

North American Numbering Council

Meeting Minutes

December 22, 1999 – Final 1.20.00

I. Time, Date and Place of Meeting: The North American Numbering Council held a telephone conference call beginning at 2:00 p.m., and concluding at approximately 3:45 p.m. The Federal Communications Commission provided the conference bridge number, 1-888-422-7105, access code 510432.

II. List of Attendees – the following NANC members and alternates were present on the call:

Voting Council Members

1.	Beth Kistner	ALTS
2.	Stephanie Tilden	AMSC
3.	Ron Binz	CPI
4.	Norm Epstein	GTE
5.	Peter Guggina/Karen Mulberry	MCI WorldCom
6.	Gerry Thompson	Mobility Canada
7.	Jo Anne Sanford	NARUC
8.	Vincent Majkowski	NARUC
9.	Philip McClelland	NASUCA
10.	Beth O'Donnell	NCTA
11.	Dan Gonzalez	NextLink Communications
12.	Carl Hansen/Karen Westrick	Omnipoint
13.	Trent Boaldin	OPASTCO
14.	Harold Salters	PCIA
15.	Bill Adair/Gilbert Orozco	SBC
16.	Ron Havens	Sprint Corp.
17.	John Hoffman	Sprint PCS
18.	Paul Hart/Tony Pupek	USTA

Special Members (non-voting):

None

Commission Employees:

Diane Griffin Harmon, Designated Federal Officer (DFO)

Tejal Mehta, CCB Network Services Division, Common Carrier Bureau

III. Estimated Public Attendance. Approximately 6 members of the public attended the meeting as observers.

IV. Documents Introduced. Each member received the following handouts:

- (1) Agenda

- (2) North American Numbering Council (NANC) North American Numbering Plan (NANP) Updated Thousands Block Pool Administrator Requirements Document, December 15, 1999

A. Welcoming Remarks and Review of Agenda. Chairman Hoffman opened the meeting and a membership roll call was conducted. The sole purpose of the meeting is to review and approve the thousands block pool administrator requirements document.

B. Thousands Block Pooling Issue Management Group (IMG) Report. Peter Guggina, Chairman, Issue Management Group, Thousands Block Pooling presented the report to the Council. The purpose of this call is to review, approve and modify if necessary, the draft requirements document dated December 15, 1999. The document was e-mailed to Council members in advance of the meeting. The beginning of the document is very boilerplate with only a few minor changes from the original NANPA requirements document.

The IMG reviewed and modified the Requirements Document previously approved by the NANC. As a result of state activity with thousands block pooling trials, the IMG learned much more about thousands block pooling, than it knew when it was assigned the task by the Council one year ago. The document contains provisions for evaluating respondent information and works in conjunction with guidelines that were established in the Industry Numbering Committee (INC) that are nearly final. The guidelines are expected to be completed by the January 18-19 NANC meeting.

The document outlines the administrator's responsibilities and covers how to deal with disputes. It addresses when an enterprise service is needed, and contains a pricing schedule. The IMG created a provision for penalty payments, which will be discussed in more detail later. The IMG believes it was critical, in order to have a successful roll out of thousands block pooling program, that a top notch automated administrative system. There were concerns that manual operation would present many problems both to the administrator and ultimately to the carriers or users of the system. Delivering the system on time is of paramount importance, so substantial financial penalties for untimely delivery were established. This is a major addition to the original requirements document.

Tony Pupek, USTA, asked about the penalty schedule, stating that in sections 6.3.1 that there are still references to a performance bond requirement. Mr. Guggina clarified that the references should have been deleted. The entire document will be reviewed from beginning to end during the call and if any NANC member has an issue with a particular provision, it will be addressed.

Mr. Guggina began section by section review of the document.

Section 1.0 General Information. Paul Hart, USTA, initiated discussion regarding the rationale for considering pooling administration as an extension to CO code administration in section 1.0. He opined the NANC should not provide a philosophical

basis for not separating the functions in the future if at some time separation becomes appropriate. Diane Harmon, DFO, endorsed Paul's concern and stated that this is a concern the FCC has as well, adding that the FCC has not yet determined whether the functions will be awarded sole source or by competitive bid.

Norm Epstein, GTE suggested the following amended language: "...the NANC reserves the right to separate the function in the future if deemed necessary." There was no objection to the edit.

Section 1.1 Introduction. Vince Majkowski, NARUC, suggested inserting similar clarifying language in this section. Paul Hart cautioned that the NANC should not craft the language in such a way as to state that the CO code administrator and the pooling administrator should be the same entity. Peter Guggina agreed and stated that it needs to be clear that NANC has only tentatively concluded that it needs to be same entity at this juncture, and that there may be other circumstances which could arise which could lead the NANC to a different decision. It was agreed that a clear sentence under bullet 4 should be added to convey the NANC reservation with regard to contract awards beyond the instant case.

The footnote was removed. In the third paragraph, the sentence was rewritten to end at "...this Requirements Document." The following sentence was added: "At this time it is intended to apply only thousand block pooling in the United States."

Under the fourth paragraph, beginning with the third sentence, an edit was suggested and accepted to rewrite the sentence to read as follows: "The NANC also develops policy recommendations on numbering issues, initially resolves disputes, selects the administrator and provides guidance to the PA as well as the NANPA." It was further agreed that general reference to "FCC rules" on page 5, third paragraph was sufficient and that a specific cite was not necessary.

There were no edits to Sections 1.2, 1.3, and 1.4.

Section 1.5 Impacts of Regulatory and Industry Activities. Although this section provided for a price increase if a change in directives, policy or regulatory rules results in a 20% increase in costs, Mr. Guggina stated that could not think of an instance where the 20% increase or decrease would occur in a firm, fixed-price, usage sensitive agreement. He suggested that the provision be removed. This language was included in the NANP administration requirements document in the *NANPA Third Report and Order*, which is probably why it was included here. There were no objections to deleting the reference to the 20% increase.

Section 1.6 Performance Review Process. The first sentence was modified to read: "...monitoring of its performance by the NANC or its designated working group."

Paul Hart suggested adding provisions clarifying with whom the PA can share proprietary information. It was stated that the PA has been given a list of entities with whom it may

share information. It was agreed that similar language in section 1.2 should be eliminated, and that the suggested revision to 1.6 not be adopted.

Section 1.7 Penalty for Non-Performance. The IMG, in response to a question, clarified its belief that use of the J.A.M.S/Endispute Arbitration Rules and Procedures (Endispute Rules) is an expeditious manner in which to handle disputes.

There were no objections to the penalty payment schedule. The first sentence in paragraph 4, page 11 was modified to eliminate the word “new.”

Section 1.8 Preparation and Submission of Proposals. The software requirement for submitting proposals was changed from MSWord 6.0 to MS Office 97. Reference to “master copy” labeling of the diskette copy was deleted. There will be only one “master” and it will be the hard copy. A diskette copy will still be provided. Proposals will be submitted to the NANC Chair.

The question of whether all NANP countries may obtain a redacted copy of the proposal was raised and discussed. Diane Harmon stated that if the NANP countries are not subject to a non-disclosure statement, then they should not be provided access to a non-redacted copy of a response to the requirements document.

Section 1.9 Evaluation of Proposals. The first sentence was modified to provide that the proposals will be evaluated against the requirements and specifications contained in the requirements document and the requirements set forth in the Industry Numbering Committee (INC) guidelines.

Under step 2, the second sentence was modified to include a reference to the “...compliance matrix as described in section 2.” Under step 4, it was agreed to insert “...response dates will be provided with the questions.” Chairman Hoffman suggested adding the respondent should reply in a timely manner. The first sentence in Step 5 was modified to clarify that the respondent may be required to participate in meetings with the evaluation team.

Section 1.10 Schedule. Diane Harmon suggested that the reference to “Respondent” for the final proposal submission date (December 1999/January 2000) be changed to refer to NANPA. The change was adopted.

There were no edits to Section 1.11.

Section 1.12 Inquiries. Paragraph two, first sentence was modified to include “or IMG Chair” after NANC Chair.

Section 2.0 Proposal Outline and Respondent Information. Subsection numbers were inserted. Under “Cover Page” an e-mail address should be included in the second sentence as part of the information to be provided by the respondent.

Under “respondent confidential information” at paragraph two, concerns were raised regarding the amount of redaction possible. The Freedom of Information Act governs this. It was agreed that the last sentence (providing that Member countries can get a redacted version of the proposal) would be deleted.

Section 3.0 Background and Overview of Thousand Block Pooling. Under section 3.1, references to rate areas will be made consistent, and references to rate centers will be removed. It was agreed to insert a footnote describing the LERG and to use the trademark symbol (®).

There were no edits to Section 4.0.

There were no edits to Section 4.1, except duplication of the word “personnel” was eliminated in the title.

Section 5.0 Functional Requirements. Under Section 5.1 General Responsibilities, the reference to Attachment A was corrected to read “Appendix A.” Paragraph four, first sentence was modified to delete the word “Measurement.”

Section 5.2 Broad Responsibilities. A grammatical error was corrected in Paragraph 3. The fourth sentence became the first sentence in a separate paragraph.

Section 5.3 Testing. Paul Hart suggested adding a more full description of what the testing entails and who is responsible for conducting the testing. Mr. Guggina stated that the PA has to participate but the industry would also be involved. Chairman Hoffman added that the second sentence addresses who evaluates test results, and allows for flexibility since the NANC does not know what the pooling environment will look like at this juncture. The PA must participate in any test NANC deems necessary at no additional charge.

Adam Newman, Telcordia, clarified that the BRIDS and LERG are copyrighted but not trademarked. Accordingly, edits will be made to reflect that clarification.

Section 6.0 General Responsibilities. Under Section 6.1 Operative Responsibilities, the INC document number for the Thousands Block pooling guidelines was inserted. The last sentence was edited to change “clients” to “PA’s clients.”

There were no edits to Section 6.2.

Section 6.3 Administrative Responsibilities. Concerns were raised over the ambiguity of with whom the PA may share confidential information. Chairman Hoffman stated that this does not allow the PA to publish confidential information. The first paragraph was changed to read “...accessibility to all service providers to their own information through an appropriately secured mechanism.” The second paragraph, second sentence was edited to read “Any published data by the PA ...” In Section 6.3.1, the reference to the “Forms” will be fully identified and reference to the underlying INC Thousand Block

Pooling Administration guidelines inserted. In paragraph two, the requirement for a performance bond was deleted.

There were no edits to Section 6.4.

Section 6.5 Audits. In 6.5.1 General Information, concerns were raised regarding the possible disclosure of confidential information by a “designated auditor or appropriate regulatory agency.” Reference was made to the same criteria for the NANPA access to and protection of proprietary information (*see* November 1998 NANC meeting recommendation regarding access to proprietary information). In Section 6.5.2, the second paragraph was edited to remove a period at the end of the first sentence, insert a comma and continue with “...[T]he PA shall . . .” The word NANPA was changed to “The PA shall bear . . .” The “and” was removed between conditions and replace with “or.” In Section 6.5.3, “non-enterprise NANPA” was changed to “non-enterprise PA.”

Section 6.6 Intellectual Property Rights. In the second paragraph, changed intellectual property to uppercase. A typo “to a” was removed.

Peter Guggina suggested rewriting the first sentence of paragraph one to read as follows: Additionally, the PA shall transfer and assign all U.S. and foreign rights and interests created by or for the PA in its provision of pooling administration services to the NANC or its designee. The change was adopted.

Carl Hansen raised the issue of transition to a successor. Diane Harmon stated the PA is responsible for doing certain things to transition the property and functions. Chairman Hoffman suggested editing paragraph one, page 32 to add to the end of the first sentence “at no additional cost to the NANC.” The change was adopted.

There were no edits to Section 7.0.

Section 8.0 Enterprise Services. Changed reference from Section 6.1 to read “Appendix A.”

There were no edits to Sections 8.1, 8.2, 8.3, 8.4, and 9.0.

There were no edits to Section 9.1, but concerns were raised about hours of operations for Guam and the Northern Marianas.

There were no edits to Section 9.2.

Section 9.3 Security Requirements. In response to a concern raised regarding whether the PA has an obligation to describe the security system that it puts together, the second paragraph was edited to add “. . . a description of its security system and measures and disaster recovery plan and procedures.”

Section 9.4 Staffing Requirements. Edited the first paragraph to delete “the new administrator” and insert “that it” can efficiently perform. In the third paragraph, removed from the second sentence “bidder’s” and replaced it with “respondent.”

There were no edits to Section 9.5.

Section 9.6 Reporting Requirements. In Section 9.6.1, the reference to Attachment A was changed to “*Appendix A.*”

There were no edits to Sections 9.7 and 10.0.

Section 10.0 Pricing. Removed PA from the first sentence in Section 10.1.

Paul Hart raised concerns about the PA and audits, and how to determine when the PA must share proprietary information. Chairman Hoffman added that as the document is structured now, such disputes would come to the NANC for resolution.

Tony Pupek suggested an edit to Appendix A to add the INC document number to the first bullet item. The INC consolidated glossary no longer exists and should not be referred to in this list.

Peter Guggina thanked the IMG team for all the hard work – Karen Mulberry; Norm Epstein, Jim Castagna, Paul Lagattuna, Gil Orozco, Pat Caldwell and Jim Joerger.

Chairman Hoffman polled the Council members for a vote on the Requirements Document. Diane Harmon stated the FCC’s appreciation for the expedited work which will provide an opportunity to evaluate the Requirements Document in the NRO proceeding. Chairman Hoffman questioned whether the *First Report and Order* is still targeted for the March 31, 2000. Diane Harmon affirmed that that is the projected deadline. It is also expected that an order will be issued before December 31, 1999 regarding the NBANC allocation factor.

Diane Harmon announced that all entities participating in the NANC and its working groups would be requested to sign a document (certification) to state there are no financial concerns or interest in the outcome of this process. The Office of General Council has stated that this is *pro forma*. This document will be sent via email to the Council members.

The meeting was adjourned.

C. Other Business. None.

D. Next Meeting: January 18-19, 2000.

V. NANC Action Items and Decisions Reached.

1. The Council accepted the Requirements Document with the edits recorded during the section by section review during the conference call. The finalized document will be forwarded by NANC transmittal letter to the Chief, Common Carrier Bureau. A copy of the revised document will be emailed to the Council members.