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Public Service Commission

May 8, 2001

VIA AIRBORNE EXPRESS

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, SW - TW-A325
Washington, DC 20554

Re: **Florida Public Service Commission Petition for Expedited Decision for Authority to Implement Thousands-Block Number Pooling in the 941 NPA, CC Docket No. 96-98**

Dear Ms. Salas:

Forwarded herewith is the original and fifteen copies of the Florida Public Service Commission Petition for Expedited Decision for Authority to Implement Thousands-Block Number Pooling in the 941 NPA. Please date-stamp and return one copy in the enclosed, postage-paid envelope.

This petition was drafted by the Competitive Safeguards Bureau, and Bob Casey at (850) 413-6974 is the lead contact on this petition.

Sincerely,

Cynthia B. Miller, Esquire
Bureau of Intergovernmental Liaison

Harold A. McLean
General Counsel

CBM:tf
Attachment

cc: Brad Ramsay, National Association of Regulatory Utility Commissioners

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Numbering Resource Optimization)	
)	
Petition of the Florida Public Service Commission for Expedited Decision for Additional Delegated Authority to Implement Number Conservation Measures.)	CC Docket No. 96-98
)	
)	
)	

**PETITION FOR EXPEDITED DECISION FOR AUTHORITY TO IMPLEMENT
THOUSANDS-BLOCK NUMBER POOLING IN THE 941 NPA
BY THE FLORIDA PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission (FPSC) submits this petition requesting authority to implement thousands-block number pooling trials in the 941 NPA. On September 15, 1999, the FCC issued Order FCC 99-249 granting the Commission's Petition for Delegation of Additional Authority to Implement Number Conservation Measures.¹ In its Order, the FCC granted the Commission interim authority to, among other things, institute thousand-block number pooling.

Since receiving interim authority in this original delegation order, the FPSC has scheduled six number pooling trials:

Metropolitan Statistical Area (MSA)	Area Code	Number Pooling Implementation Date
Ft. Lauderdale	954	January 22, 2001

¹ Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures, Order, CC Docket No. 96-98, NSF File No. L-99-23 (rel. September 15, 1999).

Metropolitan Statistical Area (MSA)	Area Code	Number Pooling Implementation Date
West Palm Beach	561	February 5, 2001
Jacksonville	904	April 2, 2001
Keys Region	305	May 28, 2001
Daytona Beach	386	July 16, 2001
Ft. Pierce-Port St. Lucie	561	September 17, 2001

The FCC authorized Florida to implement additional pooling trials in paragraph 19 of the FCC's 1999 Order which states:

After having implemented a thousands-block number pooling trial in one MSA, the Florida Commission may wish to expand to another MSA. Should it wish to do so, we direct the Florida Commission to allow sufficient transition time for carriers to undertake any necessary steps, such as modifying databases and upgrading switch software, to prepare for an expansion of thousands-block pooling to another MSA. In other words, start dates for thousands-block pooling trials in different MSAs should be appropriately staggered to permit the industry to undertake all necessary steps.

On March 31, 2000, the FCC issued its First Report and Order setting three criteria necessary to initiate a number pooling trial. The FCC directed state commissions seeking thousands-block number pooling authority to demonstrate that: (1) an NPA in its state is in jeopardy; (2) the NPA in question has a remaining life span of at least a year; and (3) that the NPA is in one of the largest 100 MSAs, or alternatively, the majority of wireline carriers in the NPA are

LNP-capable.² The FCC recognized, however, that there may be "special circumstances" in which pooling would be beneficial in NPAs that do not meet all of the above criteria, and stated that it may authorize pooling in such an NPA upon a satisfactory showing by the state commission of such special circumstances.³

In an abundance of caution that the FPSC may not have authority through its original delegation order to implement a number pooling trial in an NPA which is not in jeopardy, the FPSC is filing this petition requesting such authority, and detailing the "special circumstances" which exist in the 941 NPA.

Although the 941 NPA has a remaining life span of at least one year, and the majority of wireline carriers are LNP capable, the 941 NPA is presently not in a jeopardy situation. Because of the high population growth in this NPA area, the FPSC believes that "special circumstances" exist, and a number pooling trial is essential to conserve numbering resources in this area.

Since 1990, Florida has experienced a population increase of 3,044,452 residents, or 23.5%, which ranks Florida with the fifth highest population growth in the United States.⁴ Because of this significant growth, Florida has had to add eleven new area codes since 1995, and now has a total of fifteen area codes. Florida also

² Numbering Resource Optimization First Report and Order, 15 FCC Rcd at 7652

³Numbering Resource Optimization First Report and Order, 15 FCC Rcd at 7652

⁴ Census 2000, PHC-T-2, Table 3, States Ranked by Percent Population Change: 1990 to 2000

has 19 of the top 100 fastest growing MSAs in the country, four of which are within the 941 NPA. The Naples MSA ranks No. 2 with a 65.3% growth, the Ft. Myers-Cape Coral MSA ranks No. 20 with a 31.6% growth, the Punta Gorda MSA ranks No. 30 with a 27.6% growth, and the Sarasota-Bradenton MSA ranks No. 60 with a 20.5% growth.⁵ The rapid growth in these areas could cause quick depletion of numbering resources if number pooling is not instituted.

The FCC has previously recognized the critical area code situation in Florida. In Florida's original delegation Order,⁶ the FCC stated:

We recognize that the area code situation in Florida is critical, with nine new area codes having been added since 1995, six of which may already be in jeopardy. In light of this extreme situation and in order to empower the Florida Commission to take steps to make number utilization more efficient, we herein grant significant additional authority to the Florida Commission. In some instances, we are granting the Florida Commission authority that goes beyond the parameters outlined in the *Pennsylvania Numbering Order*, because we find such grant to be appropriate in light of the specific circumstances in Florida.

The FPSC believes that number pooling trials in the 941 NPA would create a more efficient use of numbering resources, and prolong the life of the 941 NPA. The FPSC recognizes its obligation of implementing area code relief in a timely manner in the 941 NPA, and is presently pursuing it in Docket No. 000604-TL. Six customer

⁵ Census 2000, PHC-T-3, Table 5, Metropolitan Areas Ranked by Percent Population Change: 1990 to 2000

⁶ FCC 99-249(¶15), issued September 15, 1999

hearings are scheduled in May, 2001 for the 941 NPA, to receive input from affected customers. A staff recommendation is scheduled to be filed October 25, 2001, for consideration by Commissioners at the November 6, 2001 Agenda Conference.

In conclusion, the FPSC believes "special circumstances" exist in the 941 NPA, and that a number pooling trial is essential to protect numbering resources in this area. The FCC has previously granted states authority to initiate number pooling trials in NPAs which are not in jeopardy upon a showing of special circumstances.⁷ Therefore, consistent with authority given to other states who have an NPA which is not in jeopardy, and have made a showing of "special circumstances," the FPSC respectfully requests that the FCC grant authority to implement thousands-block number pooling in the 941 NPA.

Expedited treatment of this petition is necessary in order to provide assurance to consumers that this important matter is being addressed in a timely manner.

Respectfully submitted,

CYNTHIA B. MILLER
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⁷ DA 00-1616 issued 7/20/2000: Arizona NPAs 520,602,480,623(¶26); Colorado NPAs 303/720 (¶28); Nebraska NPA 402(¶38); North Carolina NPA 919(¶41); Oregon NPAs 503/971(¶44). DA 01-386 issued 2/14/01: Massachusetts NPA 413. DA 01-656 issued 3/14/01: Indiana NPA 317 (¶25); Minnesota NPAs 612,651,763, and 952(¶27); Missouri NPA 816 (¶28); Oklahoma NPAs 405/918 (¶30); Vermont NPA 802 (¶33). DA 01-848 dated 4/10/01: Washington NPA 509 (via letter).

Florida Public Service Commission
Docket No. 96-98
Page 6

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FLORIDA PUBLIC SERVICE COMMISSION
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DATED: May 8, 2001

CERTIFICATE OF SERVICE

I hereby certify that copies of this FPSC Petition are being mailed to the attached service list for overall numbering dockets.

Respectfully submitted,

Cynthia B. Miller, Esquire
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DATED this 8th day of May, 2001.

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