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July 18, 2012

**Notice of Ex Parte**

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

Re: *In the Matter of Petitions for Waiver of Commission's Rules Regarding Access to Numbering Resources, CC Docket 99-200; Connect American Fund, et al., Further Notice of Proposed Rulemaking on IP-to-IP Interconnection Issues, WC Docket No. 10-90; GN Docket No. 09-51; WC Docket No. 07-135; WC Docket No. 05-337; CC Docket No. 01-92; CC Docket No. 96-45; WC Docket No. 03-109; WT Docket No. 10-208*

Dear Ms. Dortch:

On July 16, 2012, I held a telephone conference on behalf of Level 3 Communications, LLC, Bandwidth.com, and COMPTTEL ("CLEC Coalition") with Priscilla Delgado Argeris, Wireline Legal Advisor to Commissioner Rosenworcel. We discussed the CLEC Participants' urgent concerns with the petitions of Vonage and other petitioners for limited waiver of Section 52.15(g)(2)(i) to obtain direct access to number resources.

I emphasized on the call that, in light of complex industry-wide issues implicated by the Vonage and other waiver petitions, granting a waiver would not provide due process to the companies that comprise the CLEC Coalition. Although the CLEC Coalition does not believe that number resources should be directly assigned to non-carriers, if the Commission intends to change its rules in that regard, a rulemaking is the only appropriate procedural mechanism to do so. A rulemaking will ensure that all providers are treated in a nondiscriminatory manner. In addition, given that the Commission would be addressing novel factual, legal, and policy issues relating to, *inter alia*, number portability and intercarrier compensation, having the Bureau grant

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the waiver petitions on delegated authority would be beyond the bounds of the Bureau's legal authority.<sup>1</sup>

As required by Section 1.1206(b), this ex parte notification is being filed electronically for inclusion in the public record of the above-referenced proceeding. If you have any questions or require additional information, please do not hesitate to contact me at 202.659.6655.

Sincerely,

/s/ James C. Falvey

James C. Falvey  
*Counsel for the CLEC Coalition*

cc: Priscilla Delgado Argeris

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<sup>1</sup> 47 C.F.R. § 0.291.