

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Methods to Target and Eliminate)	CG Docket No. 17-59
Unlawful Robocalls)	

ORDER

Adopted: September 12, 2019

Released: September 12, 2019

By the Chiefs, Consumer and Governmental Affairs Bureau and Wireline Competition Bureau:

1. In this Order, the Consumer and Governmental Affairs Bureau (CGB) and the Wireline Competition Bureau (WCB) (collectively, the Bureaus) of the Federal Communications Commission (FCC or Commission) grant in part a request for an extension of time filed by the North American Numbering Council's (NANC) Numbering Administration Oversight Working Group (NAOWG).¹

2. In December 2018, the Commission adopted rules that establish a single, comprehensive database containing reassigned numbers information.² The database will enable any caller to verify whether a number has been permanently disconnected before calling that number, and it will help consumers avoid unwanted calls intended for others. The Commission directed the NANC to present to the Commission, no later than June 13, 2019, a Technical Requirements Document (TRD) containing the NANC's recommendations on certain technical aspects of database establishment, operation, and funding.³ Specifically, the Commission directed the NANC and its NAOWG to consider technical issues surrounding how the database administrator can collect fees from callers that use the database.

3. In a letter dated April 30, 2019, the NANC requested an extension of the deadline.⁴ The NANC asked that the deadline by which it must present the required recommendations to the Commission be extended from June 13, 2019, to April 13, 2020.⁵ On June 12, 2019, the Bureaus granted the NANC an additional three months, until September 13, 2019, to provide its reassigned numbers database recommendations to the Commission.⁶ The Bureaus also required that the NANC provide, by July 12,

¹ Letter from Travis Kavulla, Chairman of the North American Numbering Council (NANC), to Patrick Webre, Chief, FCC Consumer and Governmental Affairs Bureau, and Kris Monteith, Chief, FCC Wireline Competition Bureau, at 1 (Aug. 14, 2019) (on file in CG Docket No. 17-59 on Aug. 16, 2019) (Second Request for Extension).

² *Advanced Methods to Target and Eliminate Unlawful Robocalls*, Second Report and Order, 33 FCC Rcd 12024, 12029, 12051, paras. 11, 80 (2018) (*Second Report and Order*).

³ *Id.* at 12045-46, paras. 59-62.

⁴ Letter from Travis Kavulla, Chairman of the North American Numbering Council (NANC), to Patrick Webre, Chief, FCC Consumer and Governmental Affairs Bureau, and Kris Monteith, Chief, FCC Wireline Competition Bureau, at 1 (Apr. 30, 2019) (on file in CG Docket No. 17-59).

⁵ *Id.*

⁶ See *Advanced Methods to Target and Eliminate Unlawful Robocalls*, CG Docket No.17-59, Order, 2019 WL 2463233 (rel. June 12, 2019).

2019, a progress report so that the Commission could evaluate its progress toward the deadline.⁷

4. In a letter dated July 11, 2019, the NANC Chair provided the Commission a status report that indicated that the NAOWG was making progress but that an additional extension would likely be needed to complete the NAOWG's work.⁸ Thereafter, on August 14, 2019, the NAOWG submitted a letter requesting an additional seven-month extension of the deadline, to April 13, 2020 (the date requested in its earlier extension request).⁹

5. The NAOWG asserts that although it has continued to work diligently, additional time is necessary to complete its work on the database's Technical Requirements Document and to make recommendations on the funding, pricing, and fee structure issues.¹⁰ In addition, the NAOWG claims that progress has been slow because of the complexity of the task, which has been made greater by a reluctance by vendors of similar databases to provide assistance out of fear of disqualification from bidding on the reassigned numbers database contract.¹¹ In support of its request, the NAOWG argues that it has been diligently engaged in meeting the Commission's deadline, conferencing for approximately four hours each week, and resolving details which, if left unresolved, would be deferred to another time.¹²

6. Section 1.46 of the Commission's rules provides that "[i]t is the policy of the Commission that extensions of time are not routinely granted."¹³ In this instance, however, it is important that the Commission receive a complete set of technical recommendations in order to establish an operational database efficiently. At the same time, it is important that the Reassigned Numbers Database be launched as quickly as possible for the reasons set forth in the *Second Report and Order*.¹⁴

7. Balancing these considerations and taking into account arguments raised by Somos, Inc. (as discussed below), we grant the NANC an additional four months, until January 13, 2020, to complete its work on the Technical Requirements Document associated with the Reassigned Numbers Database and to present its recommendations to the Commission. The additional time will ensure the development and consideration of a complete record on the complex technical aspects of the database's establishment, operation, and funding. The additional time is also necessary for the NAOWG's, and in turn the NANC's, development of fully informed recommendations and thus serves the public interest. To ensure that we can monitor the NANC's progress and encourage timely completion, we condition the entirety of the extension on the NAOWG submitting an adequate work plan, including a detailed timeline, by September 30, 2019, showing how the NANC will complete its work by the specified dates.

8. We do not believe that a grant of the NAOWG's requested seven months is warranted under the circumstances. In the NAOWG's extension request, it notes that the NAOWG will likely complete the Technical Requirements Document by the end of year.¹⁵ We find, therefore, that the Bureaus' four-month extension allows sufficient time for the NAOWG to complete its work, seek

⁷ *Id.* at 2, para 7.

⁸ Letter from Travis Kavulla, Chairman of the North American Numbering Council (NANC), to Patrick Webre, Chief, FCC Consumer and Governmental Affairs Bureau, and Kris Monteith, Chief, FCC Wireline Competition Bureau, at 2 (July 11, 2019).

⁹ Second Request for Extension at 3.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ 47 CFR § 1.46.

¹⁴ *Second Report and Order*, 33 FCC Rcd at 12046, para. 64.

¹⁵ Second Request for Extension at 3.

agreement from the NANC, and present the Technical Requirements Document to the Commission by the January 13, 2020 deadline we establish herein. We also grant the NAOWG an additional five months, until February 13, 2020, to complete its work on recommendations for the mechanisms for the fee structure and pricing for users of the database. We are mindful of the need to establish an operational database as soon as possible and believe that this is sufficient time for the remaining work to be completed.

9. We commend the NAOWG for its work thus far on these complex issues. Given the importance of this matter, we encourage the NAOWG to continue to work expeditiously to meet the extended timeframe we set herein. We remind the NAOWG that although we have now granted two extensions, extensions are not routinely granted and we fully expect it to complete its work within the additional time now allotted.

10. Somos, Inc. filed an *ex parte* letter with the Commission in which it challenged the need for the NANC to receive any additional time to complete its work.¹⁶ Specifically, Somos argues, among other things, that the reassigned numbers database will not be difficult to set up, based on its experience with administration of toll free numbers, and that the Commission could outsource the NAOWG's remaining tasks to bidders.¹⁷ We treat Somos's filing as an opposition and note that it was untimely filed later than the 10-day deadline specified pursuant to section 1.45(b) of the Commission's rules.¹⁸ Even if we were to consider Somos's opposition on the merits, however, we find it unpersuasive because we accept the NAOWG's expert view that preparing the Technical Requirements Document poses significant complexities and that preparing a detailed TRD will benefit the procurement. We believe that there are complexities to the Reassigned Numbers Database, as described in the NANC's requests, that are different from a toll free number database and that necessitate the NANC's expertise and the additional time it seeks. Indeed, the NANC is the Commission's expert advisory body on these matters and we see nothing in Somos' filing that would justify reversing the Commission's directive to consult the NANC on the relevant issues,¹⁹ or that persuades us that additional time is unnecessary. Moreover, we are concerned that outsourcing the remaining tasks to bidders could negatively impact the procurement because doing so would require bidders to speculate on the matters the NANC has not addressed and make it extremely difficult for the Commission to consistently compare bids. As noted above, however, we agree with Somos insofar as its filing suggests that the NANC does not need the full seven months that it requested.

11. Accordingly, IT IS ORDERED, pursuant to section 1.46 of the Commission's rules, 47 CFR § 1.46, and the authority delegated by sections 0.91, 0.141, 0.291, and 0.361 of the Commission's rules, 47 CFR §§ 0.91, 0.141, 0.291, 0.361, that the NANC request for an extension of time, filed on August 14, 2019, IS GRANTED to the extent described herein, and, conditioned on the filing of an adequate work plan by September 30, 2019, the deadline for filing the required recommendations with the Commission is extended until January 13, 2020, for the NANC's technical requirement recommendations and February 13, 2020, for the NANC's recommendations associated with the fee structure and pricing for users of the database.

¹⁶ Letter from Melanie L. Bostwick, Counsel, Somos, Inc., to Marlene H. Dortch, Secretary, FCC, CG Docket No. 17-59 (filed Aug. 29, 2019). Somos also argued that the Commission should not separate the administration of the Reassigned Numbers Database from the North American Numbering Plan and Pooling Administration. We do not address those arguments as they are irrelevant to the instant decision.

¹⁷ *Id.* at 2-4.

¹⁸ See 47 CFR § 1.45(b).

¹⁹ We note that the time for seeking reconsideration of that decision by the Commission has lapsed. See 47 U.S.C. § 405; 47 C.F.R. § 1.429(d).

12. IT IS FURTHER ORDERED that this Order SHALL BE EFFECTIVE upon release.

13. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

FEDERAL COMMUNICATIONS COMMISSION

Patrick Webre, Chief
Consumer and Governmental Affairs Bureau

Kris Anne Monteith, Chief
Wireline Competition Bureau