

November 16, 2012

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, 09-109

Telephone Number Portability, WC Docket No. 95-116

Dear Ms. Dortch:

In conjunction with its November 14, 2012 *ex parte* letter, and as discussed during its October 23, 2012 meeting, Telcordia Technologies, Inc. ("Telcordia") hereby submits suggested revisions to the NPAC RFP that would enable the SWG/FoNPAC and the FCC to ensure LNPA neutrality through a universal code of conduct and auditable company-specific safeguards.

Neutrality is best achieved through combined neutrality principles and targeted safeguards. As discussed with staff, Telcordia believes that the neutrality review must address both (1) certain universally applicable neutrality principles, to which all Respondents may be required to agree, and also (2) the specific, individual circumstances of each LNPA. To that end, Telcordia submits the attached revisions to the LNPA RFP's neutrality review requirements, requiring Respondents to agree to certain universal neutrality principles and also to provide a set of Proposed Safeguards ensuring compliance with the FCC's neutrality rules. The neutrality review process would audit an LNPA's compliance with both the universal provisions and the Proposed Safeguards.

The proposed universal neutrality code of conduct reflects requirements that would apply to all Respondents. Telcordia proposes clarifying that the provisions apply to individuals directly involved in LNPA services, so as to exclude those persons providing only incidental services such as certain human resources functions, payroll processing, cleaning services, and

other support roles. The proposed universal neutrality provisions, in combination with the requirement that each Respondent submit its own Proposed Safeguards, will encourage greater participation from potential bidders because it acknowledges that each Respondent's corporate situation is unique. They also provide greater information and transparency about a Respondent's neutrality compliance plans to the SWG/FoNPAC and the FCC when making selection recommendations. Unlike the current rigid, one-size-fits-all approach that may unnecessarily deter potential Respondents from bidding, the result would be a robust neutrality-protection framework that encouraged maximum bidder participation while ensuring all Respondents are capable of and committed to meeting neutrality requirements.

* * *

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

Sincerely,



John T. Nakahata
Counsel to Telcordia Technologies, Inc.

cc: Neil Dellar
William Dever
Maureen Duignan
Lisa Gelb
Diane Griffin Holland
Marilyn Jones
Sean Lev
Travis Litman
Christopher Sova
Ann Stevens
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Attachment

The following is a suggested revision to Section 4.2 (Neutrality Review) of the LNPA RFP replacing the current text in the subsection headed “Evaluation of Code of Conduct.”

The Neutrality Review shall also evaluate the LNPA’s adherence to a Neutrality Code of Conduct that the Respondent will propose. Such Code of Conduct shall include the provisions listed below. Respondents shall also provide other auditable safeguards to ensure compliance with the neutrality rules and provisions against undue influence. Respondents shall attach Proposed Safeguards appropriate to their individual facts and circumstances as a vendor to their Bid Proposal. [Section 4.2 should be revised to include a link permitting Respondents to attach a file to their answer to that Section.]

Universal Neutrality Code of Conduct Provisions

1. The LNPA will never, directly or indirectly, show any preference or provide any special consideration to any Telecommunications Carrier with respect to LNPA services.
2. The LNPA shall not share LNP user data or proprietary information of any Telecommunications Carriers served by the LNPA (except as necessary for the performance of LNPA duties).
3. The LNPA shall not share confidential information about its LNPA business services or operations with employees of any Telecommunications Carrier (except as necessary for the performance of LNPA duties).
4. No employee of the LNPA directly involved in LNPA services will hold any interest, financial or otherwise, that would cause the LNPA to no longer be neutral, without obtaining prior approval from the FCC or recusing himself or herself from all activities of the LNPA.
5. No person serving in the management of the LNPA, as a member of the Board of Directors, as a Managing Member of an LLC, or as a General Partner of a partnership of the LNPA and directly involved in LNPA services may simultaneously serve in the management, as a member of the Board of Directors, as a Managing Member of an LLC, or as a General Partner of a partnership of any Telecommunications Carrier, without obtaining prior approval from the FCC or recusing himself or herself from all activities of the LNPA.

Respondents shall attach their auditable Proposed Safeguards to this submission.