

**STATEMENT OF  
COMMISSIONER MIGNON L. CLYBURN**

Re: *Numbering Policies for Modern Communications*, WC Docket No. 13-97; *IP-Enabled Services*, WC Docket No. 04-36; *Telephone Number Requirements for IP-Enabled Service Providers*, WC Docket No. 07-243; *Telephone Number Portability*, CC Docket No. 95-116; *Developing a Unified Intercarrier Compensation Regime*, CC Docket No. 01-92; *Connect America Fund*; WC Docket No. 10-90; *Numbering Resource Optimization*, CC Docket No. 99-200; *Petition of Vonage Holdings Corp. for Limited Waiver of Section 52.15(g)(2)(i) of the Commission's Rules Regarding Access to Numbering Resources*; *Petition of TeleCommunication Systems, Inc. and HBF Group, Inc. for Waiver of Part 52 of the Commission's Rules*.

While I am personally unaware of anyone who makes calls from a rotary phone at least on a regular basis, I know that there are thousands still in use. I retain fond memories of over-stretched cords, the constant moving and plugging in of that cumbersome device from room to room, and even the frustration I felt from the sound of a busy signal.

In actual years, that really wasn't so long ago, but as technology continues to rapidly evolve we must maintain a meaningful process of crafting rules that will dictate how the next voice, video, and data systems will be governed. I feel that this NPRM and order is yet another step in our understanding of how we will govern this space in the years to come. With a keen and steady eye toward promoting innovation, investment, and competition in the marketplace, I support this item.

This NPRM contains meaningful and probing questions designed to answer in part just how much benefit may be achieved by allowing direct access to numbering. And I expect that we will proceed with caution in considering any regime change that would permit allotments from the North American Numbering Plan Administration and the Pooling Administrator. As the item states, improved number conservation, the removal of barriers for innovative offerings, and the elimination of inefficiencies regarding the need for VoIP providers to obtain numbers through partners are all worthwhile objectives that the FCC should strive to actualize in a sensible and timely manner.

When it comes to the request for a waiver, which would allow Vonage to conduct a trial and directly obtain numbers from numbering pools rather than through the current partnering regime with traditional carriers, I am supportive because I feel that granting this request will provide an opportunity for us to better understand how a VoIP carrier would function if freed from a legacy regulatory framework. This particular waiver involves a small sample of numbers that Vonage will use during its trial – 145,000, where Vonage serves about 2.4 million subscribers today. This course will allow us to craft best practices that may be used in allowing VoIP carriers access to numbering pools – which may be an outcome of the IP transition – while not exhausting number sets in existing area codes.

As a former state regulator, I know how tied communities are to their area codes, and I trust that this waiver will not result in any state having to split a community between two codes. I am also happy to report that this waiver will conclude with a public comment period allowing parties the opportunity for constructive engagement that will inform the FCC's next steps. Regulators and customers will have the chance to share their experiences with Vonage during the waiver process as well, and those comments and the reports Vonage are required to submit will help inform the Commission as we decide on how best to structure the upcoming IP transition rulemaking.

Further, integrating TeleCommunication Systems' services with the pseudo-Automatic Numbering Identification will enhance 911 call centers' ability to determine where a VoIP call originates.

The combined effect of these waivers is, admittedly, quite small, but we must keep the larger picture in front mind when considering them. The IP transition is happening, and we must do everything we can to ensure it as smooth as possible, for both industry and the public at large.

Knowing the differences between VoIP and traditional carriers' use of number pools – how long each holds a number and how long before that number can be recycled by another customer or carrier – as well as how this waiver has impacted state regulators and their customers, will make the much bigger step, IP transition, that much easier.

One of the toughest challenges of a communications' regulator is making sure that the well-intentioned rules we put in place today, will not stifle the technological opportunities of tomorrow. The granting of limited waivers is yet another tool in our nimble rulemaking arsenal that should be embraced whenever possible to keep our nation on the cutting edge of innovation.

I look forward to the comments to our NPRM, as well as the results of the trial. Both will assist the Commission in moving forward in a prudent and well-reasoned fashion, and once again, I thank the bureau for its diligent work. I want to offer much gratitude to Lisa Gelb, Bill Dever, Ann Stevens, Marilyn Jones, Julie Veach and the others for their tremendous work.

Thank you.