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Peggy Arvanitas

July 28, 2000

Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
Portals II
445 Twelfth Street , S. W.
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Washington DC 20554

RE: LATE FILE IN THE CC DOCKET 99-200
NUMBERING RESOURCE OPTIMIZATION DOCKET

Dear Ms. Salas:

Attached for filing in the above matter please find one
original and 4 copies of Peggy Arvanitas' late filing for the
CC docket 99-200. A copy of this letter is being sent. Please
stamp filed and mail back. Thank-you.

Sincerely,

Peggy Arvanitas
(representing myself)

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RE MAX

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Peggy Arvanitas

BEFORE THE FEDERAL COMMUNICATION'S COMMISSION

WASHINGTON, D.C. 20554

In the matter of)
)
Number Resource Optimization)
)

CC Docket No. 99-200

Comments of Peggy Arvanitas

The consumer Peggy Arvanitas submits the following late file in response to the late filing of Neustar's Petition for Compensation Adjustment and Emergency Request for Interim Relief. This is in regards to the FCC order 00-104 released from the Federal Communications Commission filed March 31, 2000. Specifically, Ms. Arvanitas wishes to challenge Neustar's assertions that it has been overburdened in this order with an inordinate amount of additional work of which it believes it is not being compensated for. As I am not an attorney, not a State PUC, or a CEO of a company, I will review this demand, since I am a participant on this docket, solely from a financial point of view. Since I am licensed to sell real estate in the State of Florida, I believe I am able and willing to make an accurate assessment of the financial demands on the FCC by Neustar.

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DISCUSSION

We applaud Neustar, as NANPA administrator, for finally demanding COCUS forms to be filled out with CO code requests prior to an FCC order being implemented.¹ And to finally come into the 21st century with automation gets a round of applause! The acclamation stops there. There are financial repercussions to the State PUC's to be reviewed. It is the immediate concern of this public citizen that FCC wait until the States are allowed some comment as to the demands being proclaimed by Neustar that are not expressly stated by the FCC order.

COMPUTER SOFTWARE- NEW AND LIMITED COCUS

Neustar has determined it wants \$5,978,154 for the creation of its new software system, spread over the remaining approximately 2 1/2 years of it's NANPA contract. That's notwithstanding operation costs in the forth and fifth year of \$136,656 to \$143,489 a month.² I would like to know, because this is unlike anything I have ever known in the private sector: does this mean FCC owns the software, in the event Neustar loses it's bid and another provider becomes the NANPA administrator?

Neustar has given FCC the choice between the Beetle Bug car and the Catalac of computerized COCUS reports is going overboard. The first and second year of the NANPA contract, NANPA received \$1.68 million and \$1.75 million for NANP administration respectively.³ The majority of the NANP administration function was annual COCUS reports. Not only, for the past three years have the states PUC's have poor reporting in COCUS reports that lead to jeopardy relief hearings, consumers were met with the burden of no planning . For instance, Sarasota, Florida is on their third area code split in 5 years. This, to most people, would constitute a breach of NANPA duties with partial and ineffective reporting.

Your quote, "The new COCUS system will collect 5- 6 million data elements from approx. 6,000 different sources (carriers)."⁴ Does the FCC have a choice, or is this a "take it or leave it" offer?

1) FCC 00-104, March 31, 2000

2) Neustar, June 30, 2000 pg 5-3

3) Neustar June 30, 2000 pg 5-1

4) Neustar June 30, 2000 B-1

Maybe, since you are nearing the end of your contract, and Telecordia is looming in the wing, that this is not a good time to be very bold and make great demands.

STATE'S INTERACTION AND INTEGRATION WITH NEUSTAR

In the FCC order 00-104 para. 76, making mention of the State PUC's receiving information from you to audit a carrier does not make mention of Neustar charging the State PUC's for the information. When there is a financial impact to the states, is there not a federal administrative procedure's act that this is open up to discussion? There is such a tremendous burden in Neustar's comments to be the repository of the initial code request documents. Are the states better served to be their own repository of information, to collect the info first? Then, upon review of the lengthy documents, the States will let Neustar know who is approved for initial codes. As I have said in my May 2, 2000 and June 9, 2000 FCC 99-200 filings, the states need to be at the introductory stage of review of the flow of numbering resources.

Neustar already has a problem with its quid pro quo fiduciary relationship with the telecom industry. Both California and Maine Public Utility Commissions have been denied, after a timely request, of the data from carriers, in violation of the order. Maine's contractual relationship with Neustar, then, should be the blueprint for all state PUC's. States need to be in the initial review and position to be reviewing their state's numbering resources. States are better able to plan for jeopardy relief if they 1) initially review and accept all numbering requests and 2) are the primary repository of utilization threshold information of the carriers.

Another concern, that it seems Neustar is trying very hard to fully automate it's functions. How exactly would Neustar, via software programming " identify per NPA/carrier COCUS with abnormalities/ inconsistencies?" Would we be honest by saying not all of your functions would possibly all be automated?

POOLING ADMINISTRATOR/ NANPA COCUS COST ALLOCATION

In Neustar's filing, they state:

" In addition, the pooling administrator will be given COCUS data as necessary to obtain reports." 5

Neustar must have felt that would slide right by and no intelligent person could possibly figure it out. I'm a RE/MAX realtor, I did. Right now, Neustar is fortunate to have both the Number pooling administrator and NANPA functions. And so, Neustar is charging (or attempting to) the FCC , the Industry, and the State PUC's for this new software, but they are giving it to themselves, as the Pooling administrators , for free, with NO COST ALLOCATION! Wrong!

- a) The COCUS info is the NANP administration functionality. In the event Neustar wants to use it in its other business venture, there will need to be a cost allocation attached to it.
- b) In the event, god forbid, that Telcordia becomes either a pooling administrator or THE NANPA administrator, the SAME SPECIFIC CHARGE will need to be allocated for information derived from the New or Limited COCUS software. This would only be competitively neutral.

CO CODE ADMINISTRATION

NANPA, through its figures, has produced compelling evidence that it has gone from 10,019 CO code requests in the first year to 40,294 CO code requests in the second year.⁶ There also was a budget increase from the first to the second year of 60%. So, there was wisdom that there would be an increase in servicing. But, what Neustar is not telling anyone, what is the ancillary revenue that Neustar charges approx. 297 carriers for BRID routing functions? For the increase in CO code allocation, there is also a revenue (incremental or exponential) increase that they did not display in their charts. Does the FCC feel obligated to review this?

Neustar feels burdened to charge for the carrier's review (manually) of co code anomalies. It is the burden of the carriers to pay Neustar, much like a court appeals process, if their code requests are denied. I do not see Neustar suggesting what it will charge the carriers for incorrect information on forms. The carriers are your customers, and you are deriving income off of them, too. Neustar, feel free to charge the Industry.

⁶) Neustar June 30, 2000 5-1

Neustar has projected on a monthly incremental increase, for what it calls "vastly increased responsibilities without an accompanying adjustment to the level of compensation."⁷ The increases for the third, fourth, and fifth year are seriously flawed. Neustar incorrectly assumes that it will always have over 40,000 CO codes to assign annually, and 30-40 NPA jeopardy relief areas for the balance of their contract. There will be an inverse of these figures, however, because of the FCC 00-104 order:

- a) Utilization thresholds, as a correct measurement of usage, will slow down the allocation of codes that the Industry has enjoyed with MTE worksheets.
- b) Number pooling makes carriers give back what NXX-X's have not been used.

This not only diminishes the allocation of CO codes, but also the NPA exhaust numbers. Therefore, as per the table showing \$502,045- \$572,416 for the third through fifth year of the monthly contract amounts,⁸ these figures are a pipe dream.

CO code reclamation has already been ordered in Florida. Reading Neustar's filing, I see that Neustar is creating its own rules for acknowledging FCC order 00-104 para.237:

"We further direct the NANPA to abide by the state commission's determination to reclaim an NXX code if the Commission is satisfied that the code holder has not activated the code within the time specified by this Report and Order.."

Neustar has decided it will start Sept. 1, 2000 for CO code assignments to be in service in 60 days. Otherwise, all codes not in service previous to Sept. 1 will have the 6 month time frame, and still continue with the old rules. This will invalidate Florida PSC order and efforts to retrieve numbers now for allocation now, as they have 4 area codes in jeopardy relief. "Big Daddy" FCC needs to remind NANPA-Neustar who wears the pants and writes the checks!

If Neustar becomes constrained and overburdened in their new functions, relaxing there "10 business day" CO code assignment would not be a bad idea. As you are aware, FCC 00-104 para. 82 says, "...in a timely fashion.." discussing state commissions to allow NANPA to process requests. If there is a fast track burden for the Industry, let them pay extra to Neustar.

7) Neustar June 30, 2000 pg 2

8) Neustar June 30, 2000 5-3

Before Number Pooling can effectively roll out smoothly in all the states, FCC has been pathetically lax in it's "competitive neutrality" clause to acknowledge that it has placed an unfair advantage to the CMRS providers to have two years longer to be LNP capable. Unfortunately, not being able to port might mean that they do not have to pool. It does not insure that they not have to RECEIVE numbers in 1000 blocks as all other land line carriers must do in the top 100 MSA's and areas that are initiating number pooling. Otherwise, FCC has a 1996 Telecommunication's Act section 251 violation. California PUC has some area codes with over 50% CMRS providers that they are getting ready to pool in. CHAIRMAN KENNARD, WHAT HAVE YOU DONE? I beg, for the sanity of citizens and PUC's alike, that FCC explore the Nortel Networks paper the Consumer Advocates discussed (the big 10 Office of Public Councils) to allow deployment of software to correct the routing LERG feasibility of 1000 block assignment.

I hope the FCC will wait for comments from the State PSC's, as there has not been a cost analysis or discussion of what amount of charges or formats would be available to the States from Neustar's burst of charges. In most private sectors, or non-federal entities, no one expects a pay hike from approx. \$4.8 million a year, to almost \$12 million a year. And then, in the middle of a contract. If this ends up being the case, can I sit next to Mr. Garek next time I come to Washington DC? You see, as a RE/MAX realtor, I'm hoping this new trend might be contagious, and I can improve my revenue over 100\$percent in the middle of a real estate contract!

Sincerely,



Peggy Arvanitas
(representing herself)

I Peggy Arvanitas do hereby certify that a certificate of service is attached to this filing and I have mailed to all parties on this 28th day of July, 2000.

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