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110TH CONGRESS *1st Session*	SENATE	REPORT 110–219

SAME NUMBER ACT OF 2007

R E P O R T

OF THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 1769

NOVEMBER 2, 2007.—Ordered to be printed

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

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NOVEMBER 2, 2007.—Ordered to be printed

Mr. INOUYE, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1769]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1769) to amend the Communications Act of 1934 to facilitate number portability in order to increase consumer choice of voice service provider, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of S. 1769 is to clarify the authority of the Federal Communications Commission (FCC) to facilitate number portability in order to increase consumer choice among voice service providers.

BACKGROUND AND NEEDS

The Telecommunications Act of 1996 (1996 Act) opened local exchange markets to competition by removing barriers that thwarted the ability of new entrants to provide competitive local telecommunications service. Among the steps that Congress took to effectuate this goal, was to require all local exchange carriers (LECs) to provide number portability. More specifically, section 251(b)(2) of the 1996 Act requires all LECs "to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the [FCC]."

The 1996 Act defines number portability as "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." Number portability is essential to com-

petition. Consumers are unable to enjoy the benefits of competition if they are unable to switch carriers without having to change their phone numbers. For residential consumers, changing numbers can be a substantial inconvenience, disconnecting them from friends and family. For business consumers, it also can involve substantial costs, ranging from lost opportunities to reprinting of corporate stationery and other business paraphernalia. Being able to change carriers and keep a phone number promotes continuity for consumers and engenders more competition among carriers.

Following passage of the 1996 Act, the FCC issued a series of orders implementing Section 251(b)(2) and phasing in number portability requirements. The FCC has implemented a four business day porting period for ports between wireline carriers. The wireless industry has voluntarily reached a process wherein ports can be accomplished between wireless carriers in two and a half hours. There are no FCC porting rules for IP-enabled voice service providers (either to or from such providers).

As the communications market has evolved, more consumers are seeking to port numbers between service providers and technologies. In addition, the growth of new classes of service, from cable providers and other voice over Internet protocol (VoIP) providers, results in new complexities. These changes in the marketplace have increased disputes between carriers, especially over intermodal ports, which some carriers allege take unreasonably long periods of time to complete. Other competitive carriers contend that some incumbent porting-out carriers require unnecessary amounts of customer information from the porting-in carrier before proceeding with the port. As a result of these technical disputes, consumers have experienced porting failures, delays, and occasionally dropped service.

SUMMARY OF PROVISIONS

S. 1769, the Same Number Act of 2007, would amend the Communications Act of 1934 to facilitate number portability in order to increase consumer choice of service providers.

The bill would clarify that all providers of voice service have the duty to provide, to the extent technically feasible, number portability. The bill defines voice service as a telecommunications service or any service that is not a telecommunications service but otherwise is defined by the FCC in its regulations as an IP-enabled voice service.

To ensure that number porting proceeds smoothly for consumers and carriers alike, the bill would require the FCC to establish number portability performance standards. These standards would include classes of ports, with expeditious time frames for each class of port. These time frames would be made available to the public on the FCC website. These standards also would include requirements governing the exchange of data between voice service providers in connection with porting a number. In addition, they would encourage the reasonable automation of the porting process, with a goal toward reducing errors and ensuring an efficient porting process for consumers.

The bill would require voice service providers to submit an annual report to the FCC on its number portability activity during the preceding year. The bill also would require the FCC to submit

an annual report to Congress on the effectiveness and efficiency of its number portability standards.

LEGISLATIVE HISTORY

The Same Number Act of 2007 (S. 1769) was introduced by Senator Stevens on July 11, 2007, and referred to the Senate Committee on Commerce, Science, and Transportation. The bill is cosponsored by Senator Inouye. On July 12, 2007, the Committee held a hearing on "Number Portability." On July 19, 2007, the Committee considered the bill in an open Executive Session. The bill was adopted by voice vote. The Committee, without objection, ordered that S. 1769 be reported.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 5, 2007.

Hon. DANIEL K. INOUYE,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 1769, the Same Number Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts for this estimate are Tyler Kruzich (for federal costs) and Jacob Kuipers (for the private-sector impact).

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

S. 1769—Same Number Act of 2007

S. 1769 would require the Federal Communications Commission (FCC) to establish standards that would allow voice-service customers to maintain the same phone number when switching between providers. In addition, S. 1769 would require the FCC to designate one or more impartial entities to administer telecommunications and voice-service numbering and would require the FCC to report on the effectiveness of number portability performance standards every year. The FCC would collect fees from voice-service providers to cover the cost of establishing numbering arrangements.

Based on information from the FCC and assuming the availability of appropriated funds, CBO estimates that implementing S. 1769 would cost less than $500,000 in each of the fiscal years from 2008 to 2012. The FCC already has number portability programs in place for other types of telecommunications providers, and CBO estimates that implementing the bill would not significantly affect

FCC spending for such programs. Further, the FCC expects that it would not collect significant new net receipts in any year because it has numbering administration arrangements already in place. Enacting S. 1769 would not affect revenues.

S. 1769 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no cost on state, local or tribal governments.

S. 1769 would impose new private-sector mandates, as defined in UMRA, on providers of voice services including wireless, wireline, and Voice-Over-Internet-Protocol. The bill would require providers of voice services to make number portability available in accordance with requirements prescribed by the FCC and to submit reports to the FCC on their activities related to number portability. CBO cannot determine whether the aggregate direct costs of complying with those mandates would exceed the annual threshold for private-sector mandates established in UMRA ($131 million in 2007, adjusted annually for inflation) because such costs would depend on the regulations to be issued under the bill.

The bill would direct the FCC to implement standards for number portability among all providers of voice services that at a minimum establish:

- Expeditious time frames for each class of number portability; and
- Requirements governing the exchange of data between voice-service providers in connection with number portability.

Because those standards have not been established, CBO cannot estimate the cost to the private sector for complying with such regulations.

In addition, the bill would require providers of voice services to submit a report each year to the FCC on their number portability activity. According to the FCC and industry sources, voice-service providers currently record such information for their own business purposes. Consequently, CBO estimates that the cost of complying with this reporting requirement would be small relative to UMRA's annual threshold.

The CBO staff contacts for this estimate are Tyler Kruzich (for federal costs) and Jacob Kuipers (for the private-sector impact). This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported:

NUMBER OF PERSONS COVERED

S. 1769 is intended to facilitate number portability to increase consumer choice of voice service providers. The persons subject to the regulations the FCC would implement under this section are providers of voice service as defined under the bill.

ECONOMIC IMPACT

S. 1769 would not have an adverse impact on the Nation's economy.

PRIVACY

The reported bill would have no significant impact on the personal privacy of U.S. citizens.

PAPERWORK

The reported bill should not significantly increase paperwork requirements for individuals and businesses.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The short title is the "Same Number Act of 2007".

Section 2. Voice service number portability

Subsection (a).—Subsection (a) would add a new section 715 to Title VII of the Communications Act of 1934, as amended (Communications Act).

New subsection (a) would require providers of voice services to provide number portability, to the extent technically feasible, in accordance with requirements prescribed by the FCC.

New subsection (b)(1) would require the FCC to establish number portability performance standards within 270 days after the date of enactment of the Same Number Act of 2007. New section (b)(1) further would establish minimum criteria for number portability performance standards. These minimum criteria would direct the FCC to identify classes of ports (new section (b)(1)(A)); establish expeditious time frames for each class of port (new section (b)(1)(B)); establish requirements governing the exchange of data between voice service providers in connection with porting a number (new section (b)(1)(C)); and encourage automation of the porting process (new section (b)(1)(D)).

New subsection (b)(2) would permit the FCC, in adopting performance standards pursuant to new section (b)(1), to establish more flexible standards for different classes of voice service providers, if it finds that uniform application of a single standard or time frame would result in unreasonable costs for a class of providers.

New subsection (b)(3) would direct the FCC to make the standard timeframes it establishes pursuant to new section (b)(1) available to the public on its website.

New subsection (c)(1) would require voice service providers to submit an annual report to the FCC on the provider's number portability activity during the preceding 12 months. This report would be required to include a statement of the number of ports it failed to complete within the time required by the standards and an explanation of the reason for such failures.

New subsection (c)(2) would require the FCC to submit a report each year to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce on the effectiveness and efficiency of the number portability performance standards established under this new section.

New subsection (c)(3) would sunset the reporting requirements of new section (c)(1) and new section (c)(2) 60 months after the date on which the FCC issues a final rule pursuant to new section (b).

New subsection (d)(1) would direct the FCC to designate one or more impartial entities to administer telecommunications and voice service numbering and ensure that numbers are available on an equitable basis. New section (d)(1) would clarify that the FCC has exclusive jurisdiction of those portions of the North American Numbering Plan that relate to the United States. Nothing in new section (d)(1) would preclude the FCC from delegating to state commissions or other entities all or some of this jurisdiction. New section (d)(1) would be substantially similar to existing section 251(e)(1) of the Communications Act.

New subsection (d)(2) would state that the costs of establishing numbering administration arrangements and number portability shall be borne by all voice service providers, on a competitively neutral basis. New section (d)(2) would be substantially similar to existing section 251(e)(2) of the Communications Act.

New subsection (d)(3) would direct the FCC and any agency or entity to which the FCC has delegated authority to designate 9-1-1 as the universal emergency telephone number within the United States. This designation would apply to both wireline and wireless telephone service. In making this designation, the FCC and any agency or entity to which it has delegated authority would be required to provide appropriate transition periods for areas where 9-1-1 is not in use on the date of enactment of the Wireless Communications and Public Safety Act of 1999. New section (d)(3) would be substantially similar to existing section 251(e)(3) of the Communications Act.

New subsection (e) would define the term "voice service" as used in this new section.

Subsection (b).—Subsection (b) would amend Section 251 of the Communications Act to conform with this bill.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

COMMUNICATIONS ACT OF 1934

TITLE II—COMMON CARRIERS

PART II. DEVELOPMENT OF COMPETITIVE MARKETS

SEC. 251. INTERCONNECTION.

(a) GENERAL DUTY OF TELECOMMUNICATIONS CARRIERS.—Each telecommunications carrier has the duty—

(1) to interconnect directly or indirectly with the facilities and equipment of other telecommunications carriers; and

(2) not to install network features, functions, or capabilities that do not comply with the guidelines and standards established pursuant to section 255 or 256.

(b) OBLIGATIONS OF ALL LOCAL EXCHANGE CARRIERS.—Each local exchange carrier has the following duties:

(1) RESALE.—The duty not to prohibit, and not to impose unreasonable or discriminatory conditions or limitations on, the resale of its telecommunications services.

[(2) NUMBER PORTABILITY.—The duty to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission.]

[(3)] *(2)* DIALING PARITY.—The duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing, with no unreasonable dialing delays.

[(4)] *(3)* ACCESS TO RIGHTS-OF-WAY.—The duty to afford access to the poles, ducts, conduits, and rights-of-way of such carrier to competing providers of telecommunications services on rates, terms, and conditions that are consistent with section 224.

[(5)] *(4)* RECIPROCAL COMPENSATION.—The duty to establish reciprocal compensation arrangements for the transport and termination of telecommunications.

(c) ADDITIONAL OBLIGATIONS OF INCUMBENT LOCAL EXCHANGE CARRIERS.—In addition to the duties contained in subsection (b), each incumbent local exchange carrier has the following duties:

(1) DUTY TO NEGOTIATE.—The duty to negotiate in good faith in accordance with section 252 the particular terms and condi-

tions of agreements to fulfill the duties described in paragraphs (1) through (5) of subsection (b) and this subsection. The requesting telecommunications carrier also has the duty to negotiate in good faith the terms and conditions of such agreements.

(2) INTERCONNECTION.—The duty to provide, for the facilities and equipment of any requesting telecommunications carrier, interconnection with the local exchange carrier's network—

(A) for the transmission and routing of telephone exchange service and exchange access;

(B) at any technically feasible point within the carrier's network;

(C) that is at least equal in quality to that provided by the local exchange carrier to itself or to any subsidiary, affiliate, or any other party to which the carrier provides interconnection; and

(D) on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, in accordance with the terms and conditions of the agreement and the requirements of this section and section 252.

(3) UNBUNDLED ACCESS.—The duty to provide, to any requesting telecommunications carrier for the provision of a telecommunications service, nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory in accordance with the terms and conditions of the agreement and the requirements of this section and section 252. An incumbent local exchange carrier shall provide such unbundled network elements in a manner that allows requesting carriers to combine such elements in order to provide such telecommunications service.

(4) RESALE.—The duty—

(A) to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carriers; and

(B) not to prohibit, and not to impose unreasonable or discriminatory conditions or limitations on, the resale of such telecommunications service, except that a State commission may, consistent with regulations prescribed by the Commission under this section, prohibit a reseller that obtains at wholesale rates a telecommunications service that is available at retail only to a category of subscribers from offering such service to a different category of subscribers.

(5) NOTICE OF CHANGES.—The duty to provide reasonable public notice of changes in the information necessary for the transmission and routing of services using that local exchange carrier's facilities or networks, as well as of any other changes that would affect the interoperability of those facilities and networks.

(6) COLLOCATION.—The duty to provide, on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the premises of

the local exchange carrier, except that the carrier may provide for virtual collocation if the local exchange carrier demonstrates to the State commission that physical collocation is not practical for technical reasons or because of space limitations.

(d) IMPLEMENTATION.—

(1) IN GENERAL.—Within 6 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall complete all actions necessary to establish regulations to implement the requirements of this section.

(2) ACCESS STANDARDS.—In determining what network elements should be made available for purposes of subsection (c)(3), the Commission shall consider, at a minimum, whether—

(A) access to such network elements as are proprietary in nature is necessary; and

(B) the failure to provide access to such network elements would impair the ability of the telecommunications carrier seeking access to provide the services that it seeks to offer.

(3) PRESERVATION OF STATE ACCESS REGULATIONS.—In prescribing and enforcing regulations to implement the requirements of this section, the Commission shall not preclude the enforcement of any regulation, order, or policy of a State commission that—

(A) establishes access and interconnection obligations of local exchange carriers;

(B) is consistent with the requirements of this section; and

(C) does not substantially prevent implementation of the requirements of this section and the purposes of this part.

[(e) NUMBERING ADMINISTRATION.—

[(1) COMMISSION AUTHORITY AND JURISDICTION.—The Commission shall create or designate one or more impartial entities to administer telecommunications numbering and to make such numbers available on an equitable basis. The Commission shall have exclusive jurisdiction over those portions of the North American Numbering Plan that pertain to the United States. Nothing in this paragraph shall preclude the Commission from delegating to State commissions or other entities all or any portion of such jurisdiction.

[(2) COSTS.—The cost of establishing telecommunications numbering administration arrangements and number portability shall be borne by all telecommunications carriers on a competitively neutral basis as determined by the Commission.

[(3) UNIVERSAL EMERGENCY TELEPHONE NUMBER.—The Commission and any agency or entity to which the Commission has delegated authority under this subsection shall designate 9-1-1 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. The designation shall apply to both wireline and wireless telephone service. In making the designation, the Commission (and any such agency or entity) shall provide appropriate transition periods for areas in

which 9-1-1 is not in use as an emergency telephone number on the date of enactment of the Wireless Communications and Public Safety Act of 1999.]

[(f)] *(e)* EXEMPTIONS, SUSPENSIONS, AND MODIFICATIONS.—

(1) EXEMPTION FOR CERTAIN RURAL TELEPHONE COMPANIES.—

(A) EXEMPTION.—Subsection (c) of this section shall not apply to a rural telephone company until (i) such company has received a bona fide request for interconnection, services, or network elements, and (ii) the State commission determines (under subparagraph (B)) that such request is not unduly economically burdensome, is technically feasible, and is consistent with section 254 (other than subsections (b)(7) and (c)(1)(D) thereof).

(B) STATE TERMINATION OF EXEMPTION AND IMPLEMENTATION SCHEDULE.—The party making a bona fide request of a rural telephone company for interconnection, services, or network elements shall submit a notice of its request to the State commission. The State commission shall conduct an inquiry for the purpose of determining whether to terminate the exemption under subparagraph (A). Within 120 days after the State commission receives notice of the request, the State commission shall terminate the exemption if the request is not unduly economically burdensome, is technically feasible, and is consistent with section 254 (other than subsections (b)(7) and (c)(1)(D) thereof). Upon termination of the exemption, a State commission shall establish an implementation schedule for compliance with the request that is consistent in time and manner with Commission regulations.

(C) LIMITATION ON EXEMPTION.—The exemption provided by this paragraph shall not apply with respect to a request under subsection (c) from a cable operator providing video programming, and seeking to provide any telecommunications service, in the area in which the rural telephone company provides video programming. The limitation contained in this subparagraph shall not apply to a rural telephone company that is providing video programming on the date of enactment of the Telecommunications Act of 1996.

(2) SUSPENSIONS AND MODIFICATIONS FOR RURAL CARRIERS.—A local exchange carrier with fewer than 2 percent of the Nation's subscriber lines installed in the aggregate nationwide may petition a State commission for a suspension or modification of the application of a requirement or requirements of subsection (b) or (c) to telephone exchange service facilities specified in such petition. The State commission shall grant such petition to the extent that, and for such duration as, the State commission determines that such suspension or modification—

(A) is necessary—

(i) to avoid a significant adverse economic impact on users of telecommunications services generally;

(ii) to avoid imposing a requirement that is unduly economically burdensome; or

(iii) to avoid imposing a requirement that is technically infeasible; and

(B) is consistent with the public interest, convenience, and necessity.

The State commission shall act upon any petition filed under this paragraph within 180 days after receiving such petition. Pending such action, the State commission may suspend enforcement of the requirement or requirements to which the petition applies with respect to the petitioning carrier or carriers.

[(g)**]** *(f)* CONTINUED ENFORCEMENT OF EXCHANGE ACCESS AND INTERCONNECTION REQUIREMENTS.—On and after the date of enactment of the Telecommunications Act of 1996, each local exchange carrier, to the extent that it provides wireline services, shall provide exchange access, information access, and exchange services for such access to interexchange carriers and information service providers in accordance with the same equal access and nondiscriminatory interconnection restrictions and obligations (including receipt of compensation) that apply to such carrier on the date immediately preceding the date of enactment of the Telecommunications Act of 1996 under any court order, consent decree, or regulation, order, or policy of the Commission, until such restrictions and obligations are explicitly superseded by regulations prescribed by the Commission after such date of enactment. During the period beginning on such date of enactment and until such restrictions and obligations are so superseded, such restrictions and obligations shall be enforceable in the same manner as regulations of the Commission.

[(h)**]** *(g)* DEFINITION OF INCUMBENT LOCAL EXCHANGE CARRIER.—

(1) DEFINITION.—For purposes of this section, the term "incumbent local exchange carrier" means, with respect to an area, the local exchange carrier that—

(A) on the date of enactment of the Telecommunications Act of 1996, provided telephone exchange service in such area; and

(B)(i) on such date of enactment, was deemed to be a member of the exchange carrier association pursuant to section 69.601(b) of the Commission's regulations (47 C.F.R. 69.601(b)); or

(ii) is a person or entity that, on or after such date of enactment, became a successor or assign of a member described in clause (i).

(2) TREATMENT OF COMPARABLE CARRIERS AS INCUMBENTS.—The Commission may, by rule, provide for the treatment of a local exchange carrier (or class or category thereof) as an incumbent local exchange carrier for purposes of this section if—

(A) such carrier occupies a position in the market for telephone exchange service within an area that is comparable to the position occupied by a carrier described in paragraph (1);

(B) such carrier has substantially replaced an incumbent local exchange carrier described in paragraph (1); and

(C) such treatment is consistent with the public interest, convenience, and necessity and the purposes of this section.

[(i)] *(h)* SAVINGS PROVISION.—Nothing in this section shall be construed to limit or otherwise affect the Commission's authority under section 201.

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TITLE VII—MISCELLANEOUS PROVISIONS

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SEC. 715. NUMBER PORTABILITY.

(a) IN GENERAL.—A provider of voice services has the duty to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission.

(b) STANDARDS.—

(1) IN GENERAL.—Within 270 days after the date of enactment of the Same Number Act of 2007, to facilitate consumer choice among voice service providers the Commission shall establish number portability performance standards for voice service providers that, at a minimum—

(A) identify classes of ports;

(B) where appropriate, establish expeditious time frames for each class of port, which may include timeframes for different stages of the porting;

(C) establish requirements governing the exchange of data between voice service providers in connection with porting a number, including any limits on customer validation fields or other data fields that may be required by voice service providers; and

(D) encourage the reasonable automation of the porting process.

(2) FLEXIBILITY.—In adopting performance standards under paragraph (1), the Commission may establish more flexible standards for different classes of providers within a type of voice service provider if the Commission determines that the uniform application of a single standard or time frame for compliance would result in unreasonable compliance costs for a class of providers.

(3) PUBLIC ACCESS TO TIMEFRAMES.—The Commission shall make available to the public on its Internet website any standard timeframes established by the Commission under paragraph (1).

(c) PORTING REPORTING.—

(1) PROVIDERS.—Beginning 1 year after the date on which the Commission issues a final rule under subsection (b) establishing number portability performance standards for voice service providers, a voice service provider shall submit a report each year to the Commission on its number portability activity during the preceding 12 months, including a statement of the number of ports it failed to complete within the time required by the standards, and an explanation of the reason for such failures.

(2) COMMISSION.—Beginning 1 year after the date on which the Commission issues the final rule under subsection (b), the Commission shall submit a report each year to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce on the effectiveness and efficiency of the number portability performance standards for voice service providers established under this section.

(3) SUNSET.—The requirements of this subsection shall cease to apply 60 months after the date on which the Commission issues such final rule.

(d) NUMBERING ADMINISTRATION.—

(1) COMMISSION AUTHORITY AND JURISDICTION.—The Commission shall designate 1 or more impartial entities to administer telecommunications and voice service numbering and to ensure that numbers are available on an equitable basis. The Commission has exclusive jurisdiction of those portions of the North American Numbering Plan that pertain to the United States. Nothing in this subsection precludes the Commission from delegating to State Commission or other entities all or a portion of such jurisdiction.

(2) COSTS.—The costs of establishing numbering administration arrangements and number portability shall be borne by all voice service providers on a competitively neutral basis, as determined by the Commission.

(3) UNIVERSAL EMERGENCY TELEPHONE NUMBER.—The Commission and any agency or entity to which the Commission has delegated authority under section 715(e) shall designate 9–1–1 as the universal emergency telephone number within the United States for reporting an emergency to appropriate authorities and requesting assistance. The designation shall apply to both wireline and wireless telephone service. In making the designation, the Commission (and any such agency or entity) shall provide appropriate transition periods for areas in which 9–1–1 is not in use as an emergency telephone number on the date of enactment of the Wireless Communications and Public Safety Act of 1999.

(e) VOICE SERVICE DEFINED.—In this section, the term "voice service" means—

(1) a telecommunications service; or

(2) any service that is not a telecommunications service, but that otherwise is an IP-enabled voice service as defined in section 9.3 of the Commission's regulations (47 C.F.R. 9.3), as those regulations may be amended by the Commission from time to time.

○