



The Internet Corporation for Assigned Names and Numbers

6 October 2006

VIA EMAIL

David W. Maher
Public Interest Registry
1775 Wiehle Ave., Suite 102A
Reston, VA 20190
Email: dmaher@pir.org

RE: Registry Request #A2J5E-7D9P7

Dear David,

This letter is to inform you that ICANN has made a preliminary determination on Public Interest Registry's proposed new registry service.

On 28 August 2006, PIR submitted a draft proposal to ICANN to provide for an "excess deletions fee" on certain .ORG domain names deleted during the 5-day add-grace period ("Proposal"). ICANN requested that additional information be added to the Proposal. After receipt of that information, on 22 September, in accordance with the Registry Services Evaluation Policy, ICANN commenced its 15-calendar day review period, in order to make a preliminary determination on whether the Proposal required further consideration because it might raise either significant security, stability or competition issues.

ICANN's preliminary determination has not identified any significant competition issues in the Proposal to refer to a government competition authority. ICANN consulted with outside expert competition counsel, who provided expert guidance during the review.

In addition, the preliminary review has not identified any significant security or stability issues as defined in Sections 1.2 and 1.3 of the Registry Services Evaluation Policy. Because implementation of the Proposal would require a change to the .ORG Registry Agreement, dated 2 December 2002, between ICANN and PIR, ICANN has determined to refer the Proposal to the ICANN Board for consideration.

The draft contractual amendment referenced in your Proposal is attached to this letter. Please let me know if you have any questions, suggested comments or changes to the proposed language. If you do not notify us of any changes before Noon PDT Monday, 9 October, we will post the notice of this determination and proposed amendment on the ICANN website.

Sincerely,



Patrick Jones

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Proposed Amendment

- 1) Insert "Excess Deletes" between "Delete" and Extend (Renew) in Appendix C, Section C11.1:

Excess Deletes: An Excess Deletion Fee will be charged pursuant to Section 7A of the Registry Agreement when the number of deleted registrations within the five-day add grace period is in excess of ninety percent (90%) of the total number of initial registrations made by the registrar over a relevant time period as determined by PIR.

- 2) Insert new Section 7A in Appendix G for EXCESS DELETION FEE

PIR may charge registrars the following maximum price for each Registered Name that is deleted within the five day add grace period (as specified in Appendix C, Section C11.1 of the Agreement) when the number of such deleted registrations is in excess of ninety percent (90%) of the total number of initial registrations made by the registrar over a relevant time period as determined by PIR:

The fee for each such Registered Name shall not exceed US\$.05 (five cents) per name registration.