

May 15, 1998

Mr. Michael Wade
President, Database Service Management, Inc.
6 Corporate Place
Room PYA - 1F286
Piscataway, NJ 08854-4157

Re: Processing of set-aside 888 numbers for subscribers
holding corresponding 800 numbers

Dear Mr. Wade:

The Bureau's letter to you dated April 2, 1998, established a 90-day schedule to transfer to RespOrg control or to release into "spare" status 888 vanity numbers that were set aside for subscribers holding corresponding 800 numbers. Your letter dated April 10, 1998, indicates that the 90-day schedule does not allow sufficient time for DSMI to process and verify RespOrg reports of subscriber requests for these numbers. The Bureau in this letter now extends the time for subscribers to request numbers that were set aside for them, for RespOrgs to report subscriber requests to DSMI, and for DSMI to process and verify RespOrg reports as they come in. It also directs DSMI to take several other actions, which are intended to ensure: (1) that all subscriber requests to retain their set-aside numbers are promptly assigned and activated as "working"; (2) that no subscriber requests get rejected for being submitted late; and (3) that all set-aside numbers for which subscribers did not respond in writing are placed in "unavailable" status rather than "spare" status, while the Commission audits them to ensure that subscribers received adequate notice from the RespOrgs.

Under the current 90-day schedule, RespOrgs were required in the first 20 days, which ended April 25, 1998, to notify their subscribers that they may choose to reserve their set-aside numbers. In the next 30 days, subscribers must submit written requests to the RespOrgs in order to retain their numbers, and they are permitted to submit written requests to release the numbers as "spare." In the following 30 days, RespOrgs must report the subscribers' requests to DSMI, with documentation of each subscriber's request or certification that the subscriber did not respond. In the last 10 days, DSMI must complete processing the requests.

The Bureau is concerned that erroneously releasing a number into "spare" status contrary to a subscriber's intent would not be a correctable error if the number then becomes "reserved," "assigned," or activated as "working" for the account of another subscriber. (Erroneously assigning and activating a subscriber's set-aside number as "working" would presumably be correctable, by placing it in the proper status and ensuring that the subscriber is not charged for it.) It is therefore imperative to verify, for each number that a RespOrg certifies the subscriber did

not respond, that the subscriber received adequate notice of right of first refusal from the RespOrg before releasing the number into "spare" status.

Other potential problems, in addition to inadequate notice, could also necessitate additional time for processing or for correction and re-processing. Among these may be, for example, failure by subscribers to mail their requests to RespOrgs or to mail them by May 24, 1998, or mishandling of written subscriber requests by RespOrgs or their agents, or failure or inability of RespOrgs or their agents to report subscriber requests correctly to DSMI. Compounding or contributing to these possibilities, other events might transpire during or after the 90-day period - for example, a subscriber might change RespOrgs, an 800 number might be disconnected or suspended, or an 888 number that is returned to RespOrg control for activation as "working" might instead be placed in "reserved" status (and 45 days later automatically moved to "spare" status if the subscriber fails to submit a further request to activate).

In light of these concerns, the Bureau modifies the process for handling the 888 numbers that were set aside for subscribers holding corresponding 800 numbers, as follows.

1. Written subscriber requests received from RespOrgs by August 21, 1998 - Processed by DSMI by September 10, 1998 - Activated by September 30, 1998. The Bureau directs DSMI to instruct the RespOrgs that additional time is allotted, until August 21, 1998, for RespOrgs to complete notifying subscribers of their right of first refusal, for subscribers to respond to the RespOrgs' notification in writing, and for RespOrgs to report all results to DSMI (with documentation of written subscriber requests and certification of all other results). The Bureau also directs DSMI to instruct the RespOrgs that they may set target dates for subscriber responses, consistent with this time schedule. The Bureau further directs DSMI that, for all 888 number requests that are reported to DSMI and received from RespOrgs by August 21, 1998, and that are documented by written subscriber requests (rather than by RespOrg certification of other results), DSMI will have an additional 20 days for processing those written subscriber requests, until September 10, 1998. In that time, DSMI must complete all processing, place into "spare" status all numbers to be released, place into "assigned" status all numbers that subscribers wish to retain, transfer to the RespOrgs control of numbers that are to be activated as "working," and instruct the RespOrgs to complete activation of those numbers as "working" within 20 days thereafter, no later than September 30, 1998.
2. Late-filed written requests - Acceptance - Requests to reserve. The Bureau directs DSMI to instruct the RespOrgs that they may not reject written requests from subscribers received after August 21, 1998, and that they must submit to DSMI, on an ongoing basis, all written requests with accompanying documentation as they come in from subscribers no later than 30 days after receiving them. The Bureau instructs DSMI to process all such requests within 20 days of receiving them, and, upon completion of processing, place into "spare" status all numbers

requested to be released, place into "assigned" status all numbers that subscribers wish to retain, transfer to the RespOrgs control of numbers that are to be activated as "working," and instruct the RespOrgs to complete activation of those numbers as "working" within 20 days thereafter. The Bureau permits DSMI to request more than 20 days to process late-filed requests, if DSMI's request is due to a reduction in DSMI's work force needed to comply with this letter.

3. "No response" numbers - "Unavailable" status - Commission audit. The Bureau directs DSMI to retain in "unavailable" status those set-aside 888 numbers for which subscribers did not respond, and not to release those numbers into the general pool as "spare" unless and until the Commission informs DSMI otherwise. The Bureau also directs DSMI to instruct the RespOrgs that, for DSMI to verify documentation, each certification of no subscriber response that a RespOrg submits to DSMI must include subscriber contact information, containing at least the name, address, and phone number of the subscriber and the date and means by which the RespOrg notified the subscriber of the right of first refusal. The Bureau further directs DSMI to inform the RespOrgs that, after September 10, 1998, the Commission will audit those numbers and the documentation with which the RespOrgs certify that subscribers did not respond in writing, to ensure that the subscribers received adequate notice from the RespOrgs of their right of first refusal.

Following completion of the process directed in this letter, the time for subscribers to exercise their rights of first refusal will come to an end when the Bureau directs DSMI to release the remaining "unavailable" set-aside 888 numbers into "spare" status.

Sincerely,

Geraldine A. Matisse
Chief, Network Services Division