

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of	)	
	)	
Numbering Policies for Modern Communications	)	WC Docket No. 13-97
	)	
IP-Enabled Services	)	WC Docket No. 04-36
	)	
Telephone Number Requirements for IP-Enabled Service Providers	)	WC Docket No. 07-243
	)	
Telephone Number Portability	)	CC Docket No. 95-116
	)	
Developing a Unified Intercarrier Compensation	)	CC Docket No. 01-92
	)	
Connect America Fund	)	WC Docket No. 10-90
	)	
Petition of Vonage Holdings Corp. for Limited Waiver of Section 52.15(g)(2)(i) of the Commission’s Rules Regarding Access to Numbering Resources	)	
	)	
Petition of TeleCommunication Systems, Inc. and HBF Group, Inc. for Waiver of Part 52 of the Commission’s Rules	)	

**Comments of Flowroute LLC**

Pursuant to Section 1.415 of the Federal Communications Commission’s (the Commission’s) rules, Flowroute LLC (Flowroute) hereby submits these comments in response to the *Notice of Proposed Rulemaking (“NPRM”), Order and Notice of Inquiry*, released April 18, 2013 in the above-captioned proceedings, regarding direct access to numbers by Voice over Internet Protocol (VoIP) providers and for other innovative uses. Flowroute urges the Commission to broaden access to numbering resources as more fully set forth herein.

## **Background**

Flowroute is a provider of IP enabled telephone services. Flowroute develops innovations that provide simplified and direct access to the global telephone network. Flowroute empowers businesses with on demand capacity, automation tools, and real-time self-serve telephony management.

### **Direct Access to Numbers by VoIP Providers**

Flowroute supports the Commission's proposal to permit VoIP providers to obtain phone numbers directly from the numbering authorities as opposed to through carrier partners.<sup>1</sup> Flowroute believes that permitting such access will spur the introduction of innovative new technologies and services, increase efficiency and facilitate increased choices for American consumers.

The Commission notes that several commenters are concerned that if VoIP providers are allowed direct access to numbers, such providers will request 10,000 blocks from the North American Number Plan Administrator (NANPA) for the allocation of Location Routing Numbers (LRNs) in rural rate centers, which will strand many unused numbers. In order to obtain LRNs, service providers must become Code Holders in each Local Access and Transport Area (LATA) in which they seek to operate switching facilities. This in turn requires each provider requesting an LRN to obtain 10,000 numbers in each LATA. When these providers request numbers in rural, lightly-populated rate centers, they are assigned blocks of additional numbers that are unlikely to ever be assigned to end-users and that cannot be used for assignment of LRNs to other carriers. Some commentators posit that if VoIP providers are allowed direct

---

<sup>1</sup> Flowroute supports expanding direct access to numbering resources to interconnected VoIP providers and other VoIP-based providers. *See infra* at 6. All of the reasons for expansion discussed in this section apply to both interconnected VoIP and other VoIP-based services.

access to numbers this problem will only intensify, stranding tens of thousands of numbers and leading to waste and resource exhaustion.

Flowroute believes that the issue of number exhaustion can be significantly reduced by keeping in place requirements for state public utility commission (PUC) approval in order to obtain 10,000 block allocations from NANPA, while allowing VoIP providers to obtain numbers in blocks of 1,000 from the Pooling Administrator (PA). If VoIP providers had direct access to number resources, they could provide direct reporting to PA about efficient use of resources, directly manage accurate LIDB/CNAM records and directly enable SMS services. Allowing VoIP providers direct access to numbers in blocks of 1,000 from the PA will increase efficiency and facilitate increased choice for American consumers while significantly reducing the possibility of number exhaustion.

Direct access to number resources will also allow VoIP providers to manage numbering resources directly, thereby enhancing the customer experience. Under the current regime, VoIP providers have to rely on LECs for portability. This not only impedes the ability of consumers to switch providers in some cases, but also makes it extremely difficult for VoIP providers to ensure the validity of port requests concerning numbers assigned to their own end user customers. With respect to LNP requests to port numbers away from a VoIP provider, often the LECs will neither confirm with the end users nor confirm with the VoIP provider that the request is valid. Instead, LECs using an automated process will port the number away, even though these numbers are not assigned to their end users. To counteract invalid LNP requests, VoIP providers are forced to run disconnect reports every day and contact each end user to determine if a particular port request was valid. If a request is not valid, VoIP providers have virtually no recourse. On the other hand, when LECs do confirm requests with end users, the time to effect

the request is delayed, causing end user frustration. Direct access to numbers would eliminate this added delay.

If VoIP providers had direct access to numbering resources, they could also be more responsive to end user LNP requests to port in numbers. The LNP request would come directly to the VoIP providers which would then be able to access NPAC directly to process the request. Currently, VoIP providers have to process such requests through a LEC partner, which then processes the request with the end user's existing carrier, thereby increasing the time required to process the LNP. In certain instances, LECs refuse to honor valid port in requests because the information on the request does not match their records and they lack sufficient internal processes to address the mismatch. Understandably, end users are frustrated because their requests are not honored and the VoIP providers are powerless to effectuate end users' valid requests. Direct access would eliminate the extra time, complexity and potential for confusion associated with the existing processes.

If VoIP providers had direct access to numbering resources, they would be able to send traffic over more direct routes. In certain instances, VoIP providers have to direct traffic through LECs even though a more direct route exists. Eliminating this necessity will result in higher call quality and lessen call failures resulting in increased end user satisfaction.

The direct interface with NPAC will allow VoIP providers to automate certain processes and simplify manual processes. The VoIP providers will also be able to provide increased visibility to end users thereby enhancing the consumer experience.

### **Documentation Required to Obtain Numbers**

Under section 52.15(g)(2)(i) of the Commission's rules, an applicant for telephone numbers must provide to the number administrator evidence of the applicant's authority to

provide service, such as a license issued by the Commission or a certificate of public convenience and necessity (CPCN) issued by a state regulatory commission. The Commission notes that VoIP providers may not be able to provide the evidence required by this rule because states often refuse to certify VoIP providers. Also, the Commission has preempted state entry regulation for VoIP to the extent that it interferes with important federal objectives. The Commission seeks comment on what documentation, if any, VoIP providers should be required to provide to the number administrator to receive numbers.

Flowroute believes that state PUCs should continue to be involved in the approval process for NANPA allocations of numbers in 10,000 blocks following the same mechanism that is used with respect to wireless allocations. However, Flowroute believes that a more streamlined approach should be followed with respect to PA allocation of numbers in 1,000 blocks. With respect to PA allocations, Flowroute believes that the various types of documentation currently filed with the Commission should be sufficient to prove “authority to provide service” for numbering access purposes. Currently, the Commission requires virtually all types of domestic telecommunications providers (including interconnected VoIP and non-interconnected VoIP) to register by filing the FCC Form 499-A and obtaining a Filer 499 ID. This “registration” process also requires the designation of states in which a registrant intends on providing services. Providers of interconnected VoIP services are also required to file the FCC Form 477 which, in part, identifies the states in which services are provided. Finally, the Commission requires any person that provides telecommunications services to or from the United States to receive authorization under section 214 of the Communications Act of 1934. These filings, either standing alone or in some combination, should be sufficient documentary

evidence that a VoIP provider is authorized to provide services. Such a process would ease the administrative burden on VoIP providers while addressing the Commission's concerns.

### **Direct Access to Numbers for Other Purposes**

Flowroute also supports expanding direct access to numbers beyond the proposal regarding interconnected VoIP providers. Many VoIP-based providers may not meet the Commission's definition of "interconnected VoIP" which means, even if the Commission's proposed interconnected VoIP expansion is successful, these providers will continue to depend on LECs and other entities for access to numbering resources. The development and deployment of innovative features and services will continue to be bound by many of the same restrictions interconnected VoIP providers are experiencing now. Accordingly, Flowroute urges the Commission to be even more forward thinking, and allow access to direct numbering resources to all VoIP-based services. Of course, all entities with direct access to numbering resources should be subject to the same basic requirements (*e.g.*, obtaining a Filer 499 ID, filing a Form 477, or obtaining international 214 license to prove "authorization") and conditions.

### **Conclusion**

Flowroute respectfully submits these comments in response to the *NPRM* in the above-referenced proceedings and, for the reasons discussed above, urges that the Commission expand direct access to numbering resources to interconnected VoIP providers as well as providers of other VoIP based services.

Respectfully submitted,  
**Flowroute LLC**

Colleen Martin  
General Counsel  
1221 2<sup>nd</sup> Avenue, Suite 330  
Seattle, WA 98101  
(206) 641-8281