



Federal Communications Commission
Washington, D.C. 20554

OCT 17 2002

The Honorable Barbara Boxer
United States Senate
1700 Montgomery Street, Suite 240
San Francisco, CA 94111
ATTN: Lily Wong

Dear Senator Boxer:

Thank you for the letter on behalf of your constituent Mr. John K. Mertz. Mr. Mertz expressed concern that the North American Numbering Plan Administrator (NANPA) continues to require switchless resellers to purchase Feature Group D access before they may be assigned a Carrier Identification Code (CIC), in contravention of the Commission's elimination of that requirement.

In the *Slamming Order* (CC Docket No. 94-129, FCC 00-255), the Commission directed the NANPA to eliminate the requirement that switchless resellers purchase Feature Group D access to obtain CICs. Traditionally, a carrier acquires a CIC by purchasing access service, typically Feature Group B (FGB) or Feature Group D (FGD). We have clarified for the NANPA, consistent with the *Slamming Order*, that switchless resellers are not required to purchase FGD access to obtain a CIC, but must meet all other requirements for CIC assignees in the Industry Numbering Committee (INC) CIC Assignment Guidelines, including access and usage reporting requirements. We have spoken with Mr. Mertz and advised him to resubmit his application to the NANPA. We expect his application will be processed in a manner consistent with the Commission's *Slamming Order* and the INC CIC Assignment Guidelines.

If you have additional questions regarding the Commission's role in this matter, please contact Marilyn Jones, an attorney in the Wireline Competition Bureau's Telecommunications Access Policy Division, at (202) 418-2357.

Sincerely,



Diane L. Griffin
Assistant Bureau Chief
Wireline Competition Bureau

cc: Mr. John Mertz