

***Resolution Concerning Availability of Numbers to Voice over Internet Protocol
Providers and IP-Enabled Services***

WHEREAS, The National Association of Regulatory Utility Commissioners (NARUC) has long recognized the importance of efficient telephone number utilization, the need to avoid unnecessary area code changes, and prompt and efficient porting of consumers' telephone numbers; *and*

WHEREAS, A large and increasing number of American consumers are obtaining voice services from Voice over Internet Protocol (VoIP) and other Internet Protocol (IP) based service providers, either instead of or in addition to their service from traditional telecommunications carriers; *and*

WHEREAS, Pursuant to Section 251(e) of the Communications Act of 1934, as amended, including by the Telecommunications Act of 1996, rulemaking responsibility for the North American Numbering Plan (NANP) in the U.S. rests with the Federal Communications Commission (FCC); *and*

WHEREAS, The FCC has delegated day-to-day responsibilities for administering numbering resources to the North American Numbering Plan Administrator (NANPA) and the national thousands-block Pooling Administrator (PA), and local number portability is administered by the Local Number Portability Administration Center (NPAC); *and*

WHEREAS, The FCC recently acted to address local number portability and certain other numbering requirements related to VoIP and IP-enabled service providers, but did not address such providers reporting and utilization requirements; *and*

WHEREAS, Under current interpretations of FCC rules, only carriers with State certifications, FCC licenses, or waivers may receive telephone numbers directly from the NANPA or the PA, and requirements for service-provider access to the NPAC mirror these requirements and, as NARUC noted in its July 18, 2007, *Resolution Concerning Adherence to Numbering Rules by Voice Over Internet Protocol and IP-enabled Services Providers* (July Numbering Resolution), many VoIP and IP-enabled service providers therefore often obtain numbering resources from eligible FCC-licensed or State-certificated carriers; *and*

WHEREAS, As NARUC further noted in the July 2007 Numbering Resolution, because of this indirect allocation of numbers to VoIP and IP-enabled service providers, such providers are not directly subject to the reporting and utilization requirements in the FCC's existing Part 52 numbering rules that help ensure the efficient assignment and usage of numbers; *and*

WHEREAS, Because VoIP and IP-enabled service providers are often neither State-certificated nor FCC-licensed, they may lack service-provider access to the NPAC to promptly and efficiently port telephone numbers upon customer requests; *and*

WHEREAS, NARUC remains concerned about the potential impacts upon consumers of inefficient number assignment and use, accelerated area code exhaust, and delayed or incorrect number ports between service providers; *now, therefore, be it*

RESOLVED, That the National Association of Regulatory Utility Commissioners, convened in its November 2007 Annual Convention in Anaheim, California, recognizes that there is a need for a national policy permitting the direct assignment of numbering resources to VoIP and IP-enabled service providers to ensure that these providers comply with FCC numbering rules, as well as reporting and utilization requirements; *and be it further*

RESOLVED, That NARUC urges the FCC to modify or reinterpret its Part 52 numbering rules to allow interconnected VoIP providers to obtain numbering resources directly from the NANPA and the PA and to obtain service-provider access to the NPAC; *and be it further*

RESOLVED, That NARUC urges the FCC to impose equally on all entities obtaining numbering resources directly from the NANPA or the PA the applicable numbering obligations to comply with the Commissions Part 52 rules and requirements. These obligations include, but are not limited to requirements such as periodic reporting on the usage of numbering resources, and utilization and months-to-exhaust standards for obtaining new numbering resources; *and be it further*

RESOLVED, That NARUC directs its General Counsel to communicate this resolution to all relevant policymakers, including federal and State agencies and Congress, and to file whatever comments or petitions may be necessary and proper to advance the goals of this resolution.

Sponsored by the Committee on Telecommunications

Recommended by the NARUC Board of Directors, November 13, 2007

Adopted by the Committee of the Whole, November 14, 2007