

March 3, 2011

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

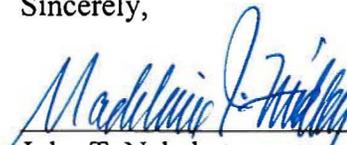
RE: Petition of Telcordia Technologies, Inc. to Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration, and Petition of Telcordia Technologies, Inc. to Reform or Strike Amendment 70, to Institute a Competitive Bidding for Number Portability Administration, and to End the LLC's Interim Role in Number Portability Administration Contract Management, WC Docket Nos. 07-149 and 09-109

Dear Ms. Dortch:

Telcordia Technologies, Inc. ("Telcordia") is pleased to submit a copy of its March 3, 2011 letter to the North American Numbering Council ("NANC") regarding the draft *NANC/NAPM LLC Consensus Proposal for Clarification of the FCC's Rules Regarding the LNP Selection Process*. Telcordia submitted this letter to seek clarification regarding certain aspects of the Proposal.

A copy of this letter is being filed in the above-captioned dockets.

Sincerely,



John T. Nakahata
Madeleine V. Findley
Counsel to Telcordia Technologies, Inc.

cc: Maureen Duignan
William Dever
Diane Griffin-Holland
Marilyn Jones
Catherine Seidel
Ann Stevens
Sanford Williams



March 3, 2011

The Honorable Betty Ann Kane
Chairman, North American Numbering Council
District of Columbia Public Service Commission
1333 H Street NW, West Tower 7th Floor
Washington, DC 20005

Re: *Draft NANC/NAPM LLC Consensus Proposal for Clarification of the FCC's Rules Regarding the LNPA Selection Process*

Dear Chairman Kane:

Telcordia Technologies, Inc. commends you and other members of the North American Numbering Council who worked to develop the *NANC/NAPM LLC Consensus Proposal for Clarification of the FCC's Rules Regarding the LNPA Selection Process* ("Proposal"). This document represents a significant improvement in transparency and predictability in the selection process. Telcordia appreciates the work that went into developing the Consensus Proposal.

We understand that formal comment may be sought with respect to the Proposal. With that in mind, and with the NANC meeting scheduled on March 9, it would be helpful if some issues could be clarified.

- 1. What is the role of the FCC in the selection process?** It appears that the FCC will need to approve (or reject) the final proposed award(s). Does the FCC also need affirmatively to approve the RFI and RFP, and can the Commission (or the Bureau) modify the RFI and RFP?
- 2. Will there be an opportunity for public comment regarding LNPA-selection-related policy issues?** For example, key policy judgments will need to be made as to whether to continue the Commission's stated preference for multiple administrators each within a unique region or to shift to peered administrators, contract length, weighting of response evaluation criteria etc. The Proposal is not clear as to whether there will be a process permitting public participation with respect to these key policy judgments.
- 3. Who makes final policy decisions?** It appears that the Proposal contemplates that the FCC makes final policy decisions, although the Proposal does not expressly so state. In the event of a dispute between the SWG and the NAPM, the issue is referred to the FCC for resolution. In addition, the SWG works subject to the FCC's policy guidance and the FCC must approve the final award (and

- 4. Will at least one of the chairs of the LNPA SWG be a public interest member of the NANC to ensure balance between industry and public interest stakeholders?** The proposal presently states only that three co-chairs will be elected by the SWG membership. This may be especially important because resource constraints on public interest members are likely to mean that non-industry representatives will be even less represented on the SWG than on the NANC.

In addition, one section of the Proposal – Section I.6 regarding the post-award duties of the NAPM – could be interpreted to give NAPM the authority to enter into substantial modifications of the awards – modifications of scope, structure or duration – without advance approval by the NANC and the FCC. As Telcordia has set forward in its petitions filed with the FCC regarding Amendments 57 and 70,¹ it believes that it would be improper to give such a broad delegation to the NAPM. It would be far better practice to make explicit that substantial modifications require advance (*i.e.*, pre-effectiveness) review and approval by the NANC and the FCC.

Telcordia looks forward to working with the NANC as the selection process evolves and the RFI/RFP cycle gets underway.

Sincerely,



John T. Nakahata
Counsel to Telcordia Technologies, Inc.

¹ *Petition of Telcordia Technologies, Inc. to Reform or Strike Amendment 70, to Institute a Competitive Bidding for Number Portability Administration, and to End the LLC's Interim Role in Number Portability Administration Contract Management*, WC Docket Nos. 07-149 & 09-109 (filed May 20, 2009); *Petition of Telcordia Technologies, Inc. To Reform Amendment 57 and to Order a Competitive Bidding Process for Number Portability Administration*, WC Docket No. 07-149 (filed June 13, 2007).