

**North American Numbering Council
Meeting Minutes
September 14, 2004 (Final)**

I. Time and Place of Meeting. The North American Numbering Council held a meeting commencing at 9:30 a.m., at the Federal Communications Commission, 445 12th Street, S.W., TW-C305, Washington, D. C.

II. List of Attendees.

Voting Council Members:

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|--------------------------|--------------------------|
| 1. Robert Atkinson | Chairman |
| 2. Fred McCallum, Jr. | BellSouth |
| 3. Michael Altschul | CTIA |
| 4. Stephen Trotman | CompTel/ASCENT Alliance |
| 5. Karen Mulberry | MCI |
| 6. Hon. Loretta Lynch | NARUC - California |
| 7. Hon. Jack Goldberg | NARUC, Connecticut |
| 8. Hon. Robert B. Nelson | NARUC, Michigan |
| 9. Hon. Anne C. Boyle | NARUC - Nebraska |
| 10. Hon. Thomas Dunleavy | NARUC – New York |
| 11. Philip McClelland | NASUCA - Pennsylvania |
| 12. Beth O'Donnell | NCTA |
| 13. Rosemary Emmer | Nextel |
| 14. David Bench | Nortel Networks |
| 15. John McHugh | OPASTCO |
| 16. Matthew Adams | SBC Communications, Inc. |
| 17. Hoke Knox | Sprint |
| 18. Anna Miller | T-Mobile USA, Inc. |
| 19. Douglas P. Sullivan | Verizon |

Special Members (Non-voting):

- | | |
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| John Manning | NANPA |
| Jean-Paul Emard | ATIS |
| Amy Putnam | PA |
| John Ricker | NBANC |
| Faith Marcotte | Welch & Company |

Commission Employees:

Sanford Williams, Designated Federal Officer (DFO)
Pam Slipakoff, Assistant DFO, Telecommunications Access Policy Division
Cheryl Callahan, Assistant Chief, Telecommunications Access Policy Division
Deborah Blue, Telecommunications Access Policy Division

III. Estimate of Public Attendance. Approximately 25 members of the public attended the meeting as observers.

IV. Documents Introduced.

- (1) Agenda
- (2) NANPA Fund Performance Status Report & Funds Projection
- (3) NANPA Report to the NANC
- (4) National Thousands Block Number Pooling Services Report
- (5) INC Report to the NANC
- (6) NANC IMG Analysis on INC Issue 407
- (7) LNPA Working Group Status Report to the NANC
- (8) Numbering Oversight Working Group (NOWG) Report
- (9) Formation of “Billing and Collection Agent Oversight Working Group”
- (10) List of NANC Accomplishments (January 2002 – Present)

V. Summary of the Meeting.

Robert Nelson, NARUC, Michigan, proposed that an item be added to the Agenda concerning the implications of the SBC Petition for Limited Waiver of Section 52.15(g)(2)(i) of the Commission’s Rules on access to numbering resources. Mr. Nelson noted that this Petition has been subject to Comments and Reply Comments at the FCC. He advised that the NANC consider this item because of its long-term implications for potential exhaust of the North American Numbering Plan (NANP) that the NANC has not contemplated. Chairman Atkinson advised that it will be added to the Agenda as Agenda #0.

Chairman Atkinson stated that regarding the SBC Petition, the NANC does not take positions in specific dockets. He further stated that it is appropriate for the NANC to look at the whole range of numbering issues, i.e., number assignment, number conservation, etc., in light of new technologies and changes in the industry. Chairman Atkinson proposed that the NANC form a long-range planning or future looking group for this issue. He indicated that the group will have a Charter to look at these issues and make recommendations as needed. Chairman Atkinson stated that he would strongly recommend that the group’s work not focus on any particular technology. He further stated that the NANC has not been asked for an opinion or recommendation by the FCC on the SBC Petition.

Matthew Adams, SBC, agreed that a long-range planning group is a good idea. He stated that he would have a concern if the purpose of the group is to specifically address the SBC Petition. Loretta Lynch, NARUC, California, stated that the group should be much broader than just the VoIP issue. She further stated that the group should also be analytical because the NANC’s Charter is to look at conservation measures, the numbering assignment system and its impact on the NANP. Ms. Lynch stated that the NANC can not just ignore the SBC Petition, and that it should look at the larger question

of how those kinds of issues relate to numbering assignment. Ms. Lynch explained that it would be more than a planning group, i.e., it would be an analytic working group. Karen Mulberry, MCI, agreed with Mr. Adams and Ms. Lynch. She stated that there would be some value in forming a long-range planning group. Ms. Mulberry stated that it is very important for clear parameters to be established for the group so that it can do effective work. Chairman Atkinson agreed. He explained that the group will be forward-looking, i.e., what the NANC should be doing based on the today's circumstances and some reasonably foreseeable circumstances in the future. Phil McClelland, NASUCA, Pennsylvania, stated that he supports the idea of looking at new strategies in light of industry developments.

Thomas Dunleavy, NARUC, New York, stated that if the Numbering Resource Optimization working group (NRO) were still in place, it would be able to do this work. He indicated that all of the NRO's work should not be allowed to just expire. Mr. Dunleavy stated that the first task of the group should be to define its mission. He indicated that the New York PSC would be willing to participate in the working group. Chairman Atkinson agreed that the working group should reassemble the work of the NRO. David Bench, Nortel Networks, stated that number usage is totally dependent upon how something interconnects to the PSTN. He explained that without the NANC defining what constitutes the PSTN and what is exempt from the PSTN, the NANC has no fixed direction regarding number usage.

After further discussion, it was decided that a future-looking working group will be formed, tentatively titled, "The Future of Numbering Working Group." The group will review the work of the NRO Working Group and the NRO Working Group's Charter. Karen Mulberry volunteered to take on the organizational responsibilities, e.g., setting up conference calls, collecting names of the volunteers, etc. At the November 4, 2004 NANC meeting, the group will provide a proposed Charter, a proposal of the structure, the names of the Co-Chairs and members, and an appropriate name for the group. Ms. Mulberry suggested that the group follow the NANC Guidelines and Principles. Chairman Atkinson agreed.

Announcements and Recent News. Sanford Williams, DFO, thanked the NANC on behalf of the FCC for its work on the NeuStar Request for Transactions without Prior Approval. He indicated that the FCC approved NeuStar's request with some caveats. Mr. Williams stated that the NANC's input was greatly appreciated.

Mr. Williams thanked the NANC on behalf of the FCC for its work on the Intermodal Porting Issue. He advised that recently Pam Slipakoff, alternate DFO, presented an item to the Commission asking for comment on that work. Mr. Williams stated that the FCC could not get work of that nature done without input from the NANC.

Mr. Williams announced that Jeffrey Carlisle has been named the Chief of the Wireline Competition Bureau, replacing William Maher. He further announced that Narda Jones has been named the Chief of the Telecommunications Access Policy Division, replacing Eric Einhorn.

Mr. Williams informed the Council members that the next meeting of the NANC has been moved from Tuesday, November 9, 2004 to Thursday, November 4, 2004. He apologized for the short notice. Chairman Atkinson stated that if the NANC meeting can be concluded by the morning of November 4, there might be an educational symposium on numbering issues in the afternoon. He stated that it may be affiliated with the Future of Numbering Working Group. Chairman Atkinson indicated that he is talking with the FCC about this. He stated that he will keep the Council members advised.

Chairman Atkinson stated that the Intermodal Porting Report was mentioned at the last FCC Commission meeting. He indicated that a couple of the FCC Commissioners had some very nice comments about the NANC's work in their statements.

A. Approval of Meeting Minutes. The July 13, 2004 NANC Meeting Minutes will be reviewed and approved electronically.

B. North American Billing and Collection (NBANC) Report. John Ricker stated that this is the final report by the NBANC on Billing and Collection for Numbering Administration. He reported that in late June 2004, over 4,150 accounts were billed approximately \$2.8 Million. The NBANC received \$2.6 Million in July 2004. Forty U.S. Carriers and Canada are being billed \$207 Thousand per month for 2004-2005.

Mr. Ricker reported that the NBANC has receivables of \$2.2 Million. There is currently a fund balance of \$7.8 Million for the 2004-2005 funding year. He noted that the actual number is higher because of the monies that have been withheld to use against future funding years to develop contribution factors. Mr. Ricker indicated that the true balance is approximately \$13 Million. He explained that the NBANC has not paid out very much money in 2004. Mr. Ricker further explained that NeuStar, as well as the Pooling Administrator, has to submit its bills to the FCC for approval prior to receiving payment. He stated that NeuStar's bill for July 2004 was submitted in August, and the NBANC has not yet received an approved bill. Therefore, no payments have been made. Mr. Ricker stated that the NBANC is projecting a fund balance on July 1, 2005 of \$8.1 Million. He indicated that \$7 Million is expected to be paid throughout the year.

Mr. Ricker reported that the NBANC will continue to bill carriers through September 2004 and collect money until October 2005. He further reported that included with the bills will be an announcement from Welch and Company stating that they will be taking over as the Billing and Collection Agent beginning October 1, 2004. Information will also be provided to let carriers know where their payments should be sent. The NBANC anticipated receiving notification from the FCC prior to October 1, 2004 about the transfer of funds to Welch and Company. Mr. Ricker reported that the transition is on schedule, and no problems are anticipated.

Mr. Ricker thanked all of the members of the NANC and gave special thanks to the members who spent time on the NBANC Board of Directors over the last six and three

quarter years. He stated that the NBANC thoroughly enjoyed the opportunity to serve as the Billing and Collection Agent and wished Welch and Company all the best.

Chairman Atkinson expressed appreciation, on behalf of the NANC, for all of the NBANC's fine work over the years. Mr. Williams advised that the NBANC will be receiving a letter from the Chief of the Wireline Competition Bureau thanking them for their work. He stated that the NBANC was the first Billing and Collection Agent. Mr. Williams pointed out that the NBANC had to establish a framework for doing the job. He stated that over the years, he has worked with John Ricker and Maripat Brennan very closely, and that he has enjoyed his relationship with them. Mr. Williams further stated that he would like to thank the NBANC personally and also on behalf of the FCC for doing an outstanding job. He stated that he will miss working with them.

C. North American Numbering Plan Administrator (NANPA) Report to the NANC. John Manning, NANPA, provided the report to the Council.

Central Office Code (CO) Activity Report. Mr. Manning reported that in August 2004, NANPA assigned approximately 360 central office codes and processed nearly 40 returns. He stated that this amount compares to an average assignment rate over the first seven months of the year of 250 codes per month. Mr. Manning noted that Texas, New York, and Pennsylvania appeared to have the highest number of assignments in August 2004.

Mr. Manning reported that the NANPA has completed the transition of the CO Code Administration function from Concord, CA to Sterling, VA. He advised that all CO Code administration activity is being performed in Sterling, VA. Mr. Manning stated that along with this transition, there has been a change in the NANPA organization. He announced that Beth Sprague, who was the NRUF Manager and Industry Liaison for the NANPA, has been promoted to Regional Director for Code Administration. Mr. Manning advised that Sandy Tokarek, who has served as Regional Director for Code Administration for the NANPA, has relocated to Arizona. He thanked Sandy Tokarek for her hard work and dedication while serving as the Regional Director. Mr. Manning stated that Ms. Tokarek did an excellent job for the NANPA and expressed appreciation for her efforts.

NPA Relief Activity Relief Status Report. Mr. Manning reported that there is a draft decision out for comment for California NPA 310. The decision proposes a geographic split of NPA 310 and the introduction of the 424 area code. Mr. Manning stated that in this draft decision, permissive dialing would begin in May 2005, mandatory dialing in September 2005, and recorded announcements would end in January 2006. An alternative proposal is to not split the 310 area code, but to continue to pursue further conservation measures. Some measures include setting criteria for six-month inventories, conducting another service provider utilization study before a split is implemented, exploring ways for wireless carriers to use fewer rate centers, getting paging numbers in the pools, and exploring ways to recover stranded numbers. Also proposed is an alternative approach for forecasting the exhaust of the area code.

Mr. Manning reported that West Virginia has ordered its Commission staff to prepare a petition within 60 days to be filed with the FCC to seek clarification of the West Virginia Commission's authority to order mandatory pooling in all LNP capable rate centers.

Mr. Manning reported that permissive dialing of the California 909/951 split started on July 17, 2004. He stated that in the latter part of 2004, there will be mandatory dialing. Mr. Manning further stated that the first CO Codes in the 951 area code will become effective in February 2005.

Mr. Manning reported that NANPA has recently issued three Planning Letters:

- PL#338 – New 829 NPA in relief of the 809 NPA in the Dominican Republic.
- PL#339 – Provides instruction on how to find the latest 909/951 NXX code assignment information on the NANPA website (under CO code Reports).
- PL#340 – Planned 10-digit dialing in NPA 613 (Ontario) and NPA 819 (Quebec).

NPA Inventory. Mr. Manning reported that as of September 8, 2004, 366 area codes have been assigned. He stated that of the 366 assigned codes, 41 are awaiting implementation. Mr. Manning further stated that of the available assignable codes, 315 are currently unassigned, 49 are easily recognizable codes currently allocated for non-geographic use, and 266 are general purpose codes. Of the 266 general purpose codes, 163 are reserved, leaving 103 available.

Status of Other NANP Resources. Mr. Manning reported that as of June 30, 2004, there were 2,388 existing Feature Group D (FGD) Carrier Identification Codes (CICs) assignments. For the first six months of 2004, a total of 72 FGD CICs were assigned (an average assignment rate of 12 codes per month) and 92 FGD CICs were reclaimed.

Mr. Manning paused to recognize Nancy Fears, who is responsible for managing the NANP Resources (FGD CICs, FGB CICs, 555 Line numbers, 500-NXX, and 900-NXX), for her hard work in making sure that service providers adhere to the appropriate guidelines, for her diligence in pursuing service providers who are not using the resources properly, and for getting those resources reclaimed.

Mr. Manning stated that as of June 30, 2004, 7,392 FGD CICs are available for assignment. Using the first six months of 2004 average monthly assignment rate, the projected exhaust for the FGD CIC resource is 616 months (51.3 years). This exhaust projection is based on current existing circumstances – limit of 2 FGD CICs per “entity.” Also, reclaimed/returned FGD CIC assignments are not factored into this exhaust projection.

Mr. Manning stated there is no concern about exhausting the FGB CIC resource based on the current assignment rate.

Mr. Manning reported that no new 555 line numbers have been assigned during the first six months of 2004. In the first six months of 2004, one new 500 NXX code was assigned, and six codes were reclaimed. Mr. Manning stated that 275 500 NXX codes are available for assignment. No new 900-NXX assignments have been made in the first six months of 2004; 27 codes were reclaimed or returned. 561 900 NXX codes are available for assignment. During the first six months of 2004, there were no assignments of 456 NXX codes (international inbound), 800-855 line numbers (hearing impaired services), ANI Information Digit Pairs or Vertical Service Codes.

New NANPA Enterprise Service Customized Reports. Mr. Manning advised that the NANPA plans to offer customized reports for publicly available NPA and central office code assignment data as an enterprise service. He noted that NPA-NXX information is currently available on the NANPA website and is downloadable (e.g., ASCII, tab delimited, excel). Mr. Manning indicated that the NANPA has been receiving requests from entities that are interested in the NANPA taking the same information that is publicly available on its website, doing some type of manipulation of it, i.e., format, content, etc., and providing it as a report to that entity. He noted that entities are willing to pay the NANPA for this service.

Mr. Manning stated that the NANPA Technical Requirements Document anticipated the need for additional reports. He noted that Section 8.6 of the Requirements Document states the following:

The NANPA may also be requested to produce additional reports as needed. The NANPA may create and provide data in different formats to accommodate requests to cull data and provide customized reports as enterprise services for a fee that is reasonable and based on its costs. (See Section 11 for details on enterprise services). Note that enterprise services shall be reviewed by the NANC and approved by the FCC, but, once approved, the NANPA shall be free to negotiate a reasonable price with requestors.

The following operating principles apply to the provision of enterprise services:

- The fees associated with enterprise services shall be fair and reasonable.
- Enterprise service fees for the same service must be the same for all customers.
- Enterprise services must be performed without jeopardizing NANPA duties and responsibilities.
- Proprietary/confidential information provided to the NANPA shall be protected in the provision of any enterprise service.
- Fees associated with an enterprise service shall be collected by the NANPA or the designated billing and collection agent, depending on the NANC recommendation and FCC approval.
- Fees for enterprise services are independent of the price of this contract.

Mr. Manning stated that the NANPA will negotiate a reasonable price with each requestor. Pricing will depend upon report development time and effort, quality review, frequency, delivery mechanism, and other variables.

Mr. Manning stated that he is seeking the review of the NANC, and then will approach the FCC to get final approval for the NANPA to move forward with a Customized Enterprise Service.

Christine Sealock-Kelly, NARUC, New York, expressed concern that where the Requirements Document states fees for the same service must be the same for all customers. She questioned whether she, as a state regulator, will have to start paying for what she already gets for free. Mr. Manning responded no.

Fred McCallum, BellSouth, questioned whether the costs associated with the customized reports are set up in such a way that the fees are designed to cover the costs of doing the customized reports.

Mr. Manning stated that the concept that is outlined in the Technical Requirements is that the fees should and must cover the costs of providing the service so that the firm fixed price is not being used to offset the loss of providing the enterprise service. He indicated that it is the NANPA's challenge to ensure that it comes up with a reasonable price that covers those costs and does not require the NANPA to use contract dollars.

Loretta Lynch, NARUC, California, wanted clarification that the reports that the NANPA provides to the states on occasion will not be covered under this cost report system. Mr. Manning responded that those reports will not be covered under this cost report system.

Phil McClelland, NASUCA, Pennsylvania, questioned whether the customized reports will contain data that is not public. Mr. Manning responded no. It will only be publicly available data that is currently available on the NANPA website.

Michael Altschul, CTIA, questioned whether the NANPA can add to the operating principles the clarification that the information used will be information available publicly from the NANPA website. Mr. Manning responded that he will make sure that it is clear in the definition of the customized report that the reports are only from public data.

Hoke Knox, Sprint, questioned whether there will be a charge to the NANC if the NANC were to request copies of reports. Mr. Manning responded no. Chairman Atkinson suggested that in the future, requests of this nature should be coordinated with the NOWG.

Karen Mulberry, MCI, suggested that the NANPA make available information on the types of reports that are already customized, and if someone is interested, they can see what it is and the cost of these reports. Mr. Manning agreed to make the information available.

The NANC approved the NANPA's request.

FCC Red Light Rule Impact on Assignment of Resources. Mr. Manning stated that at the direction of the FCC, the NANPA has been assisting the FCC with regard to certain aspects of the Debt Collection Improvement Act of 1996. He noted that this is referred to as the Red Light Rule. Mr. Manning stated that these new rules include provisions requiring withholding action on applications and other requests for benefits when the entity applying for or seeking benefits is delinquent in non-tax debts owed the Commission, and to dismiss such applications or request if the delinquency is not resolved. The rules specify how the agency will determine whether an entity has an outstanding delinquency, as well as the consequences of an outstanding delinquent debt.

The new rules will impact number resource administration. Specifically, NANPA is being directed to withhold assignment of numbering resources to an entity identified by the FCC as delinquent in their payments to the Commission. The planned effective date for this process is October 1, 2004.

The FCC is developing a list of entities delinquent in payments. Entities are identified on this list by the entity's Federal Registration Numbers (FRNs). NANPA is comparing the FRNs with the FRNs reported via the NRUF reporting process. This comparison permits the identification of the OCN(s) associated with the FRN. NANPA will then withhold the assignment of numbering resources to the OCN.

The current plan is for the list of delinquent entities (i.e., FRNs) to be updated daily.

Questions concerning an entity's status with regard to debts and payment must be directed to the FCC. NANPA will not have any information on these matters. In compliance with the FCC's requirements for NANPA, NANPA will simply use the list of delinquent FRNs provided by the FCC and associated OCNs as part of the resource assignment decision process.

Mr. Manning advised that the Red Light Rule is something that the NANC and the industry need to be made aware of so that if an entity's FRN is on the delinquent list, the necessary steps can be taken to have it removed from the list.

Mr. McCallum questioned whether, starting on October 1, 2004, there will be a place on the website where companies can go to get confirmation as to whether or not they are on the list. Mr. Manning responded yes.

Regina Dorsey of the FCC Office of Managing Director explained that this information can be currently accessed on the FCC's website. The toll-free number for questions regarding the Red Light Rule is 1-877-480-3201.

Tim Peterson of the FCC's Office of Managing Director reviewed the impact of the Red Light Rule with the Council Members.

Mr. Manning clarified the NANPA's role with regard to the Red Light Rule to the Council Members.

Mr. Peterson thanked NeuStar for helping to implement the Red Light Rule and for helping with the FCC's outreach program. He also thanked the NBANC for all of its help on the Red Light Rule.

Mr. Altschul questioned, in light of the Supreme Court's Nextwave Decision, whether special accommodations are provided for in the Red Light Rule for companies/licensees who are operating pursuant to bankruptcy court protection. Mr. Peterson responded yes.

D. Presentation by National Thousands-Block Administrator (PA). Amy Putnam, NeuStar, provided the report to the Council. Ms. Putnam reported that Change Order No. 29, which involved auto populating the Part 3 remarks with information from comments on the donation form, was approved by the FCC on July 19, 2004 and implemented on August 30, 2004. She stated that the following Change Orders are pending:

- Change Order No. 24 – Recurring NPAC report, held in abeyance pending outcome of Change Order #26 report and recommendation. The NOWG submitted its recommendation to the FCC on August 26, 2004 for a one time scrub of its data base. The NOWG further recommended that the PA resubmit Change Order 24 with updated process and cost data and prepare a self-certification of accuracy form to be presented to the INC for approval.
- Change Order No. 25 – A request from a carrier to have the PAS generate a Part 4 report where a carrier can enter an OCN, a state, and NPA to find out the status of all the related Part 4's.
- Change Order No. 27 – Extending Forecast Report from 12 to 18 months.

Ms. Putnam stated that Change Order No. 30 is a new Change Order. This is in response to INC Issue 423. The PA has indicated that the PAS needs to be modified in order to get LERG assignee confirmation of activation in the PSTN for Industry Inventory Pool.

Ms. Putnam stated that there were 47, 566 total assigned blocks in the PAS as of August 31, 2004.

Ms. Putnam reported that for the July 2004 Thousands Block Pooling Report, 5,198 applications were approved; 329 applications were denied; and 215 applications were suspended. For the August 2004 Report, 4,877 applications were approved; 366 applications were denied; and 255 applications were suspended.

Ms. Putnam announced that on September 13, 2004, the PA processed its 100,000th application for a block since the start of pooling. She noted that the five months in which the PA has processed the largest number of applications were March 2004, April 2004, June 2004, July 2004, and August 2004. Ms. Putnam stated in the first seven days of

September 2004, the PA processed 2203 block applications. She indicated that if that level is maintained, September 2004 will be the PA's busiest month ever.

Ms. Putnam reported that the PAS availability was 100% for June 2004 and 100% for July 2004.

Ms. Putnam reported that the number of rate centers, in which there were non-participating carriers, dropped from 1723 to 1403. She stated that 49 OCNs have become 100% compliant since the PA filed the Non-Participating carriers report and contacted all of the carriers; 250 OCNs have made no change; and 17 OCNs have made some progress toward compliance.

Ms. Putnam reported that the PA Annual Performance Survey was distributed electronically on September 1, 2004 with a response deadline of September 17, 2004. She stated the PA is doing its survey annually, approximately 6 months after the NOWG annual survey.

Ms. Putnam reported that in response to a request from carriers, the PA has increased the PAS Timeout to 20 minutes. She also noted that the PA completed scheduled Disaster Recovery Testing the week of August 23, 2004.

Ms. Putnam stated that with respect to the Red Light Rule, the PA has the same requirements to withhold benefits from carriers as does the NANPA. The PA made phone calls to the carriers who were on the list. Ms. Putnam suggested that carriers go to the website as soon as possible to find out whether or not they are delinquent. The PA sent out notices and put a notice on its website advising carriers of the imminence of the Red Light Rule. Ms. Putnam stated that the difference between the PA and the NANPA with regard to the Red Light Rule is that the NANPA has the FRN information. She stated that with the FCC approval, the PA will receive the FRN/OCN association from the NANPA to ensure that the PA denies benefits to the correct OCNs as they are associated with the FRNs that appear on the list. The PA will receive no other NRUF information.

E. Industry Numbering Committee (INC) Report. Ken Havens provided the report to the Council. Mr. Havens stated that at the July 13, 2004 NANC Meeting, Chairman Atkinson tasked him with an informal action item to go back to the INC body at large and discuss a request of the NANC that the INC give consideration to providing more details in its INC report. He indicated that this was discussed at great length at the INC. Mr. Havens stated that the September 14, 2004 INC Report to the NANC is a result of that discussion and that more detail has been provided.

Mr. Havens reviewed the INC Meeting Schedule with the Council members.

Single Methodology for Reporting TNs in Contaminated Blocks on NRUF (Issue 439). Mr. Havens stated that this issue was opened as a placeholder to address the INC Action Item that was discussed at the May 2004 and July 2004 NANC Meetings with respect to

report of Contaminated Numbers on NRUF Reports. He advised that the issue is in final closure, and that it was discussed at length at the July 13, 2004 NANC Meeting.

Mr. Havens stated that the INC was requested by the NOWG to provide suggestions for modifications to the Pooling Administration Technical Requirements for the next contract period. He advised that the INC discussed the request and provided a listing of four separate suggestions in letter format to the NOWG on August 24, 2004.

The following Issues have been placed in Final Closure since the July 13, 2004 NANC Meeting:

- Issue 439: NRUF Reporting of Contaminating TNs
- Issue 445: NANC 323 Impacts to Guidelines (NANC 323 is a Change Order from the LNPA Working Group)
- Issue 447: Clarification to Transfers of Thousands-Blocks within Non-Pooled NXXs.

The following are Issues Remaining in Initial Pending Due to Change Order Process:

- Issue 423: LERG Assignee Confirmation of Activation in PSTN for Industry Inventory Pool
- Issue 434: Removal of Codes from NPAC when there are Ported Numbers.

F. INC Issue 407 Issue Management Group (IMG) Report. Matthew Adams, SBC, provided an update to the Council. Mr. Adams thanked the IMG participants for their work on the IMG (the carriers, the NARUC members, and NeuStar for its technical input). He stated that they all worked very well together and came up with a great solution.

Mr. Adams advised that the IMG's Action Item was to review the INC's Issue 407 with respect to consumer impact, procedure and other implications and recommend whether the NANC should urge the FCC to initiate an NPRM to implement the INC recommendation.

Mr. Adams explained that the INC Issue 407 deals with whether or not a carrier should have to go to the PA for a dedicated code or whether or not they can go to the NANPA for the dedicated code.

Mr. Adams stated that the IMG found that there is no impact to porting, whether you can go to the PA or whether you can go to the NANPA for the dedicated code. He stated that from a customer impact, if the customer goes directly to the NANPA, there is no customer impact. Mr. Adams indicated that there is a reverse negative impact if a customer has to go to the PA for the dedicated code. He noted that it could increase the time for getting that code back to 14 days. Mr. Adams advised that provider impact increases a lot of the processes for the carriers to have to go through the PA on these dedicated codes.

Mr. Adams stated that the IMG's independent findings were consistent with what the INC had found. He stated that the carriers should have the option to either go to the NANPA for the dedicated code, or the PA for the dedicated code.

Mr. Adams noted that the PA participated in the IMG. He stated that they had some fantastic input. Mr. Adams further stated that even though the PA participated in the IMG, the PA takes no position in the conclusion of the IMG's recommendation. However, the PA does not, at this time, anticipate any impact on their operations. In addition, NANPA indicated that the IMG recommendation would have minimal, or no impact on their processing of dedicated code requests.

Mr. Adams stated that if the IMG recommendation is approved, the IMG does not believe it is within their purview to determine how the FCC should implement the change to paragraph 14 in NRO IV. He advised that the IMG is leaving that decision to the FCC. Mr. McCallum agreed with the IMG's decision. Mr. Adams stated that the IMG recommendation is that the NANC should direct the INC to develop the guidelines for implementing their (the INC's) solution. Once the guidelines are implemented, it would trigger the NANPA to issue a Change Order. If the FCC approves the Change Order, it should mitigate paragraph 14 in NRO IV.

Chairman Atkinson clarified that the IMG's recommendation is to let the INC finish the guidelines; that will trigger a Change Order; and, hopefully the FCC will approve the Change Order.

Ms. Mulberry inquired as to whether the IMG recommendation will be forwarded to the INC for consideration and implementation in the guidelines.

Ms. Sealock-Kelly stated that some of the NARUC members are concerned that it is inappropriate to change a FCC decision without formal notice and comment. Chairman Atkinson agreed that the final decision would be up to the FCC.

Mr. Havens agreed to forward the IMG's recommendation to the INC.

G. Local Number Portability Report (LNPA WG). Gary Sacra, Co-Chair, provided the report to the Council. Mr. Sacra reported on an Action Item related to Problem Identification and Management Report (PIM) 30 (the roles and responsibilities of carriers with regard to N-1 architecture) that was assigned to the LNPA WG at the May 18, 2004 NANC meeting. Mr. Sacra stated that the Action Item was to discuss Extended Area Service calls (EAS) scenarios in the context of N-1 Architecture, and to investigate whether carriers with waivers that are operating outside mandated porting areas also have the same responsibilities as N-1 carriers.

Mr. Sacra indicated that the LNPA WG reached consensus on a number of items with regard to N-1 responsibilities. He advised that the LNPA WG is in the process of preparing a formal document that it will submit to the NANC. Mr. Sacra stated that

based on research of the 2nd and 3rd Report and Orders from the FCC, a recent FCC Consent Decree Order, the First Memorandum Opinion and Order, and the NANC Architecture Plan for Local Number Portability, the LNPA WG reached consensus on N-1 responsibilities for:

- Local calls
- Inter-LATA toll calls
- Intra-LATA toll calls
- Default queries
- Carriers with waivers or operating outside mandated areas

Mr. Sacra stated that the LNPA WG is continuing to discuss EAS calls. He explained that it is specific to Inter-LATA EAS calls. Mr. Sacra stated that calls within the LATA to a code that is rated for EAS in that area is not an issue. The issue with Inter-LATA EAS calls manifests itself when numbers port out of those codes in the terminating LATA. Mr. Sacra reported that discussions are continuing on the Inter-LATA EAS scenarios with the LNPA WG. The LNPA WG is attempting to reach consensus on one of the following alternatives:

- The originating carrier is the N-1 carrier, but the query is performed in the originating LATA only if all carriers porting in the EAS area obtain an EAS-rated Local Routing Number (LRN) that has an NPA NXX that is rated for that EAS area in the LERG.
- The donor carrier in the terminating LATA is designated the N-1 carrier and, therefore, is responsible for performing the query.
- The originating carrier is still the N-1 carrier, and is responsible for performing the query in the originating LATA.

Mr. Sacra indicated that the LNPA WG will be meeting on November 4, 2004, which is the same day as the next NANC meeting. He proposed that the LNPA WG submit a written report based on the October LNPA meeting, and stated if the LNPA WG is able to reach a consensus on PIM 30, the LNPA WG can follow-up after the November 4, 2004 NANC meeting with a written report at the January 19, 2005 NANC meeting. Chairman Atkinson agreed.

Next NPAC Software Release: Mr. Sacra reported that the LNPA WG completed its Change Order prioritization process at its July meeting. The LNPA WG determined which Change Orders it is going to recommend for the next NPAC software release. The LNPA WG is in the process of finalizing the functional requirements for each Change Order. The recommended Change Orders that will be in the package include the resolution to PIM 22 (dealing with ports in conflict status being prematurely removed from conflict status). Mr. Sacra indicated that another NANC Action Item from the May 18, 2004 NANC meeting was to ensure that NANC Change Order 375 was included in the next NPAC Release. He stated that it will be included. Mr. Sacra stated that the package will also have a Change Order that will increase the Service Order

Administration (SOA) interface throughput requirements and several performance and operational enhancements.

Mr. Sacra advised that the LNPA WG is finalizing the detailed functional requirements for each Change Order in preparation for submission of the recommended package to the NAPM LLC within the next couple of months.

Mr. Sacra reviewed the PIM report with the Council.

Mr. Sacra reported on PIM 40 – Opening NXX Codes to portability in NPAC and the Local Exchange Routing Guide (LERG). He stated that this PIM, submitted by Verizon Wireless, seeks to address minimum industry standards for LNP readiness that must be adhered to by all companies in order to port. The NANC’s Wireless Number Portability Subcommittee Report on Wireless Number Portability Technical, Operational and Implementation Requirements, Phase II, Version 1.7, states in Section 5.4.3, “A Service Provider will need to make sure NPA-NXXs that need to be opened for porting are marked as portable in the LERG. The code opening process must occur before processing any subscriber requests for porting numbers from a portable NPA-NXX.” The Report further states in Section 5.4.3, “Code holders notify the NPAC of the NPA-NXXs to be opened for porting. This should occur within 45 days of the LERG publication.” Mr. Sacra stated that these requirements, as reported to the NANC, will serve to resolve this PIM, and will be cited by providers seeking compliance on the part of other providers. Mr. Sacra advised that this PIM was closed at the August 2004 LNPA meeting.

Mr. Sacra reminded the Council that effective with the August 2004 LNPA WG meeting, the Wireless Number Portability Operations (WNPO) group and the LNPA WG combined. The combined group retained the name of the LNPA WG.

H. Numbering Oversight Working Group (NOWG) Report. Karen Mulberry, Co-Chair, provided the report to the Council. Ms. Mulberry reported that the NOWG has been reviewing the NANC Operating Principles. She stated that according to the Operating Principles, the working groups need to confirm Co-Chairs on an annual basis. Ms. Mulberry advised that the NOWG has selected two new Co-Chairs, and requested NANC confirmation for the Co-Chair candidates - Rosemary Emmer, Nextel, and Karen Riepenkroger, Sprint. There were no objections from the Council.

Chairman Atkinson thanked Karen Mulberry and Jim Castagna for serving as Co-Chairs on the NOWG for the last few years. He stated that the NOWG is one of the major undertakings of the NANC, and that serving as Co-Chair is a very important role. Ms. Mulberry stated that the NOWG would like to request that the NANC allow the NOWG in the future to maintain up to three Co-Chairs. Chairman Atkinson stated that he had no objection, and there were no objections from the Council.

Ms. Mulberry thanked the PA on behalf of the NOWG for its participation and assistance in responding to some of the questions that the NOWG had in analyzing Change Order #24.

Ms. Mulberry stated that the NOWG had its first NANPA Change Order. The NOWG reviewed Change Order #1 – Removal of Codes from NPAC When There Are Ported Numbers - INC Issue 434 and submitted its recommendation to the FCC on August 6, 2004.

Ms. Mulberry reported that the NOWG is reviewing the PA Technical Requirements Document. The NOWG requested input from the INC. The NOWG will present its recommendation on revisions to the PA Technical Requirements Document to the NANC at the January 19, 2005 NANC meeting.

Ms. Mulberry reported that the NOWG is working on revamping the performance surveys for the NANPA and the PA. The current rating table will be retained for consistency. She requested input from the NANC members. The final surveys and schedule will be presented for approval at the November 4, 2004 NANC meeting.

Ms. Mulberry reviewed the 2004 NOWG meeting schedule with the Council.

I. Cost Recovery Working Group Report. Chairman Atkinson reported that at the July 13, 2004 NANC meeting, there was an Action Assignment to the old Cost Recovery Working Group to become active and take on the oversight function of the new Billing and Collection Agent, Welch and Company. He advised that a conference call was convened on September 8, 2004 with the Council Members who had expressed an interest in joining the working group. Chairman Atkinson stated that the most important matter accomplished on the conference call was the renaming of the working group to the Billing and Collection Agent Oversight Working Group (BACAO WG). Volunteers include: SBC, Nextel, NCTA/Cox, Verizon, Qwest, CANTO, CTIA, MCI, Iowa PUB, and Bell Canada. Rosemary Emmer will serve as Co-Chair. Jim Castagna will help to get the BACAO WG started. Fred McCallum, BellSouth, will work with Ms. Emmer and Mr. Castagna over the next few weeks, and will make a decision whether or not to serve as Co-Chair.

Anne Boyle, NARUC, Nebraska, suggested that the working group change the last letter to an N (Network) since the group will be working in collections, i.e., bring home the BACAN. Chairman Atkinson stated that he will leave that suggestion up to the working group.

Chairman Atkinson stated that the starting point of the Charter for the new working group would be the Charter of the NBANC Board of Directors since the functions are the same. He stated that it will provide a basis for the new working group to figure out exactly what its role and responsibilities will be. Chairman Atkinson indicated that Mary Retka from Qwest had volunteered to get in contact with NBANC to get a copy of its Charter.

It was decided that a conference call will be organized in the near future. The BACAO WG will present its Charter at the November 4, 2004 NANC meeting.

J. List of NANC Accomplishments. The Council reviewed the List of NANC Accomplishments.

K. Public Participation. J. G. Harrington, Dow, Lohnes, and Albertson, spoke on behalf of Cox Communications, which is a member of the NAPM LLC. Mr. Harrington stated that Cox is concerned about some recent activities involving companies that approach the NAPM LLC seeking to provide portability-related services. In responding to those inquiries, the NAPM LLC has informed prospective vendors that it cannot provide information about its needs because it is bound by confidentiality requirements in its agreement with NeuStar.

Mr. Harrington stated that Cox is also concerned about the duties of members of the NAPM LLC and the NANC. He further stated Cox's view that members of the NAPM LLC have a fiduciary duty to the industry to obtain the best possible terms for the number portability database management contract. At the same time, disclosure of information subject to the confidentiality provisions could subject the NAPM LLC, Cox and other members of the NAPM LLC to liability under the NAPM-NeuStar agreement. This combination creates tension that is difficult for Cox and other members of NAPM LLC to resolve. He added that it is Cox's view that the NAPM LLC tends to resolve this tension in favor of protection against liability.

In this context, Cox believes it would be helpful for the NANC to consider and, potentially, provide guidance on how the NAPM LLC and the NANC should approach the issue of competition for services provided under existing contracts, and what the NAPM LLC should say to vendors that would like to provide supplemental or substitute services. In particular, if the NANC were to take the position that potential competitors should be provided information relevant to their proposed services, it could help to address some of the concerns that make the NAPM LLC reluctant to encourage competition for the services it obtains on behalf of the industry.

Chairman Atkinson clarified that there was another company that wanted to provide some competitive service. Mr. Harrington explained that there was a request from an undisclosed party for information. The NAPM LLC's counsel looked at the confidentiality provisions of the agreement with NeuStar, and provided very little information to the prospective vendor. Atkinson inquired what the prospective vendor was looking for. Mr. Harrington stated that it was a fairly broad request.

Ms. Mulberry, MCI and Co-Chair of the NAPM LLC, stated that the request was very specific. She explained that it was sent to the NAPM LLC by an attorney representing the undisclosed party. The party wanted a copy of the NAPM LLC's contract with the NPAC vendor. Counsel for the NAPM LLC advised that due to confidentiality requirements, the NAPM LLC go to NeuStar (vendor) to get permission to share information about the existing contract. The NAPM LLC forwarded the request to

NeuStar. NeuStar stated that they would not alleviate the NAPM LLC of that obligation. Therefore, the NAPM LLC could not release the contract. The NAPM LLC's counsel told the undisclosed party that the NAPM LLC would be willing to work with them if it had more information about what they were looking for.

Chairman Atkinson questioned whether the NAPM LLC has a functional specification in lieu of the existing contract. Ms. Mulberry stated that the requirements of the functional specification have not been touched since 1997.

Chairman Atkinson questioned whether the dispute is over what form the information would be transmitted, as opposed to the substance of the information. Ms. Mulberry stated that the request was very specifically related to a copy of the contract, which the NAPM LLC could not release.

Chairman Atkinson asked Mr. Harrington to reiterate what he was asking the NANC to do. Mr. Harrington stated that Cox is looking for some guidance as to how the NAPM LLC and anyone else dealing with these types of contracts should respond to inquiries from third party vendors. He indicated that the kind of response received from the NOWG is not encouraging to a third party vendor. It suggested to the vendor that the NAPM LLC is not interested in hearing from other potential vendors. Mr. Harrington advised that from Cox's perspective, guidance from the NANC on the notion of encouraging competition would be very helpful.

Chairman questioned whether the complaint was with the tone of the letter as much as the substance of the response. Mr. Harrington responded that it is both.

After extensive discussion, Chairman Atkinson stated that there is a sense from the NANC that the NAPM LLC should be encouraging and facilitating competition and innovative ideas. The parties should try to have business-like discussions. If there is a structural or process problem within the NAPM LLC, the NANC should hear about it. An update should be provided to the NANC at the November 4, 2004 NANC meeting.

L. Presentation of the Plaque. Chairman Atkinson presented the North American Numbering Council Chairman's Commendation Plaque to NARUC representatives for the best survey response rate in the 2003 NANPA Performance Review, with the slogan "Better Data Leads to Better Oversight." He commented that this is the third plaque in a row presented to NARUC and, therefore, the award is being retired. Chairman Atkinson thanked NARUC for doing well and getting their members to participate. He stated that something different will be done next year to encourage performance.

Next Meeting: November 4, 2004

ACTION ITEMS:

September 14, 2004

1. Future of Numbering Working Group

Propose Charter for NANC review using NRO final report as a basis; consider more appropriate Working Group name.