

110TH CONGRESS  
1ST SESSION

# H. R. 3482

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 HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2007

Mrs. BONO (for herself and Mr. PALLONE) introduced the following bill; which  
was referred to the Committee on Energy and Commerce

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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) require voice service providers to port  
14 numbers in an expeditious and efficient manner  
15 that is technically feasible;

16           “(B) institute a uniform porting process in  
17 which the porting-out provider may require only  
18 the minimum information necessary to validate  
19 the requesting customer and complete the port;

20           “(C) prohibit the porting-out provider from  
21 deactivating and removing a number from its  
22 switch for at least forty-eight (48) hours after  
23 the scheduled port request is completed; 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—

4                   “(A) take into account differences between  
5 simple and complex ports; and

6                   “(B) grant a waiver of such standards for  
7 any provider or class of providers that can show  
8 that such standards would result in unreason-  
9 able compliance costs for that provider or class,  
10 except that any such waiver shall be of limited  
11 duration.

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

16           “(c) PORTING REPORTING.—

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

1 within the time required by the standards, and an  
2 explanation of the reason for such failures.

3 “(2) COMMISSION.—Beginning 1 year after the  
4 date on which the Commission issues the final rule  
5 under subsection (b), the Commission shall submit a  
6 report each year to the Senate Committee on Com-  
7 merce, Science, and Transportation and the House  
8 of Representatives Committee on Energy and Com-  
9 merce on the effectiveness and efficiency of the num-  
10 ber portability performance standards for voice serv-  
11 ice providers established under this section.

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

15 “(d) NUMBERING ADMINISTRATION.—

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

1 State Commission or other entities all or a portion  
2 of such jurisdiction.

3 “(2) COSTS.—The costs of establishing num-  
4 bering administration arrangements and number  
5 portability shall be borne by all voice service pro-  
6 viders on a competitively neutral basis, as deter-  
7 mined by the Commission.

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

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

24 “(1) a telecommunications service; or

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

7           (b) CONFORMING AMENDMENTS.—Section 251 of the  
8           Communications Act of 1934 (47 U.S.C. 251) is amend-  
9           ed—

10           (1) by striking subsection (b)(2) and redesignig-  
11           nating paragraphs (3), (4), and (5) of subsection (b)  
12           as paragraphs (2), (3), and (4), respectively; and

13           (2) by striking subsection (e) and redesignating  
14           subsections (f), (g), (h), and (i) as subsections (e),  
15           (f), (g), and (h), respectively.

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