



PUBLIC NOTICE

Federal Communications Commission
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DA 04-3679

Parties Asked To Refresh Record Regarding Reconsideration Of Number Utilization and Forecast Reports Requirement Imposed Upon Carriers That Receive Central Office Codes from the North American Numbering Administrator

CC Docket No. 92-105

Release Date: November 23, 2004

Comments Due: 14 days after Federal Register publication of this Notice

Reply Comments Due: 21 days after Federal Register publication of this Notice

Pursuant to the Commission's rules governing petitions for reconsideration,¹ the Commission invites interested parties to update the record pertaining to the petition for reconsideration filed by the Competitive Telecommunications Association (CompTel) and Personal Communications Industry Association (PCIA). In the *NRO Order*, the Commission, *inter alia*, adopted a mandatory utilization data reporting requirement, a uniform set of categories of numbers for which carriers must report their utilization, and a utilization threshold framework to increase carrier accountability and incentives to use numbers efficiently.² Subsequent to the *NRO Order*, the Commission released a Public Notice stating that the reporting requirements established in the *NRO Order* apply to all carriers that receive numbering resources from the NANPA (*i.e.*, code holders), or that receive numbering resources from a Pooling Administrator in thousands blocks (*i.e.*, block holders), including the 500 and 900 numbering plan areas (NPAs).³

On July 12, 2001, CompTel and PCIA jointly filed a petition for reconsideration insisting that 500 and 900 NPAs were not included in the *NRO Order*.⁴ Because the petition for reconsideration was filed some time ago, the passage of time and intervening developments may have rendered the records developed for those petitions stale. Moreover, some issues raised in the petition for reconsideration may have become moot or irrelevant in light of intervening events.

¹47 C.F.R. § 1.106.

²*Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, 15 FCC Rcd 7574 (2000) (*NRO Order*).

³*Numbering Resource Optimization*, Public Notice, CC Docket No. 99-200, 16 FCC Rcd 12411 (2001) (*NRO Public Notice*).

⁴Competitive Telecommunications Association and Personal Communications Industry Association, Petition for Reconsideration (filed July 12, 2001) (CompTel/PCIA Petition).

For these reasons, the Wireline Competition Bureau requests that interested parties that filed the petition for reconsideration identify issues from that petition that remain unresolved now and supplement the petition, in writing, to indicate which findings they still wish to be reconsidered. To the extent that intervening events may have materially altered the circumstances surrounding the filed petition or the relief sought by filing parties, those entities may refresh the record with new information or arguments related to their original petition that they believe to be relevant to the issues. The previously filed petition will be deemed withdrawn and will be dismissed if parties do not indicate in writing an intent to pursue their petition for reconsideration.

Interested parties may file supplemental comments updating their previously filed petition for reconsideration no later than **14 days after this Public Notice appears in the Federal Register**. Oppositions or responses to these comments may be filed no later than **21 days after this Public Notice appears in the Federal Register**. All pleadings are to reference **CC Docket No. 99-200**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Parties who choose to file by paper must file an original and four copies of each filing. One (1) courtesy copy should also be sent to Sheryl Todd, Wireline Competition Bureau, FCC, Room 5-B540, 445 12th Street, SW, Washington, DC 20554. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The original petition for reconsideration that CompTel and PCIA jointly filed in 2001 is available for inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554. The document may also be purchased from Best Copy and Printing, Inc., Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160, or via e-mail www.bcpweb.com.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. *See* 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented is generally required. *See* 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b).

For further information, contact Karen Franklin, Telecommunications Access Policy Division, Wireline Competition Bureau, (202) 418-7400.

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