

the parties to the agreement. If a final offer submitted by one or more parties fails to comply with the requirements of this section, the arbitrator has discretion to take steps designed to result in an arbitrated agreement that satisfies the requirements of section 252(c) of the Act, including requiring parties to submit new final offers within a time frame specified by the arbitrator, or adopting a result not submitted by any party that is consistent with the requirements of section 252(c) of the Act, and the rules prescribed by the Commission pursuant to that section.

(g) Participation in the arbitration proceeding will be limited to the requesting telecommunications carrier and the incumbent LEC, except that the Commission will consider requests by third parties to file written pleadings.

(h) Absent mutual consent of the parties to change any terms and conditions adopted by the arbitrator, the decision of the arbitrator shall be binding on the parties.

**§51.809 Availability of provisions of agreements to other telecommunications carriers under section 252(i) of the Act.**

(a) An incumbent LEC shall make available without unreasonable delay to any requesting telecommunications carrier any individual interconnection, service, or network element arrangement contained in any agreement to which it is a party that is approved by a state commission pursuant to section 252 of the Act, upon the same rates, terms, and conditions as those provided in the agreement. An incumbent LEC may not limit the availability of any individual interconnection, service, or network element only to those requesting carriers serving a comparable class of subscribers or providing the same service (*i.e.*, local, access, or inter-exchange) as the original party to the agreement.

(b) The obligations of paragraph (a) of this section shall not apply where the incumbent LEC proves to the state commission that:

(1) The costs of providing a particular interconnection, service, or element to the requesting telecommunications carrier are greater than the costs of

providing it to the telecommunications carrier that originally negotiated the agreement, or

(2) The provision of a particular interconnection, service, or element to the requesting carrier is not technically feasible.

(c) Individual interconnection, service, or network element arrangements shall remain available for use by telecommunications carriers pursuant to this section for a reasonable period of time after the approved agreement is available for public inspection under section 252(f) of the Act.

## PART 52—NUMBERING

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#### APPENDIX TO PART 52—DEPLOYMENT SCHEDULE FOR LONG-TERM DATABASE METHODS FOR LOCAL NUMBER PORTABILITY

AUTHORITY: Sec. 1, 2, 4, 5, 48 Stat. 1066, as amended; 47 U.S.C. §151, 152, 154, 155 unless otherwise noted. Interpret or apply secs. 3, 4, 201-05, 207-09, 218, 225-7, 251-2, 271 and 332, 48 Stat. 1070, as amended, 1077; 47 U.S.C. 153, 154, 201-05, 207-09, 218, 225-7, 251-2, 271 and 332 unless otherwise noted.

SOURCE: 61 FR 38637, July 25, 1996, unless otherwise noted.

### Subpart A—Scope and Authority

SOURCE: 61 FR 47353, Sept. 6, 1996, unless otherwise noted.

EFFECTIVE DATE NOTE: At 61 FR 47353, Sept. 6, 1996, subpart A was added, effective Oct. 7, 1996.

#### § 52.1 Basis and purpose.

(a) *Basis.* These rules are issued pursuant to the Communications Act of 1934, as amended, 47 U.S.C. 151 *et. seq.*

(b) *Purpose.* The purpose of these rules is to establish, for the United States, requirements and conditions for the administration and use of telecommunications numbers for provision of telecommunications services.

#### § 52.3 General.

The Commission shall have exclusive authority over those portions of the North American Numbering Plan (NANP) that pertain to the United States. The Commission may delegate to the States or other entities any portion of such jurisdiction.

#### § 52.5 Definitions.

As used in this part:

(a) *Incumbent local exchange carrier.* With respect to an area, an “incumbent local exchange carrier” is a local exchange carrier that:

(1) On February 8, 1996, provided telephone exchange service in such area; and

(2) (i) On February 8, 1996, was deemed to be a member of the exchange carrier association pursuant to § 69.601(b) of this chapter (47 CFR 69.601(b)); or

(ii) Is a person or entity that, on or after February 8, 1996, became a successor or assign of a member described in paragraph (a)(2)(i) of this section.

(b) *North American Numbering Council (NANC).* The “North American Numbering Council” is an advisory committee created under the Federal Advisory Committee Act, 5 U.S.C., App (1988), to advise the Commission and to make recommendations, reached through consensus, that foster efficient and impartial number administration.

(c) *North American Numbering Plan (NANP).* The “North American Numbering Plan” is the basic numbering

scheme for the telecommunications networks located in Anguilla, Antigua, Bahamas, Barbados, Bermuda, British Virgin Islands, Canada, Cayman Islands, Dominica, Dominican Republic, Grenada, Jamaica, Montserrat, St. Kitts & Nevis, St. Lucia, St. Vincent, Turks & Caicos Islands, Trinidad & Tobago, and the United States (including Puerto Rico, the U.S. Virgin Islands, Guam and the Commonwealth of the Northern Mariana Islands).

(d) *State.* The term “state” includes the District of Columbia and the Territories and possessions.

(e) *State commission.* The term “state commission” means the commission, board, or official (by whatever name designated) which under the laws of any state has regulatory jurisdiction with respect to intrastate operations of carriers.

(f) *Telecommunications.* “Telecommunications” means the transmission, between or among points specified by the user, of information of the user’s choosing, without change in the form or content of the information as sent and received.

(g) *Telecommunications carrier.* A “telecommunications carrier” is any provider of telecommunications services, except that such term does not include aggregators of telecommunications services (as defined in 47 U.S.C. 226(a)(2)).

(h) *Telecommunications service.* The term “telecommunications service” refers to the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

### Subpart B—Administration

SOURCE: 61 FR 47353, Sept. 6, 1996, unless otherwise noted.

EFFECTIVE DATE NOTE: At 61 FR 47353, Sept. 6, 1996, subpart B was added, effective Oct. 7, 1996.

#### § 52.7 Definitions.

As used in this subpart:

(a) *Area code or numbering plan area (NPA).* The term “area code or numbering plan area” refers to the first three digits (NXX) of a ten-digit telephone number in the form NXX-NXX-XXXX,

where N represents any one of the numbers 2 through 9 and X represents any one of the numbers 0 through 9.

(b) *Area code relief.* The term “area code relief” refers to the process by which central office codes are made available when there are few or no unassigned central office codes remaining in an existing area code and a new area code is introduced.

(c) *Central office (CO) code.* The term “central office code” refers to the second three digits (NXX) of a ten-digit telephone number in the form NXX-NXX-XXXX, where N represents any one of the numbers 2 through 9 and X represents any one of the numbers 0 through 9.

(d) *Central office (CO) code administrator.* The term “central office code administrator” refers to the entity or entities responsible for managing central office codes in each area code.

(e) *North American Numbering Plan Administrator (NANPA).* The term “North American Numbering Plan Administrator” refers to the entity or entities responsible for managing the NANP.

#### § 52.9 General requirements.

(a) To ensure that telecommunications numbers are made available on an equitable basis, the administration of telecommunications numbers shall, in addition to the specific requirements set forth in this subpart:

(1) Facilitate entry into the telecommunications marketplace by making telecommunications numbering resources available on an efficient, timely basis to telecommunications carriers;

(2) Not unduly favor or disfavor any particular telecommunications industry segment or group of telecommunications consumers; and

(3) Not unduly favor one telecommunications technology over another.

(b) If the Commission delegates any telecommunications numbering administration functions to any State or other entity pursuant to 47 U.S.C. 251(e)(1), such State or entity shall perform these functions in a manner consistent with this part.

#### § 52.11 North American Numbering Council.

The duties of the North American Numbering Council (NANC), may include, but are not limited to:

(a) Advising the Commission on policy matters relating to the administration of the NANP in the United States;

(b) Making recommendations, reached through consensus, that foster efficient and impartial number administration;

(c) Initially resolving disputes, through consensus, pertaining to number administration in the United States;

(d) Recommending to the Commission an appropriate entity to serve as the NANPA;

(e) Recommending to the Commission an appropriate mechanism for recovering the costs of NANP administration in the United States, consistent with § 52.17;

(f) Carrying out the duties described in § 52.25; and

(g) Carrying out this part as directed by the Commission.

#### § 52.13 North American Numbering Plan Administrator.

(a) The North American Numbering Plan Administrator (NANPA) shall be an independent and impartial non-government entity.

(b) The duties of the NANPA shall include, but are not limited to:

(1) Ensuring that the interests of all NANP member countries are considered;

(2) Processing number assignment applications associated with, but not limited to: area codes, N11 codes, carrier identification codes (CICs), “500” central office codes, “900” central office codes, “456” central office codes, Signalling System 7 network codes, and Automatic Number Identification Integration Integers (ANI II);

(3) Assigning the numbers and codes described in paragraph (b)(2) of this section;

(4) Maintaining and monitoring administrative number databases;

(5) Assuming additional telecommunications number administration activities, as assigned; and

§ 52.15

(6) Ensuring that any action taken with respect to number administration is consistent with this part.

**§ 52.15 Central office code administration.**

(a) Central Office Code Administration shall be performed by the NANPA, or another entity or entities, as designated by the Commission.

(b) Duties of the entity or entities performing central office code administration may include, but are not limited to:

(1) Processing central office code assignment applications and assigning such codes in a manner that is consistent with this part;

(2) Accessing and maintaining central office code assignment databases;

(3) Contributing to the CO Code Use Survey (COCUS), an annual survey that describes the present and projected use of CO codes for each NPA in the NANP;

(4) Monitoring the use of central office codes within each area code and forecasting the date by which all central office codes within that area code will be assigned; and

(5) Planning for and initiating area code relief, consistent with § 52.19.

(c) Any telecommunications carrier performing central office code administration:

(1) Shall not charge fees for the assignment or use of central office codes to other telecommunications carriers, including paging and CMRS providers, unless the telecommunications carrier assigning the central office code charges one uniform fee for all carriers, including itself and its affiliates; and

(2) Shall, consistent with this subpart, apply identical standards and procedures for processing all central office code assignment requests, and for assigning such codes, regardless of the identity of the telecommunications carrier making the request.

**§ 52.17 Costs of number administration.**

All telecommunications carriers in the United States shall contribute on a competitively neutral basis to meet

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the costs of establishing numbering administration.

(a) For each telecommunications carrier, such contributions shall be based on the gross revenues from the provision of its telecommunications services.

(b) The contributions in paragraph (a) of this section shall be based on each contributor's gross revenues from its provision of telecommunications services reduced by all payments for telecommunications services and facilities that have been paid to other telecommunications carriers.

**§ 52.19 Area code relief.**

(a) State commissions may resolve matters involving the introduction of new area codes within their states. Such matters may include, but are not limited to: Directing whether area code relief will take the form of a geographic split, an overlay area code, or a boundary realignment; establishing new area code boundaries; establishing necessary dates for the implementation of area code relief plans; and directing public education and notification efforts regarding area code changes.

(b) State commissions may perform any or all functions related to initiation and development of area code relief plans, so long as they act consistently with the guidelines enumerated in this part, and subject to paragraph (b)(2) of this section. For the purposes of this paragraph, initiation and development of area code relief planning encompasses all functions related to the implementation of new area codes that were performed by central office code administrators prior to February 8, 1996. Such functions may include: declaring that the area code relief planning process should begin; convening and conducting meetings to which the telecommunications industry and the public are invited on area code relief for a particular area code; and developing the details of a proposed area code relief plan or plans.

(1) The entity or entities designated by the Commission to serve as central office code administrator(s) shall initiate and develop area code relief plans for each area code in each state that has not notified such entity or entities,

pursuant to paragraph (b)(2) of this section, that the state will handle such functions.

(2) Pursuant to paragraph (b)(1) of this section, a state commission must notify the entity or entities designated by the Commission to serve as central office code administrator(s) for its state that such state commission intends to perform matters related to initiation and development of area code relief planning efforts in its state. Notification shall be written and shall include a description of the specific functions the state commission intends to perform. Where the NANP Administrator serves as the central office code administrator, such notification must be made within 120 days of the selection of the NANP Administrator.

(c) New area codes may be introduced through the use of:

(1) A geographic area code split, which occurs when the geographic area served by an area code in which there are few or no central office codes left for assignment is split into two or more geographic parts;

(2) An area code boundary realignment, which occurs when the boundary lines between two adjacent area codes are shifted to allow the transfer of some central office codes from an area code for which central office codes remain unassigned to an area code for which few or no central office codes are left for assignment; or

(3) An area code overlay, which occurs when a new area code is introduced to serve the same geographic area as an existing area code, subject to the following conditions:

(i) No area code overlay may be implemented unless all central office codes in the new overlay area code are assigned to those entities requesting assignment on a first-come, first-serve basis, regardless of the identity of, technology used by, or type of service provided by that entity. No group of telecommunications carriers shall be excluded from assignment of central office codes in the existing area code, or be assigned such codes only from the overlay area code, based solely on that group's provision of a specific type of telecommunications service or use of a particular technology;

(ii) No area code overlay may be implemented unless there exists, at the time of implementation, mandatory ten-digit dialing for every telephone call within and between all area codes in the geographic area covered by the overlay area code; and

(iii) No area code overlay may be implemented unless every telecommunications carrier, including CMRS providers, authorized to provide telephone exchange service, exchange access, or paging service in that NPA 90 days before introduction of the new overlay area code, is assigned during that 90 day period at least one central office code in the existing area code.

EFFECTIVE DATE NOTE: At 61 FR 47353, Sept. 6, 1996, §52.19 was added. The information collection and recordkeeping requirements contained in paragraph (b) of this section are effective Nov. 15, 1996.

### Subpart C—Number Portability

SOURCE: 61 FR 38637, July 25, 1996, unless otherwise noted. Redesignated at 61 FR 47353, Sept. 6, 1996.

EFFECTIVE DATE NOTE: At 61 FR 47353, Sept. 6, 1996, subpart B (consisting of §§52.1-52.99) was redesignated as subpart C (consisting of §§52.21-52.99), effective Oct. 7, 1996.

#### § 52.21 Definitions.

As used in this subpart:

(a) The term *broadband PCS* has the same meaning as that term is defined in §24.5 of this chapter.

(b) The term *cellular service* has the same meaning as that term is defined in §22.99 of this chapter.

(c) The term *covered SMR* means either 800 MHz and 900 MHz SMR licensees that hold geographic area licenses or incumbent wide area SMR licensees that offer real-time, two-way switched voice service that is interconnected with the public switched network, either on a stand-alone basis or packaged with other telecommunications services. This term does not include local SMR licensees offering mainly dispatch services to specialized customers in a non-cellular system configuration, licensees offering only data, one-way, or stored voice services on an interconnected basis, or any SMR provider that is not interconnected to the public switched network.

(d) The term *database method* means a number portability method that utilizes one or more external databases for providing called party routing information.

(e) The term *downstream database* means a database owned and operated by an individual carrier for the purpose of providing number portability in conjunction with other functions and services.

(f) The term *incumbent wide area SMR licensee* has the same meaning as that term is defined in §20.3 of this chapter.

(g) The term *local exchange carrier* means any person that is engaged in the provision of telephone exchange service or exchange access. For purposes of this subpart, such term does not include a person insofar as such person is engaged in the provision of a commercial mobile service under 47 U.S.C. 332(c).

(h) The term *local number portability administrator (LNPA)* means an independent, non-governmental entity, not aligned with any particular telecommunications industry segment, whose duties are determined by the NANC.

(i) The term *location portability* means the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or convenience when moving from one physical location to another.

(j) The term *long-term database method* means a database method that complies with the performance criteria set forth in §52.3(a).

(k) The term *number portability* means the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.

(l) The term *regional database* means an SMS database or an SMS/SCP pair that contains information necessary for carriers to provide number portability in a region as determined by the NANC.

(m) The term *service control point (SCP)* means a database in the public switched network which contains information and call processing instructions

needed to process and complete a telephone call. The network switches access an SCP to obtain such information. Typically, the information contained in an SCP is obtained from the SMS.

(n) The term *service management system (SMS)* means a database or computer system not part of the public switched network that, among other things:

(1) Interconnects to an SCP and sends to that SCP the information and call processing instructions needed for a network switch to process and complete a telephone call; and

(2) Provides telecommunications carriers with the capability of entering and storing data regarding the processing and completing of a telephone call.

(o) The term *service portability* means the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications service to another, without switching from one telecommunications carrier to another.

(p) The term *service provider portability* means the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.

(q) The term *transitional measure* means a method such as Remote Call Forwarding (RCF), Flexible Direct Inward Dialing (DID), or other comparable and technically feasible arrangement that allows one local exchange carrier to transfer telephone numbers from its network to the network of another telecommunications carrier, but does not comply with the performance criteria set forth in §52.3(a).

[61 FR 38637, July 25, 1996. Redesignated at 61 FR 47353, Sept. 6, 1996, as amended at 61 FR 47355, Sept. 6, 1996]

EFFECTIVE DATE NOTE: At 61 FR 47355, Sept. 6, 1996, in §51.21, paragraphs (g) through (k), (m) through (r) and (v), were redesignated as (f) through (j), (k) through (p) and (q); paragraphs (f), (l), (s), (t) and (u) were removed, effective Oct. 7, 1996. For the

convenience of the user, the superseded text is set forth as follows:

**§ 52.21 Definitions.**

\* \* \* \* \*

(f) The term *incumbent local exchange carrier* means, with respect to an area, the local exchange carrier that:

- (1) On February 8, 1996, provided telephone exchange service in such area; and
- (2)(i) On February 8, 1996, was deemed to be a member of the exchange carrier association pursuant to §69.601(b) of the Commission's regulations (47 CFR 69.601(b)); or
- (ii) Is a person or entity that, on or after February 8, 1996, became a successor or assign of a member described in paragraph (f)(2)(i) of this section.

\* \* \* \* \*

(l) The term *North American Numbering Council (NANC)* means an advisory committee created under the Federal Advisory Committee Act, 5 U.S.C., App (1988), to advise the Commission and to make recommendations, reached through consensus, that foster efficient and impartial number administration.

\* \* \* \* \*

- (s) The term *telecommunications* means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.
- (t) The term *telecommunications carrier* means any provider of telecommunications services, except that such term does not include aggregators of telecommunications services (as defined in 47 U.S.C. 226(a)(2)).
- (u) The term *telecommunications service* means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.

\* \* \* \* \*

**§ 52.23 Deployment of long-term database methods for number portability by LECs.**

- (a) Subject to paragraphs (b) and (c) of this section, all local exchange carriers (LECs) must provide number portability in compliance with the following performance criteria:
  - (1) Supports network services, features, and capabilities existing at the time number portability is implemented, including but not limited to emergency services, CLASS features,

operator and directory assistance services, and intercept capabilities;

- (2) Efficiently uses numbering resources;
- (3) Does not require end users to change their telecommunications numbers;
- (4) Does not require telecommunications carriers to rely on databases, other network facilities, or services provided by other telecommunications carriers in order to route calls to the proper termination point;
- (5) Does not result in unreasonable degradation in service quality or network reliability when implemented;
- (6) Does not result in any degradation in service quality or network reliability when customers switch carriers;
- (7) Does not result in a carrier having a proprietary interest;
- (8) Is able to migrate to location and service portability; and
- (9) Has no significant adverse impact outside the areas where number portability is deployed.

(b) All LECs must provide a long-term database method for number portability in the 100 largest Metropolitan Statistical Areas (MSAs) by December 31, 1998, in accordance with the deployment schedule set forth in the appendix to this part 52.

(c) Beginning January 1, 1999, all LECs must make a long-term database method for number portability available within six months after a specific request by another telecommunications carrier in areas in which that telecommunications carrier is operating or plans to operate.

(d) The Chief, Common Carrier Bureau, may waive or stay any of the dates in the implementation schedule, as the Chief determines is necessary to ensure the efficient development of number portability, for a period not to exceed 9 months (*i.e.*, no later than September 30, 1999).

(e) In the event a LEC is unable to meet the Commission's deadlines for implementing a long-term database method for number portability, it may file with the Commission at least 60 days in advance of the deadline a petition to extend the time by which implementation in its network will be completed. A LEC seeking such relief must demonstrate through substantial,

credible evidence the basis for its contention that it is unable to comply with the deployment schedule set forth in the appendix to this part 52. Such requests must set forth:

(1) The facts that demonstrate why the carrier is unable to meet the Commission's deployment schedule;

(2) A detailed explanation of the activities that the carrier has undertaken to meet the implementation schedule prior to requesting an extension of time;

(3) An identification of the particular switches for which the extension is requested;

(4) The time within which the carrier will complete deployment in the affected switches; and

(5) A proposed schedule with milestones for meeting the deployment date.

(f) The Chief, Common Carrier Bureau, shall monitor the progress of local exchange carriers implementing number portability, and may direct such carriers to take any actions necessary to ensure compliance with the deployment schedule set forth in the appendix to this part 52.

(g) Carriers that are members of the Illinois Local Number Portability Workshop must conduct a field test of any technically feasible long-term database method for number portability in the Chicago, Illinois, area concluding no later than August 31, 1997. The carriers participating in the test must jointly file with the Common Carrier Bureau a report of their findings within 30 days following completion of the test. The Chief, Common Carrier Bureau, shall monitor developments during the field test.

**§ 52.25 Database architecture and administration.**

(a) The North American Numbering Council (NANC) shall direct establishment of a nationwide system of regional SMS databases for the provision of long-term database methods for number portability.

(b) All telecommunications carriers shall have equal and open access to the regional databases.

(c) The NANC shall select a local number portability administrator(s) (LNPA(s)) to administer the regional

databases within seven months of the initial meeting of the NANC.

(d) The NANC shall determine whether one or multiple administrator(s) should be selected, whether the LNPA(s) can be the same entity selected to be the North American Numbering Plan Administrator, how the LNPA(s) should be selected, the specific duties of the LNPA(s), the geographic coverage of the regional databases, the technical interoperability and operational standards, the user interface between telecommunications carriers and the LNPA(s), the network interface between the SMS and the downstream databases, and the technical specifications for the regional databases.

(e) Once the NANC has selected the LNPA(s) and determined the locations of the regional databases, it must report its decisions to the Commission.

(f) The information contained in the regional databases shall be limited to the information necessary to route telephone calls to the appropriate telecommunications carriers. The NANC shall determine what specific information is necessary.

(g) Any state may opt out of its designated regional database and implement a state-specific database. A state must notify the Common Carrier Bureau and NANC that it plans to implement a state-specific database within 60 days from the release date of the Public Notice issued by the Chief, Common Carrier Bureau, identifying the administrator selected by the NANC and the proposed locations of the regional databases. Carriers may challenge a state's decision to opt out of the regional database system by filing a petition with the Commission.

(h) Individual state databases must meet the national requirements and operational standards recommended by the NANC and adopted by the Commission. In addition, such state databases must be technically compatible with the regional system of databases and must not interfere with the scheduled implementation of the regional databases.

(i) Individual carriers may download information necessary to provide number portability from the regional databases into their own downstream

databases. Individual carriers may mix information needed to provide other services or functions with the information downloaded from the regional databases at their own downstream databases. Carriers may not withhold any information necessary to provide number portability from the regional databases on the grounds that such data has been combined with other information in its downstream database.

**§ 52.27 Deployment of transitional measures for number portability.**

All LECs shall provide transitional measures, which may consist of Remote Call Forwarding (RCF), Flexible Direct Inward Dialing (DID), or any other comparable and technically feasible method, as soon as reasonably possible upon receipt of a specific request from another telecommunications carrier, until such time as the LEC implements a long-term database method for number portability in that area.

**§ 52.29 Cost recovery for transitional measures for number portability.**

Any cost recovery mechanism for the provision of number portability pursuant to § 52.7(a), that is adopted by a state commission must not:

(a) Give one telecommunications carrier an appreciable, incremental cost advantage over another telecommunications carrier, when competing for a specific subscriber (*i.e.*, the recovery mechanism may not have a disparate effect on the incremental costs of competing carriers seeking to serve the same customer); or

(b) Have a disparate effect on the ability of competing telecommunications carriers to earn a normal return on their investment.

**§ 52.31 Deployment of long-term database methods for number portability by CMRS providers.**

(a) By June 30, 1999, all cellular, broadband PCS, and covered SMR providers must provide a long-term database method for number portability, including the ability to support roaming, in compliance with the performance criteria set forth in § 52.3(a).

(b) By December 31, 1998, all cellular, broadband PCS, and covered SMR pro-

viders must have the capability to obtain routing information, either by querying the appropriate database themselves or by making arrangements with other carriers that are capable of performing database queries, so that they can deliver calls from their networks to any party that has retained its number after switching from one telecommunications carrier to another.

(c) The Chief, Wireless Telecommunications Bureau, may waive or stay any of the dates in the implementation schedule, as the Chief determines is necessary to ensure the efficient development of number portability, for a period not to exceed 9 months (*i.e.*, no later than September 30, 1999, for the deadline in paragraph (b) of this section, and no later than March 31, 2000, for the deadline in paragraph (a) of this section).

(d) In the event a carrier subject to paragraphs (a) and (b) of this section is unable to meet the Commission's deadlines for implementing a long-term number portability method, it may file with the Commission at least 60 days in advance of the deadline a petition to extend the time by which implementation in its network will be completed. A carrier seeking such relief must demonstrate through substantial, credible evidence the basis for its contention that it is unable to comply with paragraphs (a) and (b) of this section. Such requests must set forth:

(1) The facts that demonstrate why the carrier is unable to meet our deployment schedule;

(2) A detailed explanation of the activities that the carrier has undertaken to meet the implementation schedule prior to requesting an extension of time;

(3) An identification of the particular switches for which the extension is requested;

(4) The time within which the carrier will complete deployment in the affected switches; and

(5) A proposed schedule with milestones for meeting the deployment date.

(e) The Chief, Wireless Telecommunications Bureau, may establish reporting requirements in order to monitor the progress of cellular, broadband

PCS, and covered SMR providers implementing number portability, and may direct such carriers to take any actions necessary to ensure compliance with this deployment schedule.

**§§ 52.32–52.99 [Reserved]**

APPENDIX TO PART 52—DEPLOYMENT SCHEDULE FOR LONG-TERM DATABASE METHODS FOR LOCAL NUMBER PORTABILITY

Implementation must be completed by the carriers in the relevant MSAs during the periods specified below:

	10/97–12/97	
Chicago, IL .....	3	
Philadelphia, PA .....	4	
Atlanta, GA .....	8	
New York, NY .....	2	
Los Angeles, CA .....	1	
Houston, TX .....	7	
Minneapolis, MN .....	12	
	1/98–3/98	
Detroit, MI .....	6	
Cleveland, OH .....	20	
Washington, DC .....	5	
Baltimore, MD .....	18	
Miami, FL .....	24	
Fort Lauderdale, FL .....	39	
Orlando, FL .....	40	
Cincinnati, OH .....	30	
Tampa, FL .....	23	
Boston, MA .....	9	
Riverside, CA .....	10	
San Diego, CA .....	14	
Dallas, TX .....	11	
St. Louis, MO .....	16	
Phoenix, AZ .....	17	
Seattle, WA .....	22	
	4/98–6/98	
Indianapolis, IN .....	34	
Milwaukee, WI .....	35	
Columbus, OH .....	38	
Pittsburgh, PA .....	19	
Newark, NJ .....	25	
Norfolk, VA .....	32	
New Orleans, LA .....	41	
Charlotte, NC .....	43	
Greensboro, NC .....	48	
Nashville, TN .....	51	
Las Vegas, NV .....	50	
Nassau, NY .....	13	
Buffalo, NY .....	44	
Orange Co, CA .....	15	
Oakland, CA .....	21	
San Francisco, CA .....	29	
Rochester, NY .....	49	
Kansas City, KS .....	28	
Fort Worth, TX .....	33	
Hartford, CT .....	46	
Denver, CO .....	26	
Portland, OR .....	27	

	7/98–9/98	
Grand Rapids, MI .....	56	
Dayton, OH .....	61	
Akron, OH .....	73	
Gary, IN .....	80	
Bergen, NJ .....	42	
Middlesex, NJ .....	52	
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Richmond, VA .....	63	
Memphis, TN .....	53	
Louisville, KY .....	57	
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West Palm Beach, FL .....	62	
Greenville, SC .....	66	
Honolulu, HI .....	65	
Providence, RI .....	47	
Albany, NY .....	64	
San Jose, CA .....	31	
Sacramento, CA .....	36	
Fresno, CA .....	68	
San Antonio, TX .....	37	
Oklahoma City, OK .....	55	
Austin, TX .....	60	
Salt Lake City, UT .....	45	
Tucson, AZ .....	71	
	10/98–12/98	
Toledo, OH .....	81	
Youngstown, OH .....	85	
Ann Arbor, MI .....	95	
Fort Wayne, IN .....	100	
Scranton, PA .....	78	
Allentown, PA .....	82	
Harrisburg, PA .....	83	
Jersey City, NJ .....	88	
Wilmington, DE .....	89	
Birmingham, AL .....	67	
Knoxville, KY .....	79	
Baton Rouge, LA .....	87	
Charleston, SC .....	92	
Sarasota, FL .....	93	
Mobile, AL .....	96	
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Ventura, CA .....	72	
Bakersfield, CA .....	84	
Stockton, CA .....	94	
Vallejo, CA .....	99	
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Little Rock, AR .....	90	
Wichita, KS .....	97	
New Haven, CT .....	91	
Omaha, NE .....	75	
Albuquerque, NM .....	76	
Tacoma, WA .....	77	

**PART 61—TARIFFS**

Sec.	
61.1	Purpose and application.
61.2	Clear and explicit explanatory statements.