

KELLOGG, HUBER, HANSEN, TODD, EVANS & FIGEL, P.L.L.C.

SUMNER SQUARE  
1615 M STREET, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036-3215

(202) 326-7900

FACSIMILE:  
(202) 326-7999

July 21, 2014

*Via ECFS*

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:

I write on behalf of Neustar, Inc., to express concern about the inability of interested and responsible parties to obtain information from the proposals submitted by Neustar and by Ericsson that has been redacted at the Commission's direction for national security reasons.

Neustar redacted the information identified by the Commission with the understanding that it would be available to those with a legitimate need to know in order to evaluate the competing proposal. We are strongly of the view that considerations of security in general and national security in particular are critical in the choice of LNPA; precisely for that reason, it is also critical that outside counsel and consultants gain access to the submitting parties' complete proposals. Significant information about Ericsson's technical solution, its transition plan, and other aspects of its proposal has been redacted from all versions of the proposals that have been made available.

After verbal requests to Commission staff for access to this information, Neustar was instructed to make an informal written request to Commission staff; Neustar made that request by e-mail on July 10, 2014. The Commission has yet to make any of the redacted information available or to provide any indication as to when the information will be made available. We estimate that 75 percent of the security-related information in Ericsson's bid materials has been redacted and withheld. Without access to that information, Neustar and other parties to the proceeding are hampered in efforts to evaluate and comment on Ericsson's proposal, particularly in light of the July 25 deadline for comments. This will also deny the Commission the benefit of

Marlene H. Dortch

July 21, 2014

Page 2

informed comment on the many substantive aspects of the proposal, including public safety and national security-related issues, that are now completely shielded from scrutiny.

Neustar understands and supports the conclusion that sensitive security information related to number portability should be protected. But there is no basis for delaying the release of that information to Neustar's counsel and consultants or others with a need to know. Indeed, with regard to Neustar in particular, no delay is warranted on security grounds, since Neustar is already trusted by all parties to address the security issues relating to number portability.

Neustar accordingly requests that the Commission take immediate action to ensure appropriate access to unredacted versions of the parties' proposals for persons with a legitimate need to know and who subscribe to the protective order. Neustar also requests that the Commission extend the comment deadline until two weeks after the information is made available or, in the alternative, that the Commission establish a separate procedure to address the critical security issues implicated by the NANC recommendation.

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,

Handwritten signature of Aaron M. Panner in blue ink, with the initials "/bycmw" written at the end.

Aaron M. Panner

cc: Jonathan Sallet  
Phillip Verveer  
Admiral (ret.) David Simpson  
Michele Ellison  
Lisa Gelb  
Neil Deller  
Joel Rabinovitz  
Allan Manuel  
Randy Clarke  
Ann Stevens  
Sanford Williams  
Michelle Sclater  
Jamie Susskind