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January 11, 2013

Ex Parte Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Re: CC Docket No. 95-116; WC Docket No. 07-149; WC Docket No. 09-109

Dear Ms. Dortch:

On January 9, 2013, Scott Deutchman of Neustar, Inc., and I met with Michael Steffen, Julie Veach, Lisa Gelb, and Travis Litman of the Commission to urge that the Commission approve the RFP Documents proposed by the NAPM LLC's FoNPAC and the NANC's SWG.

We emphasized the importance of local number portability ("LNP") for retail telecommunications competition, and the critical role that the NPAC plays in telecommunications routing and in disaster preparedness. We noted that the industry has the correct incentives to design and implement the RFP process to ensure that the LNP administrator ("LNPA") continues to deliver service of the highest quality and value. The proposed RFP Documents garnered unanimous support from the industry, state regulators, and consumers; only one potential bidder – Ericsson – has interposed objections. The best and most legally defensible way for the Commission to proceed is to approve the RFP Documents as drafted and to allow the process to move forward.

We noted the importance of LNPA neutrality, both because the NPAC has access to carriers' most competitively sensitive proprietary information and because the NPAC plays a critical role in industry innovation: industry must have confidence in the LNPA as an honest broker. The RFP Documents reflect the importance of neutrality by adopting – in many cases practically word-for-word – the Commission's own neutrality rules and guidelines (including the Code of Conduct) as requirements for the next LNPA. Procedurally, the Commission can ensure

Marlene H. Dortch, Secretary
January 11, 2013
Page 2

full evaluation of submitted proposals by making clear its expectation that, so long as a bidder submits a legal opinion certifying that it is neutral – as the RFP Documents require – the NAPM and NANC will fully evaluate the substantive merits of the bid. The NAPM in the first instance should evaluate the strength of the entirety of bidders' proposals, including neutrality, before making its recommendation to the NANC. Ultimately, the Commission will have the benefit of the NAPM's and the NANC's recommendations when it makes the final determination concerning compliance with its neutrality rules as part of its decision regarding selection of the next LNPA.

We also discussed proposals related to regional bids. At the outset, we noted that mandating selection of multiple LNPAs would be a serious mistake, as it could only force the industry to adopt a sub-optimal approach, incur additional costs, and undermine the reliability and usefulness of the NPAC. While Neustar believes that a single nationwide bid will offer the best solution, the approach that the proposed RFP Documents take to regional bids is the correct one: regional bids are invited as an alternative to or in combination with a national bid but not required. By contrast, *requiring* regional bids would undermine bidders' incentives to submit their best bids and might lead to less competition. To the extent that the industry receives regional bids that are competitive and decides to solicit additional regional solutions, it can do so through the best-and-final-offer process.

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If you have any questions concerning this matter, please contact me at (202) 326-7921.

Sincerely,



Aaron M. Panner
Counsel for Neustar, Inc.

cc: Michael Steffen
Julie Veach
Lisa Gelb
Travis Litman