

**North American Numbering Council**  
c/o Columbia Institute for Tele-Information  
Columbia Business School  
1A Uris Hall  
3022 Broadway  
New York, NY 10027-6902

April 1, 2004

Mr. Andrew S. Fishel  
Managing Director  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

**Re: Treatment of NANP Administration Funds**

Dear Mr. Fishel:

In addition to other responsibilities, the FCC has delegated to the North American Numbering Council (NANC) oversight of North American Numbering Plan (NANP) administration and the North American Numbering Plan Billing and Collection Agent (NBANC). In order to fulfill these responsibilities, NANC periodically receives reports from various organizations, including NBANC, and seeks additional relevant information from other sources.

The Chairperson of NBANC's independent Board of Directors made a presentation at NANC's March 16, 2004 meeting regarding the practice of including NANP administration funds administered by NBANC in the FCC's financial statements. During discussion after the presentation, many NANC members expressed serious reservations about this accounting practice, particularly its likely adverse effect on international comity. More recently, NBANC's Chairperson wrote to the Commission to reiterate NBANC's objection to this accounting practice, an objection which has been made for approximately two years without it being resolved.

I am addressing this letter to you since it is my understanding that you are responsible for the FCC's financial statements. I am writing for two purposes: first, to express NANC's strong support for the recent NBANC letter and, second, to seek additional information about this matter from your office so that NANC can properly fulfill its oversight responsibilities.

I understand that NBANC has provided your office with a lengthy legal analysis that concludes that it is inappropriate for the FCC to include NANP administration funds in

the Commission's financial statements. However, I also understand that the FCC has yet to provide a definitive written response to NBANC's legal analysis. I was also surprised to learn that no clear explanation of the legal rationale for the accounting practice has been provided to NBANC's Board of Directors.

Perhaps most importantly from NANC's perspective, the accounting practice appears to raise a substantial international comity issue since Canada and a number of Caribbean countries contribute funds to NANP administration and representatives from these other countries understandably object to the practice. I have attached to this letter a copy of a message I recently received from Canada on this subject. The international nature of the North American Numbering Plan has been essential to the success of efforts to conserve the numbering resources of North America. Consumers and service providers have the unique opportunity to use the same numbering format to complete telephone calls from Canada to the Caribbean. Harmonious international participation in the NANP is critical to its success.

Because this accounting issue has the potential for substantial domestic and international controversy, I would be grateful if you or a knowledgeable representative from your staff could attend NANC's May 18, 2004 meeting to review the legal and policy basis for the accounting practice and the practical and international comity consequences of including NANP administration funds administered by NBANC in the Commission's financial statements.

The agenda for the May 18, 2004 NANC meeting must be put on public notice in the near future so I would appreciate knowing soon whether your office will be participating in the discussion. Please call me at 908-447-4201 if you would like to discuss this matter.

Sincerely,

/Signed/

Robert C. Atkinson  
NANC Chairman

cc: NANC Members  
Commissioners' Legal Assistants  
William Maher  
Carol E. Matthey  
Eric Einhorn  
Cheryl Callahan  
Sanford Williams  
John Rogovin  
Mark Reger  
Timothy Peterson

**From:** Robert C. Atkinson [rca53@columbia.edu]  
**Sent:** Monday, April 05, 2004 7:05 PM  
**To:** Andrew Fishel  
**Cc:** Deborah Blue  
**Subject:** CSCN Letter to FCC re NBANC Funding Concern

**NORTH AMERICAN NUMBERING COUNCIL**

TO: Mr. Andrew Fishel, FCC Managing Director

FROM: Bob Atkinson, NANC Chair

DATE: April 5, 2004

RE: NANP Funds Administration

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Dear Mr. Fishel:

In my April 1 letter to you on behalf of the North American Numbering Council (NANC), I noted that Canadian interests have objected to the practice of including funds collected for the administration of the North American Numbering Plan in the FCC's financial statements. I just received the attached correspondence on this matter from the Canadian Steering Committee on Numbering and thought that it should be brought to your immediate attention.

Sincerely,

Robert C. Atkinson  
NANC Chair

cc: NANC Members  
Commissioners' Legal Assistants  
William Maher  
Carol E. Matthey  
Eric Einhorn  
Cheryl Callahan  
Sanford Williams  
John Rogovin  
Mark Reger  
Timothy Peterson

## ATTACHMENT

SUBJECT: Bell Canada Comments on NBANC Contribution to NANC  
FROM: [doug.birdwise@bell.ca](mailto:doug.birdwise@bell.ca)  
DATE: 3/5/2004 5:19 PM  
TO: [rca53@columbia.edu](mailto:rca53@columbia.edu)

=====  
To: Chairman Atkinson  
North American Numbering Council (NANC)

On behalf of Bell Canada, I would like to convey our support for the position expressed by the North American Billing and Collection, Inc. (NBANC) with respect to the financial information of NANP Administration (NANPA) being included in the financial statements of the Federal Communications Commission (FCC).

Bell Canada joins the Board of Directors of the NBANC in objecting to the treatment of NANPA funds as part of the FCC's financial statements. NANPA funds are not USA "government funds" as they are collected from the private sector including 18 foreign countries, including Canada, that participate in the NANP.

In our view, it is irregular and inappropriate for funds that include international contributions to be treated as though they were U.S. government funds.

The Canadian Steering Committee on Numbering (CSCN), which performs a role in Canada that is similar to that of the NANC and INC, will be discussing this matter at its meeting scheduled for 10 March 2004. I expect the CSCN may also submit comments on this matter, subject to agreement by the CRTC Industry Steering Committee (CISC).

Sincerely,

Doug Birdwise  
Supervisor - Numbering  
Bell Canada  
Room 640  
160 Elgin Street  
Ottawa, Ontario, Canada  
K1G 3J4  
Tel: 613-781-4366  
E-mail: [doug.birdwise@bell.ca](mailto:doug.birdwise@bell.ca)

# Attachment

1 April 2004

TRANSMITTED ELECTRONICALLY

**TO:** Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 Twelfth St., SW  
Room TW-A325  
Washington, DC 20554  
USA

**Subject: NANPA Fund Administration CC Docket No. 92-237  
Inclusion of NANPA Funds in FCC Financial Statements**

The Canadian Steering Committee on Numbering (CSCN) has recently become aware that the financial information of NANPA Administration (NANPA) is included in the financial statements of the Federal Communications Commission (FCC).

The CSCN is also aware that the North American Billing and Collection, Inc. (NBANC) objects to the treatment of NANPA funds as part of the FCC's financial statements. In June 2003, NBANC submitted an extensive legal memorandum that demonstrated clearly how relevant federal accounting standards do not support inclusion of NANPA funds in the FCC's financial statements. Recently on 19 March 2004, Mary Retka, Chairperson of the NBANC, submitted a letter to you outlining NBANC's views on this matter.

The CSCN agrees with the views expressed by the NBANC on this matter. Specifically, it is irregular and inappropriate for funds that include international contributions to be treated as though they were U.S. government funds. These amounts are collected entirely from the private sector and are used solely to fund private sector functions. Furthermore, NANPA funds are collected from 19 countries, including Canada and the U.S. that participate in the NANPA. Inclusion of domestic private sector and internationally generated funds in the FCC's budget is inappropriate and should be discontinued.

The CSCN respectfully suggests that the FCC consider the arguments presented by the NBANC and refrain from including NBANC funds in the FCC financial statements.

Sincerely,

***Original signed by***

Doug Birdwise  
CSCN Chair

CC: Robert Atkinson, Chair North American Numbering Council (NANC)  
Charles Dalfen, Chairperson Canadian Radio-television and Telecommunications  
Commission (CRTC)  
Mary Retka, Chairperson of North American Billing and Collection, Inc. (NBANC)  
Parke Davis, President Canadian Numbering Administration Consortium (CNAC)