

110TH CONGRESS  
1ST SESSION

# S. 1769

To amend the Communications Act of 1934 to facilitate number portability  
in order to increase consumer choice of voice service provider.

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## IN THE SENATE OF THE UNITED STATES

JULY 11, 2007

Mr. STEVENS (for himself and Mr. INOUE) introduced the following bill;  
which was read twice and referred to the Committee on Commerce,  
Science, and Transportation

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## A BILL

To amend the Communications Act of 1934 to facilitate  
number portability in order to increase consumer choice  
of voice service provider.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Same Number Act of  
5       2007”.

6       **SEC. 2. VOICE SERVICE NUMBER PORTABILITY.**

7       (a) IN GENERAL.—Title VII of the Communications  
8       Act of 1934 (47 U.S.C. 601 et seq.) is amended by insert-  
9       ing after section 714 the following:

1 **“SEC. 715. NUMBER PORTABILITY.**

2       “(a) IN GENERAL.—A provider of voice services has  
3 the duty to provide, to the extent technically feasible, num-  
4 ber portability in accordance with requirements prescribed  
5 by the Commission.

6       “(b) STANDARDS.—

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

13                   “(A) identify classes of ports;

14                   “(B) where appropriate, establish expedi-  
15 tious time frames for each class of port, which  
16 may include timeframes for different stages of  
17 the porting;

18                   “(C) establish requirements governing the  
19 exchange of data between voice service pro-  
20 viders in connection with porting a number, in-  
21 cluding any limits on customer validation fields  
22 or other data fields that may be required by  
23 voice service providers; and

24                   “(D) encourage the reasonable automation  
25 of the porting process.

1           “(2) FLEXIBILITY.—In adopting performance  
2 standards under paragraph (1), the Commission  
3 may establish more flexible standards for different  
4 classes of providers within a type of voice service  
5 provider if the Commission determines that the uni-  
6 form application of a single standard or time frame  
7 for compliance would result in unreasonable compli-  
8 ance costs for a class of providers.

9           “(3) PUBLIC ACCESS TO TIMEFRAMES.—The  
10 Commission shall make available to the public on its  
11 Internet website any standard timeframes estab-  
12 lished by the Commission under paragraph (1).

13           “(c) PORTING REPORTING.—

14           “(1) PROVIDERS.—Beginning 1 year after the  
15 date on which the Commission issues a final rule  
16 under subsection (b) establishing number portability  
17 performance standards for voice service providers, a  
18 voice service provider shall submit a report each year  
19 to the Commission on its number portability activity  
20 during the preceding 12 months, including a state-  
21 ment of the number of ports it failed to complete  
22 within the time required by the standards, and an  
23 explanation of the reason for such failures.

24           “(2) COMMISSION.—Beginning 1 year after the  
25 date on which the Commission issues the final rule

1 under subsection (b), the Commission shall submit a  
2 report each year to the Senate Committee on Com-  
3 merce, Science, and Transportation and the House  
4 of Representatives Committee on Energy and Com-  
5 merce on the effectiveness and efficiency of the num-  
6 ber portability performance standards for voice serv-  
7 ice providers established under this section.

8 “(3) SUNSET.—The requirements of this sub-  
9 section shall cease to apply 60 months after the date  
10 on which the Commission issues such final rule.

11 “(d) NUMBERING ADMINISTRATION.—

12 “(1) COMMISSION AUTHORITY AND JURISDIC-  
13 TION.—The Commission shall designate 1 or more  
14 impartial entities to administer telecommunications  
15 and voice service numbering and to ensure that  
16 numbers are available on an equitable basis. The  
17 Commission has exclusive jurisdiction of those por-  
18 tions of the North American Numbering Plan that  
19 pertain to the United States. Nothing in this sub-  
20 section precludes the Commission from delegating to  
21 State Commission or other entities all or a portion  
22 of such jurisdiction.

23 “(2) COSTS.—The costs of establishing num-  
24 bering administration arrangements and number  
25 portability shall be borne by all voice service pro-

1       viders on a competitively neutral basis, as deter-  
 2       mined by the Commission.

3           “(3) UNIVERSAL EMERGENCY TELEPHONE  
 4       NUMBER.—The Commission and any agency or enti-  
 5       ty to which the Commission has delegated authority  
 6       under section 715(e) shall designate 9–1–1 as the  
 7       universal emergency telephone number within the  
 8       United States for reporting an emergency to appro-  
 9       priate authorities and requesting assistance. The  
 10      designation shall apply to both wireline and wireless  
 11      telephone service. In making the designation, the  
 12      Commission (and any such agency or entity) shall  
 13      provide appropriate transition periods for areas in  
 14      which 9–1–1 is not in use as an emergency tele-  
 15      phone number on the date of enactment of the Wire-  
 16      less Communications and Public Safety Act of 1999.

17      “(e) VOICE SERVICE DEFINED.—In this section, the  
 18      term ‘voice service’ means—

19           “(1) a telecommunications service; or

20           “(2) any service that is not a telecommuni-  
 21      cations service, but that otherwise is an IP-enabled  
 22      voice service as defined in section 9.3 of the Com-  
 23      mission’s regulations (47 C.F.R. 9.3), as those regu-  
 24      lations may be amended by the Commission from  
 25      time to time.”.

1       (b) CONFORMING AMENDMENTS.—Section 251 of the  
2 Communications Act of 1934 (47 U.S.C. 251) is amend-  
3 ed—

4           (1) by striking subsection (b)(2) and redesign-  
5 ating paragraphs (3), (4), and (5) of subsection (b)  
6 as paragraphs (2), (3), and (4), respectively; and

7           (2) by striking subsection (e) and redesignating  
8 subsections (f), (g), (h), and (i) as subsections (e),  
9 (f), (g), and (h), respectively.

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