

December 1, 1998

H. Gilbert Miller, Ph.D.  
Vice President  
Center for Telecommunications and Advanced Technology  
Mitretek Systems  
7525 Colshire Drive  
McLean, Virginia 22102-7400

Re: Number American Numbering Plan Administration

Dear Dr. Miller:

Thank you for your letter of November 4, 1998, in which you express the continuing interest of Mitretek Systems in North American Numbering Plan Administration (NANPA) matters. Specifically, in your letter, you indicate Mitretek Systems' continuing interest in assuming the NANPA responsibilities for the remainder of the five-year term commenced by Lockheed Martin IMS, the current NANPA, if it is determined that NANPA functions are not being executed in a fashion satisfactory to the Commission and the North American Numbering Council (NANC).

As you know, the Commission recently learned that Lockheed Martin Corporation is seeking to acquire Comsat Government Services, Inc., a wholly owned subsidiary of Comsat, to facilitate the strategic aims of Lockheed Martin Corporation's newly formed Global Telecommunications subsidiary.<sup>1</sup> Lockheed Martin IMS also has advised the Commission, and the NANC, that it intends to divest the Lockheed Martin IMS Communications Industry Services (CIS) unit, in order to adhere to the Commission's neutrality requirement for the NANPA, as the third party administrator of numbering resources. Before proceeding with the divestiture of the CIS unit, Lockheed Martin IMS will seek the Commission's approval, through a filing that it expects to make on or before December 3, 1998.

The NANPA's neutrality is critical to the Commission's and industry's need that numbering resources be administered on a neutral, fair, effective and efficient basis. In its *Third Report and Order*, the Commission addressed questions that had been raised about Lockheed Martin's neutrality during the evaluation of possible NANP administrators. Although the Commission determined that Lockheed Martin IMS could serve as the NANPA without compromising the

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<sup>1</sup> Lockheed Martin Corporation, Regulus, LLC, COMSAT Corporation, and COMSAT Government Services, Inc., application to International Bureau, Satellite Policy Branch, Report No. SPB-139 (rel. Oct. 23, 1998). COMSAT holds a 214 authorization to provide international common carrier services.

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purposes of the statute and the resulting neutrality criteria, it stated that if Lockheed Martin Corporation or its affiliates in the future offer common carrier services that are more than *de minimis* in nature, we would reconsider the issue of Lockheed Martin's neutrality and consider ways to ensure continued neutrality. The Commission also accepted NANC's recommendation that Mitretek Systems serve as the alternate NANPA, to replace Lockheed Martin, if Lockheed Martin defaulted on its obligations as NANPA, or if it is determined that Lockheed Martin had not performed those functions in a satisfactory fashion.

In light of Lockheed Martin Corporation's intended acquisition of Comsat, the Commission Staff currently is reviewing the neutrality matter and the issues raised by the proposed divestiture of the CIS group. In addition, the Commission intends to seek public comment, and a recommendation from the NANC, on the filing to be made by Lockheed Martin IMS this week. In particular, the Commission will seek input on whether the neutrality issue is satisfactorily resolved by the divestiture of the CIS unit and whether the acquiring entity is able to fully perform the functions of the NANPA in accordance with the Requirements Document and applicable Commission orders and rules.

We hope we have answered any questions that Mitretek Systems may have had about how the Commission intends to move forward on these important issues. We appreciate Mitretek Systems' continuing interest in the NANPA responsibilities and look forward to receiving your comments on Lockheed Martin's planned divestiture of the CIS unit when the matter appears before us.

Sincerely,

Yog R. Varma  
Deputy Chief  
Common Carrier Bureau

cc: Alan C. Hasselwander