality protections. The NANPA may rely on a state commission's statements that it has appropriate confidentiality protections in place.

Q. Where the NANPA has provided written notification to the carrier that it must provide utilization and forecast data, or show that it has already done so, in order to receive numbering resources, can carriers still rely on their applications being processed within the ten-day processing time frame in the INC Guidelines (para. 84)?

A. No. The ten-day time frame is tolled pending receipt by the NANPA of the carrier's response.

Q. For rate centers in which multiple switches exist, should months-to-exhaust utilization be calculated on a per switch basis?

A. No. The *NRO Order* states that this calculation is to be made at the rate center level.

Verification of Need for Numbers

Q. For initial CO code applications, how much and what types of information must carriers provide the NANPA (para. 96)?

A. Carriers are required to provide adequate documentation to the NANPA that demonstrates it has or will have facilities in place to provide service within 60 days of the numbering resources activation date (see para. 97). Self-certification will not be acceptable.

Q. With respect to types of evidence for proof of facilities readiness, can states specify what they want carriers to submit (para. 97)?

A. Yes. The *NRO Order* recognizes that this information may vary by state.

Q. Is the NANPA's "verification of carrier's need" limited to checking the carrier's current utilization level in the Months To Exhaust (MTE) Worksheet, and then comparing it to the utilization threshold (para. 103)?

A. Yes. Those are the only requirements that must be met for carriers to receive growth numbering resources. The national utilization threshold will be determined later, but a utilization threshold may be set by the states pursuant to delegated authority in the interim.

Q. Are newly acquired numbering resources excluded from carriers' MTE worksheet projections (para. 111)?

A. No. The MTE worksheets must include carriers' entire current inventory, which includes new NXX codes.

Implementation Issues

Q. With respect to the requirement that an NPA must have a remaining life span of at least one year in order to be considered in the initial rollout schedule for thousands-block pooling, does this mean one year by demand or by lottery, and who determines this (para. 161)?

A. The NPA in question must have a remaining life span of at least one year according to the most recent NANPA projections.

Q. Paragraph 162 makes reference to quarterly forecasts. The NANPA does not currently perform quarterly forecasts. Is this a new requirement?

A. No. The word "quarterly" was inserted in error. The Commission intended to refer to the most current NANPA forecast.

Q. With respect to the requirement that state trials must conform to the "national framework" by September 1, 2000, must states at that time conform to industry guidelines as well as the Commission's requirements (para. 169)?

A. State commissions that have delegated authority may continue pooling trials in accordance with Commission rules. State commissions with delegated authority may continue to change, modify, or depart from the industry guidelines after consulting with the industry and seeking input from the industry regarding the implications of any proposed changes until national implementation occurs.

Q. Concerning contamination of thousands-blocks that are subject to donation, does the Commission mean up to and including 10% (as the INC intended), or up to 10%? (para. 191)

A. The *NRO Order* intended to reflect a contamination level that is consistent with the INC guidelines, which is up to and including 10%.

Reclamation of Numbering Resources

- Q. What is the extent of the NANPA's responsibility to abide by a state commission's determination to reclaim an NXX code if the state commission is satisfied that the code holder has not activated the code within the time specified by the *NRO Order*? What must the NANPA do to inform carriers when state commissions decide to reclaim codes, what must it do to interact with the state commissions in reclaiming NXX codes, and what protections are offered to the NANPA to hold it harmless from state commission determinations to reclaim an NXX code when carriers dispute the process and/or pursue legal action (para. 237)?**
- A. After the state informs the NANPA of its decision, the NANPA carries out the decision in accordance with the directive of the state commission and sends a letter to the carrier stating the decision that was made, referring to the state commission decision as the authority.
- Q. When the NANPA becomes aware of NXX codes that have remained unactivated after the expiration of the applicable activation deadline, must the NANPA refer these situations to the state commission, or may it initiate reclamation directly (paras. 237-241)?**
- A. The NANPA must refer instances of unactivated NXX codes to the relevant state commission rather than to the INC.
- Q. Does the NANPA have the option of granting extensions when NXX codes have not been put into service after the assignee's applicable activation deadline (paras. 237-241)?**
- A. The NANPA does not have authority to grant extensions for activating assigned NXXs. The *NRO Order* delegates this authority to the states.

Sequential Number Assignment

- Q. Would a customer request for specific numbers, such as vanity numbers, qualify as a specific customer request that cannot be filled from the carrier's currently opened thousands blocks (para. 245)?**
- A. The exception to the sequential numbering requirement (to meet a specific customer request) was intended to address customer requests for blocks of numbers that cannot be filled from the carrier's open blocks, rather than requests for specific individual numbers.

General

- Q. How are "days" calculated for purposes of this Order?**

A. Section 1.4 of the Commission's rules, 47 C.F.R. § 1.4, details the method for computing the amount of time within which persons or entities must act in response to deadlines established by the Commission.

Q. Does the term "state" in the *NRO Order* refer only to a state commission?

A. Yes. In the *NRO Order*, the terms "state" and "state commission" refer to the state agency with regulatory authority over telecommunications carriers.

For further information contact Cheryl Callahan of the Common Carrier Bureau, Network Services Division, at (202) 418-2320. The TTY number is (202) 418-0484.

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