

**STATE OF NEW HAMPSHIRE  
BEFORE THE PUBLIC UTILITIES COMMISSION**

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**In the matter of the Implementation**  
**of Internet Access NXX (IANXX)**  
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**DT 00-223**

**AGREEMENT  
REGARDING IMPLEMENTATION OF IANXX**

On October 17, 2003, the New Hampshire Public Utilities Commission (Commission) issued Order No. 24,218, addressing motions for rehearing in this docket. That Order granted a rehearing on the limited issues of technical feasibility, time frames and cost for implementing Internet Access NXXs (IANXX).

In a series of settlement discussions, the Parties came to agreement on certain implementation issues. The Parties intend that this agreement and the definitions herein be consistent with the Commission's Orders in this docket. To the extent that any part of this agreement is in conflict with the Orders, the Orders shall be the final determination.

Based on the discussions conducted, the Signatories to this Agreement support the following:

1. Definitions

*IANXX*: Pursuant to the Commission's Orders in DT 00-223, IANXX is a statewide service for traditional dial-up Internet access. IANXX is to be used in place of VNXX for carriers who have been using VNXX to carry ISP-bound calls.

*Point of Interconnection (POI)*: The physical interconnection of a CLEC and Verizon pursuant to the Telecommunications Act of 1996 (TAct) §251(c)(2).

*Local Nexus*: The provision of local service as defined in Puc 1306.02 to indisputably local customer(s) pursuant to Commission Order Nos. 24,218 and 24,080. Note that the Local Nexus requirement is not necessary in order to provide IANXX service.

*Internet Service Provider*: A company providing Internet service offerings to the general public. For the purposes of this document, the Internet Service Provider must provide traditional dial-up Internet access to end users for their own consumption.

*VNXX*: VNXX is as defined in Order Nos. 24,080 and 24,218.

2. IANXX codes will be full NXX codes. Thousands-blocks within the IANXX codes may be assigned to different carriers.
3. IANXX codes will not use existing rate centers. A new rate center will be established with the following characteristics:
  - a) The rate center will be named NHISP
  - b) The IANXX rate center will have a statewide inward-only calling area.
  - c) V&H coordinates will be assigned, using a point the same as or proximate to the Manchester rate center.
4. The IANXX code and block holder shall identify the IANXX in the LERG as assigned to a rate-center NHISP. The Special Service Code should be populated as "J" for "extended or expanded calling scope". In addition, the PUC will maintain a list of IANXX codes on its web site, and notify all carriers via email when a new IANXX code is opened.
5. InterLATA EAS will not be permitted to the IANXX. Any call from a non-NH, e.g., non-603, area code dialed to an IANXX number will be a toll call. This means that there may be out-of-state customers of ISPs who currently are able to call a New Hampshire ISP toll-free who may no longer have that option, depending on where the ISP modems are physically located.
6. Any CLEC or ILEC may obtain an IANXX code or thousands block if it is LNP capable, and attests to the NHPUC that it will comply with IANXX rules. While carriers providing ISP-bound calling services may use IANXX even if they do not currently use VNXX, dial-up services to ISPs do not have to be converted to IANXX if the ISP's modem bank is physically located within the local calling area of the exchange to which the NPA-NXX is assigned.
7. There will be only one IANXX thousands-block assigned per carrier, unless and until the carrier achieves more than 75% utilization. Current numbering utilization standards will apply to IANXX.
8. The IANXX code holder is the IANXX carrier first assigned to a new IANXX code.
9. IANXX codes shall be pooled. IANXX pooling will follow the same process as pooling for other NXX codes.
10. In addition to the Pooling Administrator application process, a carrier wishing to request an IANXX thousands-block will submit a supplemental application to the Commission. The supplemental application will include:
  - a) the location of its POI or delivery point for IANXX traffic
  - b) an attestation that the carrier acknowledges and agrees to comply with the parameters for IANXX number assignment and use. The attestation will include the rules and parameters of IANXX number assignment and use.
11. Pursuant to RSA 374:28, IANXX carriers that neglect to follow IANXX procedures will be subject to the Commission's enforcement authority which, after notice and opportunity for

hearing before the Commission, may include loss of certification to provide telephone service in New Hampshire.

12. IANXX codes will be able to be ported for the purpose of providing IANXX service, but porting can only occur between carriers that have completed the supplemental application process. Transitionally, carriers will complete the supplemental application as they apply for IANXX blocks. Going forward, carriers applying for CLEC certification in New Hampshire shall complete the supplemental application as part of the certification process.

13. Existing code assignment guidelines for designating a new code holder will apply if a code-holding IANXX carrier leaves the market for any reason.

14. IANXX numbers cannot make outgoing calls. Carriers will be asked to designate IANXX numbers as inbound-only. Carriers may block incoming calls from IANXX numbers in their switches.

15. While inbound-only trunks are not expected to generate E911 calls, carriers may report IANXX number assignments to E911, designating the numbers as "inbound only".

16. Pursuant to the Commission's Orders, IANXX is to be provided directly to and only to Internet Service Providers (ISPs) and used by the ISP solely for inbound, dial-up information access to the public Internet provided directly to end-users. CLEC FX is not to be used for ISP-bound calling.

Impermissible IANXX uses include but are not limited to:

- a) Internet telephony as intended by the Commission's Orders in this docket
- b) exchange access
- c) access to intranet applications for companies who are not ISPs
- d) provisioning IANXX to a telecommunications carrier or a non-ISP. Provisioning IANXX to a carrier's ISP entity or affiliate is permissible if at the same rates and terms offered to unaffiliated ISPs

17. Carriers will notify their IANXX customers of permissible use of IANXX. Upon notification or reasonable suspicion that IANXX is being misused, the carrier will take action to ensure that the misuse stops as soon as is reasonably practical. If action is not taken, after notice and opportunity for hearing, that carrier is at risk of losing its certification to provide telephone service in New Hampshire.

18. The signatories agree that the timetable for IANXX implementation will include the following benchmarks from the date the Commission Order becomes final and non-appealable (OED):

OED	Application made for new rate center
OED + 33 days	Rate Center established
OED + 33 days	First day that carriers may apply for IANXX resources
OED + 106 days	IANXX code would be effective
OED + 120 days	IANXX thousands-blocks become effective

OED + 120 days	IANXX implementation period begins
OED + 240 days	Permissive dialing period ends

19. If relocation of a POI is required by a CLEC during the transition from VNXX to IANXX, a different schedule for implementation shall be developed between Verizon and the CLEC.

20. Carriers shall notify their customers regarding the transition from VNXX to IANXX, permissible use of IANXX, and the impact of the transition on the customers' existing services. Staff and the Parties will work together to draft the notice which will be used by all carriers to notify their customers.

21. The Parties and Staff agree that they have not resolved, nor does this Stipulation address the issue on hold pursuant to the moratorium agreement during the pendency of this proceeding, of the price Verizon will charge for Third Party Transport (TPT) of traffic between CLECs and ITCs. The rates for TPT shall be subject to tariffs approved after notice and opportunity for hearing. (See Order No. 24,218 p 77). The moratorium shall remain in effect until such rates are approved.

22. Although other issues may arise in the future, Staff and the Parties agree that the paragraphs above address all known technical feasibility, time frame and cost (other than TPT) issues for implementation of IANXX. To the extent unforeseen issues arise in the future, the Parties and Staff agree to engage in negotiations in a good faith effort towards resolution.

23. The signatories agree that this stipulation is a negotiated settlement involving the following issues on rehearing pursuant to Order No. 24,218: the technical feasibility, time frames, and costs for implementing IANXX; and the appropriate treatment of VNXXs that cannot be reassigned to the relevant Point of Interconnection. If any modifications or conditions are made to this stipulation, each of the signatories must be given the right to be placed in the position in this proceeding that it was in prior to entering into this stipulation. This stipulation is without prejudice to positions taken by the parties in other proceedings and in other states and shall not constitute precedent with respect to any and all such matters. The parties' willingness to resolve the relevant issues in this rehearing by way of stipulation is without waiver of rights with respect to these matters in other proceedings or in other states. The signatories agree that signing the Stipulation does not constitute approval of, or precedent for, any particular issue in this proceeding other than those specified herein.

The Signatories agree that these specifications would allow the implementation of IANXX.

Respectfully submitted,

**Agreement Regarding Implementation of IANXX**

**Signatories**

\_\_\_\_\_ date

by \_\_\_\_\_  
E. Barclay Jackson, Esq.  
for the Staff of the Commission