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a telecommunications industry participant, the NANC, B&C Agent or NANPA shall investigate and report within 10 business days of notice to the participant of corrective action, if any, taken or to be taken. The NANPA, B&C Agent or NANC (as appropriate) shall be permitted reasonable time to take corrective action, including the necessity of obtaining the required consent of the Commission.

(e) Termination. If the Commission determines at any time that the NANPA or the B&C Agent fails to comply with the neutrality criteria set forth in paragraph (a) of this section or substantially or materially defaults in the performance of its obligations, the Commission shall advise immediately the NANPA or the B&C Agent of said failure or default, request immediate corrective action, and permit the NANPA or B&C Agent reasonable time to correct such failure or default. If the NANPA or B&C Agent is unwilling or unable to take corrective action, the Commission may, in a manner consistent with the requirements of the Administrative Procedure Act and the Communications Act of 1934, as amended, take any action that it deems appropriate, including termination of the NANPA’s or B&C Agent’s term of administration.

(f) Required and optional enterprise services. Enterprise Services, which are services beyond those described in § 52.13 that may be provided by the new NANPA for specified fees, may be offered with prior approval of the Commission.

1. Required Enterprise Services. At the request of a code holder, the NANPA shall, in accordance with industry standards and for reasonable fees, enter certain routing and rating information into the industry-approved database(s) for dissemination of such information. This task shall include reviewing the information and assisting in its preparation.

2. Optional Enterprise Services. The NANPA may, subject to prior approval and for reasonable fees, offer “Optional Enterprise Services” which are any services not described elsewhere in this section.

3. Annual report. NANPA shall identify and record all direct costs associated with providing Enterprise Services separately from the costs associated with the non-enterprise NANPA functions. The NANPA shall submit an annual report to the NANC summarizing the revenues and costs for providing each Enterprise Service. NANPA shall be audited by an independent auditor after the first year of operations and every two years thereafter, and submit the report to the Commission for appropriate review and action.


§ 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 NANPA shall administer the numbering resources identified in paragraph (d) of this section. It shall assign and administer NANP resources in an efficient, effective, fair, unbiased, and non-discriminatory manner consistent with industry-developed guidelines and Commission regulations. It shall support the Commission’s efforts to accommodate current and future numbering needs. It shall perform additional functions, including but not limited to:

1. Ensuring the efficient and effective administration and assignment of numbering resources by performing day-to-day number resource assignment and administrative activities;

2. Planning for the long-term need for NANP resources to ensure the continued viability of the NANP by implementing a plan for number resource administration that uses effective forecasting and management skills in order to make the industry aware of the availability of numbering resources and to meet the current and future needs of the industry;

3. Complying with guidelines of the North American Industry Numbering Committee (INC) or its successor, related industry documentation, Commission regulations and orders, and the guidelines of other appropriate policy-making authorities;

4. Providing management supervision for all of the services it provides, including responsibility for achieving
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performance measures established by
the NANC and the INC in industry
guidelines;

(5) Participating in the NANC annual
performance review as described in
§§ 52.11 and 52.12;

(6) Establishing and maintaining re-
lationships with current governmental
and regulatory bodies, and their suc-
cessors, including the United States
Federal Communications Commission,
Industry Canada, the Canadian Radio-
television and Telecommunications
Commission, and other United States,
Canadian, and Caribbean numbering
authorities and regulatory agencies,
and addressing policy directives from
these bodies;

(7) Cooperating with and actively
participating in numbering standards
bodies and industry fora, such as INC
and, upon request, the Canadian Steer-
ing Committee on Numbering (CSCN);

(8) Representing the NANP to na-
tional and international numbering
bodies;

(9) Developing and maintaining com-
munications channels with other coun-
tries who also participate in the NANP
to ensure that numbering needs of all
countries served by the NANP are met;

(10) Attending United States Study
Group A meetings and maintaining a
working knowledge of Study Group 2
International Telecommunications
Union activities on behalf of the
United States telecommunications
industry;

(11) Reviewing requests for all num-
bering resources to implement new ap-
lications and services and making as-
signments in accordance with industry-
developed resource planning and as-
signment guidelines;

(12) Referring requests for particular
numbering resources to the appropriate
industry body where guidelines do not
exist for those resources;

(13) Participating in industry activi-
ties to determine whether, when new
telecommunications services requiring
numbers are proposed, NANP numbers
are appropriate and what level of re-
source is required (e.g., line numbers,
central office codes, NPA codes);

(14) Maintaining necessary adminis-
trative staff to handle the legal, finan-
cial, technical, staffing, industry, and
regulatory issues relevant to the man-
age ment of all numbering resources, as
well as maintaining the necessary
equipment, facilities, and proper bill-
ing arrangements associated with day-
to-day management of all numbering
resources;

(15) Managing the NANP in accord-
ance with published guidelines adopted
in conjunction with the industry and
the appropriate NANP member coun-
tries’ governing agencies, and referring
issues to the appropriate industry body
for resolution when they have not been
addressed by the industry;

(16) Responding to requests from the
industry and from regulators for informa-
tion about the NANP and its admin-
istration, as the primary repository for
numbering information in the industry;

(17) Providing upon request informa-
tion regarding how to obtain current
documents related to NANP adminis-
tration;

(18) Providing assistance to users of
numbering resources and suggesting
numbering administration options,
when possible, that will optimize num-
ber resource utilization;

(19) Coordinating its numbering re-
source activities with the Canadian
Number Administrator and other
NANP member countries’ administra-
tors to ensure efficient and effective
management of NANP numbering re-
sources; and

(20) Determining the final allocation
methodology for sharing costs between
NANP countries.

(c) In performing the functions out-
lined in paragraph (b) of this section,
the NANPA shall:

(1) Ensure that the interests of all
NANP member countries are consid-
ered;

(2) Assess fairly requests for assign-
ments of NANP numbering resources
and ensure the assignment of num-
bering resources to appropriate service
providers;

(3) Develop, operate and maintain the
computer hardware, software (data-
based) and mechanized systems required
to perform the NANPA and central of-
office (CO) Code Administration func-
tions;

(4) Manage projects such as Num-
bering Plan Area (NPA) relief (area
§ 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) Conducting the Numbering Resource Utilization and Forecast (NRUF) data collection;

(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

(e) Relationships with other NANP member countries’ governmental and regulatory authorities and coordinate its activities with other NANP member countries’ administrators, if any, to ensure efficient and effective management of NANP resources.

(f) Transition plan. The NANPA shall implement a transition plan, subject to Commission approval, leading to its assumption of NANPA functions within 90 days of the effective date of a Commission order announcing the selection of the NANPA.

(g) Transfer of intellectual property. The new NANPA must make available any and all intellectual property and associated hardware resulting from its activities as numbering administrator including, but not limited to, systems and the data contained therein, software, interface specifications and supporting documentation and make such property available to whomever NANC directs free of charge. The new NANPA must specify any intellectual property it proposes to exclude from the provisions of this paragraph based on the existence of such property prior to its selection as NANPA.