



Federal Communications Commission
Washington, D.C. 20554

December 7, 2017

The Honorable Travis Kavulla
Commissioner,
Montana Public Service Commission
Chair, North American Numbering Council (NANC)
1701 Prospect Avenue
P.O. Box 202601
Helena, MT 59620-2601

Re: Toll Free Assignment Modernization

Dear Chairman Kavulla:

As you are aware, the Commission has issued a Notice of Proposed Rulemaking (NPRM) on modernizing toll free number assignments to better promote the equitable and efficient use of toll free numbers, a finite resource.¹ The NPRM seeks comment on amending the Commission's rules to allow for the use of auctions to assign certain toll free numbers; and specifically proposes to conduct a single round, sealed-bid Vickrey auction for the roughly 17,000 unassigned toll free numbers sought by multiple parties in the 833 toll free code. The NPRM also seeks comment on allowing a secondary market for toll free numbers and on setting aside toll free numbers necessary to promote health and safety. The Commission is currently considering comments from a range of stakeholders in response to the NPRM.

To further our analysis, we direct the NANC, via its Toll Free Number Modernization Issues Working Group, to address the following questions.

- Notwithstanding the Commission's proposed revision to the first-come, first served rule, should the Commission revise any of its other current rules (such as the general definitions, lag times, or caps on toll free number reservations)² to promote a market approach to assigning toll free numbers? What are the implications of such revisions?
- Should the Commission revise its current rules (including the hoarding and brokering rules)³ to promote development of a secondary market for toll free numbers? What are the implications of those rule revisions?
- Should the Commission set aside certain desirable toll free numbers for use, without cost, by government or non-profit health, safety, education, or other public interest organizations? If so, how should this number set aside system be structured and what should be the roles, if any, of the Commission and the Toll Free Number Administrator? What are the implications of the Commission setting aside certain numbers for these purposes?

We further direct the NANC to approve a written report on its findings on these issues, and to transmit that report to the Wireline Competition Bureau (Bureau) within four months of the date of this

¹ See generally *Toll Free Assignment Modernization, Notice of Proposed Rulemaking*, FCC 17-124 (Sept. 28, 2017).

² See 47 CFR. §§ 52.101, 52.103, 52.109.

³ See 47 CFR. §§ 52.105, 52.107.

letter. If you have questions about the Bureau's referral, please contact Marilyn Jones, the NANC's Designated Federal Officer, by telephone at (202) 418-2357, or by email at marilyn.jones@fcc.gov.

In the meantime, thank you for your commitment to helping modernize toll free number assignments.

Sincerely,



Kris Anne Monteith

Chief

Wireline Competition Bureau, FCC