

Before the
Federal Communications Commission
Washington, D.C. 20554

SEP 08 2006

In the Matter of)
)
Toll Free Service Access Codes) CC Docket No. 95-155

ORDER

Adopted: August 31, 2006

Released: August 31, 2006

By the Deputy Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. Before the Commission is a request filed by the American National Red Cross (Red Cross) that asks the Commission to permanently assign a toll free number, 1-800-RED-CROSS (1-800-733-2767), to the Red Cross or to extend the current emergency reassignment of that number until September 2, 2007.¹ On September 2, 2005, the Commission reassigned the number 1-800-733-2767 to the Red Cross to assist in recovery efforts for Hurricane Katrina and other relief efforts for a period of one year.² The Red Cross subsequently amended its request to include the permanent assignment of the toll free number, 1-888-RED-CROSS (1-888-733-2767) to the Red Cross.³ For the reasons set forth below, we grant the requests of the Red Cross and we permanently assign 1-800-RED-CROSS and 1-888-RED-CROSS to that organization.

II. BACKGROUND

2. In the *Red Cross Order*, the Commission temporarily reassigned the 1-800-RED-CROSS (1-800-733-2767) number to the national chapter of the American Red Cross to provide critical support in carrying out its functions and assisting in protecting public safety during the aftermath of Hurricane

¹ American National Red Cross Request for Permanent Assignment of Toll Free Number or Extension of Emergency Number Assignment. CC Docket No. 95-155 (filed July 17, 2006) (*Request*).

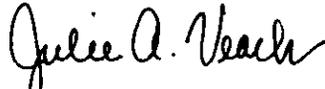
² *Toll Free Service Access Codes*. CC Docket No. 95-155, Order, 20 FCC Rcd 15089 (2005) (*Red Cross Order*).

³ American National Red Cross Amendment to the Request for Permanent Assignment of Toll Free Number or Extension of Emergency Number Assignment. CC Docket No. 95-155 (filed August 17, 2006) (*Amendment to Request*).

800-RED-CROSS (1-800-733-2767) and 1-888-RED-CROSS (1-888-733-2767) are permanently assigned to the American National Red Cross.

8. IT IS FURTHER ORDERED, pursuant to sections 1, 4(i), 251(e) and 408 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 251(e) and 408, and pursuant to authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291, that this action IS EFFECTIVE IMMEDIATELY UPON RELEASE.

FEDERAL COMMUNICATIONS COMMISSION



Julie A. Veach
Deputy Chief
Wireline Competition Bureau

Katrina.⁴ The Commission took this action pursuant to its exclusive jurisdiction over numbering resources and its statutory obligation to consider and advance public safety.⁵

3. On July 17, 2006, the Red Cross filed a request for permanent assignment of the 1-800-RED-CROSS number or an extension of the current emergency reassignment until September 2, 2007. The Red Cross states that the use of this number has helped in its disaster assistance program for the victims of Hurricanes Katrina and Rita and continues to serve its efforts as it provides essential services to hurricane survivors.⁶ The Red Cross reports that callers to 1-800-RED-CROSS now have immediate access to the Red Cross's major functions, including disaster assistance, blood donation, financial contributions, and connection with a local chapter.⁷ Continued use of the number will be important for the 2006 hurricane season to help the Red Cross meet its mandate to provide emergency assistance to victims of hurricanes and other disasters.⁸ On August 17, 2006, the Red Cross amended its request to include the permanent assignment of the 1-888-RED-CROSS toll free number. The Red Cross states that assigning both 1-800-RED-CROSS and 1-888-RED-CROSS will ensure that those needing assistance in an emergency are not misdirected even if they forget whether the toll free number is "800" or "888."⁹ The Red Cross request, as amended, is not opposed.¹⁰

III. DISCUSSION

4. We find that, because of the critical need to ensure efficient, effective, and sufficient disaster relief operations, good cause exists for the permanent assignment of 1-800-RED-CROSS and 1-888-RED-CROSS to the national chapter of the American Red Cross. Under the Communications Act,

⁴ *Red Cross Order*, 20 FCC Rcd at 15091, para. 5.

⁵ *Red Cross Order*, 20 FCC Rcd at 15090, para. 4. In making its decision, the Commission also relied on the representation of the American Red Cross that it would reimburse the current holder of the number for "the reasonable costs of relinquishing the number." *Id.* at 15091, para. 6.

⁶ *Request* at 3.

⁷ *Id.* at 4.

⁸ *Id.* at 1.

⁹ *Amendment to Request* at 1-2.

¹⁰ See *Pleading Cycle Established for Comments on Request of American National Red Cross for Permanent Assignment of Toll Free Number or Extension of Emergency Number Assignment*, Public Notice, DA 06-1461 (rel. July 19, 2006) and *Pleading Cycle Established for Comments on Amendment to Request of American National Red Cross for Assignment of Toll Free Number or Extension of Emergency Number Assignment*, Public Notice, DA 06-1658 (rel. Aug. 18, 2006). 800Ideas.com, Inc. (800Ideas), the entity that relinquished the toll free number to the Red Cross in response to the *Red Cross Order*, filed an *ex parte* comment. See *Ex Parte Comments of 800Ideas.com*, filed Aug. 2, 2006. 800Ideas reports that, pursuant to the Commission's direction in the *Red Cross Order*, the American Red Cross and 800Ideas have engaged in discussions concerning reimbursement of 800Ideas' reasonable costs of relinquishing 1-800-RED-CROSS and are close to finalizing an agreement. 800Ideas stated that it does not oppose the request of the American Red Cross for permanent reassignment or extension. 800Ideas subsequently filed a letter withdrawing its petition for reconsideration of the *Red Cross Order* and indicating that the matter of its reimbursement costs was resolved. See *Withdrawal of 800Ideas.com, Inc.'s Petition for Reconsideration*, CC Docket 95-155, filed Aug. 11, 2006. 800Ideas is currently assigned 1-888-RED-CROSS.

the Commission has exclusive jurisdiction to administer numbering resources,¹¹ as well as a statutory mandate to promote the safety of life and property.¹² The Commission has long recognized that toll free numbers are a scarce public resource¹³ and are not the property of the individual entities to whom they are assigned.¹⁴ The Commission's rules make plain that the assignment of toll free numbers is ultimately subject to the Commission's direction.¹⁵

5. We find that permanent assignment of 1-800-RED-CROSS and 1-888-RED-CROSS to the American Red Cross will serve the overwhelming public interest in assisting the disaster recovery efforts of the Red Cross related to hurricanes and other natural disasters. The Red Cross reports that the use of 1-800-RED-CROSS was a great benefit in its disaster assistance program for the victims of Hurricanes Katrina and Rita and continues to benefit the victims of those hurricanes as they rebuild their lives. We believe that the continued use by the Red Cross of 1-800-RED-CROSS, and the additional use of 1-888-RED-CROSS, will aid the victims of future hurricanes and other national disasters who find themselves in need of emergency assistance such as food, water, medical aid, and shelter. We agree with the Red Cross that the availability of both numbers will help to ensure that disaster victims reach the Red Cross quickly.¹⁶ Further, as we stated in the *Red Cross Order*, by facilitating the establishment of easily-recognizable, central telephonic points of contact for the American public, our permanent reassignment of these toll free numbers helps the American Red Cross fulfill its mission as the primary agency in the nation's National Response Plan, created by the Department of Homeland Security and adopted by the President, for responding to national disasters with emergency aid.¹⁷

6. Based on these compelling public interest benefits, we therefore direct the toll-free database administrator, Database Service Management, Inc., to permanently assign the toll free numbers 1-800-RED-CROSS (1-800-733-2767) and 1-888-RED-CROSS (1-888-733-2767) to the American National Red Cross.

IV. ORDERING CLAUSES

7. Accordingly, IT IS ORDERED that, pursuant to sections 1, 4(i), and 251(e), of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), and 251(e), and pursuant to authority delegated under sections 0.91 and 0.291 of the Commission's rules, 47 C.F.R. §§ 0.91 and 0.291,¹⁸ the requests of the American National Red Cross ARE GRANTED and the toll free numbers 1-

¹¹ 47 U.S.C. § 251(e)(1).

¹² 47 U.S.C. § 151.

¹³ *Toll Free Service Access Codes*, CC Docket No. 95-155, Second Report and Order, 12 FCC Rcd 11162, 11178-11179, para. 22 (1997).

¹⁴ *Id.* at 11185, para. 30.

¹⁵ 47 C.F.R. § 52.111.

¹⁶ As we noted in the *Red Cross Order*, only the American Red Cross can effectively use 1-800-RED-CROSS because the number does not spell anything that is of use to other parties. *Red Cross Order*, 20 FCC Rcd at 15091, para. 6.

¹⁷ *Red Cross Order*, 20 FCC Rcd at 15090, para. 3.

¹⁸ *See* 47 U.S.C. § 155(c).