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April 14, 2014

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

*Electronically Filed*

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

Dear Ms. Dortch:

I write on behalf of Neustar, Inc., to follow up on an issue addressed in my letter of April 8, 2014. We noted that, given the significance of the LNPA-selection decision, the Commission should not delegate that decision to the Wireline Competition Bureau but should instead address the issue in an order by the full Commission. In other words, the selection of a neutral numbering administrator is a Commission responsibility that is not within the authority of the Bureau under the Commission's rules.<sup>1</sup>

Moreover, the Commission has not, to date, made any such delegation of authority, and it should not do so. We note that in a string cite within the Commission's recent *SMS/800 Order*,<sup>2</sup> the Commission indicated that it had "delegated authority to the Bureau to review NANC recommendations relating to local number portability, and to take actions to select the next local number portability administrator." *Id.* ¶ 29 n.80. But, to be clear, the actions in review of "NANC recommendations" referenced in this brief footnote text merely describe the actual delegation contained in a separate Commission Order, under which the Commission authorized the Bureau to review NANC recommendations dealing with porting intervals - without any delegation of authority to the Bureau to actually select a new numbering administrator.<sup>3</sup> The

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<sup>1</sup> See 47 C.F.R. § 0.291(a), (e).

<sup>2</sup> Order, *Toll Free Service Access Codes Petition To Change the Competition of SMS/800, Inc.*, 28 FCC Rcd 15328 (2013).

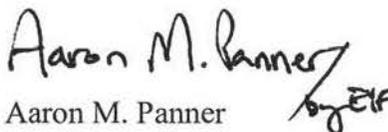
<sup>3</sup> See Report and Order, *Local Number Portability Porting Interval and Validation Requirements*, 25 FCC Rcd 6953, 6965, ¶ 22 (2010).

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only aspect of the “select[ion of] the next local number portability administrator” the Bureau has undertaken is to approve a framework to govern the evaluation of proposals by the NAPM, LLC, and the NANC.<sup>4</sup> Nothing in any prior Commission order has authorized the Bureau to act on the NANC’s recommendation for selection of the LNPA for the period following the expiration of the current LNPA contract – to the contrary, the Bureau has acknowledged that the decision to select a new LNPA must be made by the Commission *unless* authority is delegated to the Bureau.<sup>5</sup>

Pursuant to Section 1.1206 of the Commission’s rules, 47 C.F.R. § 1.1206, a copy of this letter is being filed via ECFS. If you have any questions, please do not hesitate to contact me.

Sincerely,

  
Aaron M. Panner

cc: Julie Veach  
Jonathan Sallet  
Phillip Verveer  
Michelle Ellison  
Daniel Alvarez  
Rebekah Goodheart  
Priscilla Delgado Argeris  
Nicholas Degani  
Amy Bender

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<sup>4</sup> See Order, *Petition of Telcordia Technologies Inc. To Reform or Strike Amendment 70*, 26 FCC Rcd 6839, 6839, ¶ 1 (2011) (“*May Bureau Order*”); see also Order and Request for Comment, *Petition of Telcordia Technologies Inc. to Reform or Strike Amendment 70*, 26 FCC Rcd 3685 (2011).

<sup>5</sup> See *May Bureau Order* ¶ 8 (“[T]he Commission, or the Bureau acting on delegated authority, has authority to select the LNPA(s).”).