August 2025

The Commission is requesting Office of Management and Budget (OMB) approval for an extension of a currently-approved collection.

Supporting Statement

A. Justification

1. In the *Communications Act of 1934, as amended by the Telecommunications Act of 1996,* the Federal Communications Commission (Commission) was given "exclusive jurisdiction over those portions of the North American Numbering Plan that pertain to the United States." Pursuant to that authority, the Commission conducted a rulemaking that, among other things, addressed regular reporting on numbering use by United States carriers.[1]

   In the *First Report and Order,*[2] the Commission established mandatory utilization and forecast data reporting requirements for all carriers that use numbering resources. In the *Second Report and Order and Second Further Notice,*[3] the Commission concluded that further information collections were necessary to efficiently and effectively monitor and manage numbering use.

   In the *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200,*[4] the Commission, among other things, delegates authority to state commissions to hear claims that the safety valve should be applied when one of the numbering administrators denies a numbering resource request and lifts the ban on service and technology-specific overlays, allowing state commissions seeking to implement them to request delegated authority to do so on a case-by-case basis.

   Currently Approved Information Collection Requirements:

   a. Request for Safety Valve Mechanism by State Commission. In the *Third Report and Order,* the Commission established a "safety valve" to ensure that carriers experiencing rapid growth in a given market will be able to meet customer demand. States may use this safety valve to grant requests from carriers that demonstrate the following:

      1) the carrier will exhaust its numbering resources in a market or rate area within three months (in lieu of 6 months-to-exhaust requirement); and

      2) projected growth is based on the carrier's actual growth in the market or rate area, or in the carrier's actual growth in a reasonably comparable market, but only if that

[1] *Numbering Resource Optimization,* Notice of Proposed Rulemaking, 14 FCC Rcd 10322 (1999).
[2] *Numbering Resource Optimization,* Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000) (First Report and Order).
[3] *Numbering Resource Optimization,* Second Report and Order, Order on Reconsideration in CC Docket 96-98 and CC Docket 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200, 16 FCC Rcd 306 (2000) (Second Report and Order*).*
[4] *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration in CC Docket 96-98 and CC Docket No. 99-200, 17 FCC Rcd 252 (2001) (Third Report and Order).

projected growth varies no more than 15 percent from historical growth in the relevant market.

The Commission also clarifies that states may grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center.

States may not accommodate requests for specific numbers (*i.e.*, vanity numbers), but may grant requests for customer seeking contiguous blocks of numbers. Any numbering resources granted for this reason may be initially activated only to serve the requesting customer for whom the application was made. If the customer request is withdrawn or declined, the requesting carrier must return the numbering resources to the North American Numbering Plan Administrator (NANPA) or Pooling Administrator, and may not retain the numbering resources to serve other customers without first meeting our growth numbering resource requirements.

b. Request for Delegated Authority to Implement Service-Specific and Technology-Specific Area Code Overlays. In the *Third Report and Order*, the Commission lifted the ban on service-specific and technology-specific overlays (collectively, "specialized overlays" or SOs), allowing state commissions seeking to implement SOs to request delegated authority to do so on a case-by-case basis. To provide further guidance to state commissions, the Commission set forth the criteria that each request for delegated authority to implement a SO should address. This would enable us to examine the feasibility of SOs in a particular area, and determine whether the Commission's stated goals were likely to be met if the SO is implemented.

As an initial matter, a state commission seeking to implement a SO should discuss why the numbering resource optimization benefits of the proposed SO would be superior to implementation of an all-services overlay. State commissions should also specifically address the following:

(1) the technologies or services to be included in the SO;

(2) the geographic area to be covered;

(3) whether the SO will be transitional;

(4) when the SO will be implemented and, if a transitional SO is proposed, when the SO will become an all-services overlay;

(5) whether the SO will include take-backs:

(6) whether there will be 10-digit dialing in the SO and the underlying area code(s);

(7) whether the SO and underlying area code(s) will be subject to rationing; and

(8) whether the SO will cover an area in which pooling is taking place.

This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

The statutory authority for this collection is authorized under 47 U.S.C. 153, 154, 201-205, 207-209, 218, 225-227, 251-252, 271, and 332 *See also* 47 C.F.R. §§ 52.15(g)(4) and 52.19(c)(4).

2. The Commission uses the information it collects to assist the state commissions in carrying out their delegated authority over numbering resources.

3. When a state commission requests delegated authority to implement specialized overlays, it does so pursuant to the Commission's rules which require service by mail.

4. The collection of this information will not duplicate any other Commission effort.

5. The burden of requesting delegated authority for specialized overlays does not apply to large or small carriers, but rather falls on the state commissions.

6. As previously mentioned, state commissions seeking to implement specialized overlays must request delegated authority to do so. If information requesting delegated authority for specialized overlays is not collected, the Commission's ability to improve number efficiency would be seriously undermined. The Commission believes that, in some areas, specialized overlays may offer a viable alternative to traditional forms of area code relief. Recognizing the frustration of carriers unable to obtain numbers due to delays in area code relief, and the frustration of consumers who must bear the cost and inconvenience of area code relief, the Commission will review on a case-by-case basis each request to determine whether a proposed specialized overlay would likely result in numbering resource optimization in a given area.

7. The Commission does not foresee any special circumstances that would cause the collections to be conducted under extraordinary circumstances.

8. Pursuant to 5 C.F.R. § 1320.8, the Commission published a 60-day Notice in the *Federal Register* on April 29, 2025 (90 FR 17820). The Commission received a single comment following the publication of this notice, but it does not appear to be directly related or relevant to this information collection. This collection concerns Commission efforts to maximize the efficiency with which numbering resources in the North American Numbering Plan are utilized. The commenter references unspecified proposed legislation which "should allow the commission as authorized to process the request and need support for the project. Due to its limited time frame and accessibility requirements for improving numerous system aspects." The commenter does not request any specific action be taken with respect to this collection or its renewal.

9. No payments or gifts are being provided.

10. The Commission is not requesting respondents to submit confidential information to the Commission. If the Commission requests respondents to submit information which respondents believe is confidential, respondents may request confidential treatment of such information pursuant to section 0.459 of the Commission's rules.

11. There are no questions of a sensitive nature with respect to the information collected, nor are there any privacy impacts, as noted above.

12. Hour Burden Estimates for the Collection of Information.

    a. Requests for Safety Valve Mechanism by State Commissions:

    (1) Number of Respondents: 30

    (2) Frequency of Response: On occasion reporting and third party disclosure requirements; typically, 7 times per year.

    (3) Total Number of Responses Annually: 210

    30 respondents x 7 responses/annum = 210 responses

    This revised estimate is based on the average number of state safety valve requests actually received by the administrator between 2022 and 2024.

    (4) Annual Hour Burden per Respondent: 25 hours.

    (5) Total annual hour burden: 5,250 hours.

    30 respondents x 7 responses/annum x 25 hours/response = 5,250 hours

    (6) Total In-House cost to respondents: $621,212

    (7) Explanation of calculation: It is difficult to provide a sound estimate of respondent's cost without conducting a survey. However, assuming that respondents use mid-to senior-level personnel to comply with the requirements, comparable in pay to a Federal employee, we estimate costs of approximately $91.02 per hour (equivalent to a GS 15, step 5 federal employee), plus 30% for overhead. Thus,

    (30 respondents x 7 responses x 25 hours per response) x $91.02 per hour = $477,855
    30% overhead = $143,357
    Total = $621,212

b. Request for Delegated Authority to Implement Service – Specific and Technology-Specific Area Code Overlays (SOs):

(1) Number of Respondents: 1

(2) Frequency of Response: On occasion reporting requirements.

(3) Total Number of Responses Annually: 1

1 respondent x 1 response/annum =1 responses

(4) Annual Hour Burden per Respondent: 40 hours.

(5) Total annual hour burden: 40 hours.

1 respondent x 1 response/annum x 40 hours/response = 40 hours

(6) Total In-house costs to respondents: $4,023.50

(7) Explanation of calculation: It is difficult to provide a sound estimate of respondent's cost without conducting a survey. However, assuming that respondents use mid- to senior-level personnel to comply with the requirements comparable in pay to the Federal Government, approximately $77.38 per hour (equivalent to a GS 14, step 5 federal employee), plus 30% overhead. Thus,

(1 respondents x 40 hours per response) x $77.38 per hour = $3,095.00
30% overhead = $928.50
Total = $4,023.50

Total Number of Respondents: 31

Total Number of Responses Annually: 210 + 1 = 211 responses

Total Annual Hourly Burden for the Collections: 5,250 + 40 = 5,290 hours

Total In-House Cost to Respondents: $621,212 + $4,023.50 = $625,235.50

13. Estimate of the Total annual Cost Burden to Respondents or Recordkeepers Resulting from Collection of Information.

a. Total Capital and Start-up Cost (annualized over its expected useful life): $0.

The requirements will not require the purchase of additional equipment.

b. Total Operation and Maintenance and Purchase of Service Comments: $0.

c. Total annualized cost requested: $0.

14. The following represent the Commission's estimate of the annual costs to the federal government as a result of the requirements:

    For the safety valve mechanism - No cost to federal government, since requirements will be reviewed by a third party, the numbering administrator.

    For the delegated authority for Specialized Area Code Overlays -

    40 hours/review and response to application x 1 application x $84.20 (represents average pay for mid- to senior-level federal employee) = $3,368.

    Total Cost to the Federal Government: $3,368

15. There are adjustments with this information collection. The reduction in the total number of respondents from 38 to 31 (-7 respondents), the total number of annual responses filed from 254 to 211 (-43 responses), and the total annual burden hours from 6,380 to 5,290 (-1,090 hours) is due to the reduced estimates noted above in 12(a), which were derived based on the average number of state safety valve requests actually received by the administrator between 2022 and 2024, and reduced estimates noted above in 12(b), which were derived based on a better estimate of the number of states that are likely to request delegated authority.

    There are no program changes.

16. The Commission anticipates publishing the information collected from state commissions requesting delegated authority to implement specialized overlays in its electronic comment filing system.

17. The Commission does not intend to seek approval not to display the expiration date.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods

This information collection does not employ any statistical methods.