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# TELECOMMUNICATIONS

## SNAP UP<sup>SM</sup>date

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June 29, 2015

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### **FCC Adopts Rules Allowing Interconnected VoIP Providers to Directly Purchase Phone Numbers**

On June 18, 2015, the Federal Communications Commission (“FCC” or “Commission”) adopted a Report and Order establishing an authorization process whereby interconnected VoIP providers can obtain North American Numbering Plan (“NANP”) telephone numbers directly from the North American Numbering Plan Administrator (“NANPA”) and the Pooling Administrator (“Numbering Administrators”). Prior to the adoption of this order, these NANP numbers—the common ten-digit numbers containing a three-digit area code followed by a seven-digit local number—were only available from intermediaries such as third-party telecommunications carriers.

Under the new process, interconnected VoIP providers will generally be required to comply with the same requirements that apply to telecommunications carriers seeking to obtain new numbers, including state-specific requirements relating to number reclamation and certain reporting obligations, as well as industry guidelines. However, rather than obtaining state certifications of authority to provide phone service in a certain area, all interconnected VoIP providers without such certification must obtain authority from the Commission itself prior to filing their initial request for numbers with a Numbering Administrator. This specific authorization process has not yet been adopted; the authority to implement and maintain the process has been delegated to the Wireline Competition Bureau.

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In adopting the authorization process, the Wireline Competition Bureau must, among things, require interconnected VoIP providers to: (1) comply with the Commission's numbering rules, such as numbering utilization and optimization requirements and the Commission's "facilities readiness" requirement; (2) certify compliance with Universal Service Fund ("USF") contribution obligations; (3) certify that it has the requisite technical, managerial, and financial capacity to provide service; (4) provide relevant state commissions with regulatory and numbering contacts; and (5) file any requests for numbers with all such state commissions at least thirty (30) days prior to requesting such numbers from the Numbering Administrators.

The FCC claims that this authorization process will contribute to the efficient utilization of numbering resources by allowing the states to monitor number usage and raise any concerns about the request with the service provider, the Commission and the Numbering Administrators. The FCC also claims that the newly adopted rules will enhance its ability to enforce the rules, as well as improve competition and benefit consumers by facilitating direct IP interconnection and the deployment of advanced services.

Moreover, the Commission's order should increase competition in the voice services market, by, among things, giving interconnected VoIP providers better access to vanity and other high demand numbers. Such numbers, for example 212-222-2222, are a limited resource and direct access to such numbers may both increase the market power of interconnected VoIP providers and open the door to additional economic opportunities that were not available when such numbers could only be obtained through competing third-party telecommunications providers.

*If you have questions about this article, or if we may otherwise be of assistance to you, please feel free to contact us.*

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