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Senior Vice President
and General Counsel

February 3, 2012

Ms. Betty Ann Kane, Chairman
North American Numbering Council
1333 H Street, NW
West Tower, 7th Floor
Washington, DC 20005

Re: NOWG Action Item Response
Impact of *USF-ICC Order and FNPRM* on Numbering Exhaust

Madam Chairman:

As a member of the North American Numbering Council (“NANC”), CTIA-The Wireless Association® (“CTIA”) presents this response to the request for comment on the draft letter from the Numbering Oversight Working Group (“NOWG”) regarding the impact of the FCC’s *USF-ICC Order and FNPRM*¹ on numbering exhaust.

CTIA agrees with fundamental points in the draft response. The draft is correct that uncertainty regarding how the FCC and states ultimately will implement point of interconnection (“POI”) and network edge issues makes it impossible to present a meaningful estimate at this time of any rule changes’ impact on numbering exhaust. Moreover, it also is correct that the NANC may not take positions on public policy issues pending before the FCC, which limits the NANC’s involvement in the issue. CTIA agrees that it is not appropriate for the NANC to make any requests that require the NANPA to speculate on policies or possible outcomes of matters currently before the Commission.

CTIA reiterates its request, however, that the response – as well as any analysis that may follow the adoption of the rules – should include a discussion of the range of actions that the FCC and state public utility commissions can take to mitigate numbering exhaust. In this regard, the *USF-ICC Order and FNPRM* makes clear that these issues are under the control of state and federal regulators.² Such an analysis might include, for example, a comparison of the impact on numbering exhaust of any increase in the number of POIs with the impact of regulatory clarification of carriers’ rights to designate differing rating and routing points for numbering resources – an

¹ *Connect America Fund, et al.*, WC Docket Nos. 10-90 *et al.*, Report and Order and Further Notice of Proposed Rulemaking, FCC 11-161 (rel. Nov. 18, 2011) (“*USF-ICC Order and FNPRM*”).

² *See, e.g., USF-ICC Order and FNPRM* at ¶ 1321 (“As discussed in the Order, we believe states should establish the network edge pursuant to Commission guidance”).

issue upon which the FCC has sought comment in the same proceeding.³ Similarly, the analysis also could compare the impact of state consolidation of the rate centers in which numbers are assigned. Reducing the number of rate centers can dramatically reduce the number of blocks that carriers must request to populate their service areas with numbers, and “states have authority to consolidate rate centers.”⁴ The analysis also might include the impact on numbering exhaust of expanding the geographic area in which traffic between LECs and CMRS carriers is treated as local.⁵

In sum, any analysis of the impact of the *USF-ICC Order and FNPRM* on number exhaust also should include an analysis of the related steps that are well within the power of state and federal regulators to reduce number block assignment.

Sincerely,



Michael F. Altschul

cc: Marilyn Jones
Deborah Blue
Cary Hinton
John Manning

³ *Connect America Fund, et al.*, WC Docket Nos. 10-90 *et al.*, Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, 26 FCC Rcd 4554, 4777-78 ¶ 684 & n.1098 (2011).

⁴ *Numbering Resource Optimization*, CC Docket No. 99-200, Second Report and Order, 16 FCC Rcd 306, 367 ¶¶ 144-47 (2000).

⁵ *See, e.g.*, Comments of T-Mobile USA, Inc., WC Docket Nos. 10-90 *et al.* (filed Aug. 24, 2011) at 3 (arguing that the “MTA Rule” should be replaced with a “REAG Rule” in light of changes in FCC spectrum license areas).