

31 August 1996

ORIGINAL  
FILE COPY

State of Florida  
Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee FL 32399

Subject: Petition of Thomas R. Morgan Docket # 960875TL

Dear Sir or Madam:

Enclosed herewith are additional documents from third parties which fully support the factual content of my statements in the above captioned Petition with regard to what I contend are false and misleading statements by GTE Florida in their "Executive Summary" (Exhibit A of my referred to Petition).

1/. Letter from IMTS Inc. verifying ALL but 9 of the 118 IMTS service customers are NEW customers since 1993-1994, who bought phones with the reasonable expectation that said IMTS service would continue AT LEAST until the 31 July 1998 expiration of the GTE Fla. FCC license.

2/-3/. Copy of Bellcore report on NPA Code Assignments Since 1984 (Cover Sheet and Page 6) which establishes that "Interchangeable Area Codes" came into use on 09/12/91 and clearly proves that GTE Fla. had almost four (4) years to correct and reprogram the deficiency in its IMTS switch prior to Harris Corp. discontinuing technical support of said switch in mid-1995.

Letters from N. James Swartz of Harris Corp. and Raymond Nosewicz, formerly with Harris Corp. serve to confirm this fact as well as establishing the fact that said HiCom switch COULD have been fully reprogrammed to process calls to Interchangeable Area Codes prior to mid-1995 had GTE Fla. requested Harris Corp. to do so on a timely basis. The Swartz and Nosewicz letters also refute GTE Fla.'s claims that "subsequent attempts to modify the IMTS switch vendor were unsuccessful." (4/ in GTE Fla. "Executive Summary"). Although the HiCom switch was originally manufactured by Martin Marietta Corp., the entire HiCom product line, manufacturing rights and technical support for existing HiCom systems was purchased by Harris Corp. in the late 1970's from Martin Marietta. This makes Harris Corp., for all intents and purposes, the "switch vendor."

\* = Corresponds with Petitioner's so numbered statements in its "Executive Summary" which is Exhibit A in said Petition.

09321 SEP-4 86

FPSC-RECORDS/REPORTING

GTE Operations in Irving, TX advised me on 19 July 1996 that "GTE is interested in working out an arrangement that would permit seamless and uninterrupted IMTS to current IMTS customers if such an arrangement can be accomplished prudently and within existing time and regulatory constraints." (Craig C. Stephens, GTE Operations, letter to Petitioner dated 18 July 1996). In this letter, Stephens vaguely implies that GTE seeks to sell their IMTS system(s) to a service provider willing to continue said IMTS service. Petitioner draws to this Commission's attention that the ONLY "time and regulatory constraints" that exist are those of GTE Florida's own making and Petitioner suggests that GTE has never entered into serious negotiations with any interested party in good faith and with realistic pricing for their Florida IMTS system which is totally outdated and requiring almost complete infrastructure replacement.

Letter from Matt Edwards of FreePage Corp., an established buyer of IMTS properties nationwide, is enclosed wherein Edwards relates that GTE Operations advised him late this Spring that GTE now is no longer interested in selling their Florida IMTS properties and has opted instead, to end IMTS service (at the sole expense of their IMTS customers, who very recently purchased IMTS phones ONLY USEABLE on the GTE IMTS service).

Petitioner further suggests that as GTE is the wireline cellular system operator in virtually all if not all markets in which it presently provides IMTS service, it is logical to suspect that GTE's REAL motive in shutting down IMTS rather than selling said IMTS systems is that GTE seeks to force their IMTS users up to their costly cellular service, serving ONLY GTE's benefit and certainly NOT that of the IMTS customers!

In NOW seeking to shut down IMTS rather than selling it, Petitioner further alleges that GTE seeks this Commission's aid in thwarting future competition in the marketplace, as the FCC has a freeze on new applications for IMTS service, although existing license sale/transfer IS fully allowed.

GTE's Florida VHF and UHF IMTS systems are capable of serving more than 2,500 subscribers. As IMTS is primarily attractive to the high volume business user who would otherwise have to spend more than \$400.00 monthly for cellular, it is obvious that GTE's precipitating the demise of IMTS would thereby enable GTE Mobilnet to capture at least half of the resultant \$12,000,00. cellular revenue ANNUALLY from these 2,500+ IMTS potential users. [Petitioner estimates \$6,000,000. because there are two cellular carriers in each market, Block B Wireline (LECs) such as GTE and Block A Non-wireline companies (such as Cellular One)]

Letters are also attached from a representative cross-section of IMTS users, asking that they be joined into this Petition. The Commission's attention is directed to the letters from Cura Sod Corp. and The Fectel Company, both of which utilize five (5) IMTS mobile telephones each on the GTE IMTS service. Most users are single mobile unit users such as the others whose letters in support of this Petition are also attached. That all other subscribers on GTE's IMTS service are, in fact, continuing to use IMTS service Petitioner avers therefore that fact, in and of itself, reflects that the above referred to letters fairly represent the position of ALL GTE Florida IMTS users.

IMTS service always was and still is today, by its very nature, Common Carrier Public Mobile Telephone Service on protected radio channels and is required to be made available to the public, without discrimination, for any lawful communications purpose. IMTS is NOT a private mobile telephone system which the owner/licensee is permitted to shut down solely at the owner/licensee's whim and fancy. Petitioner respectfully asks this Commission not to allow GTE Florida to abrogate its responsibilities to its IMTS customers, which responsibilities GTE took upon itself when it contracted with IMTS Inc. in April 1994 to rebuild its IMTS subscriber base.

THEREFORE, Petitioner respectfully asserts that the public interest mandates the relief in full, sought by Petitioner in Docket # 960875TL.

Respectfully yours,



Thomas R. Morgan  
3616 Harden Boulevard  
Lakeland FL 33803-5938  
941-499-5063



August 21, 1996

TO: Ton Morgan

In June 1994, IMTS, inc. assumed operation of GTE's IMTS mobile telephone service in the state of Florida.

This assumption was part of a sales agency agreement between GTE and IMTS, inc. IMTS, inc.'s responsibilities under the agreement included physical maintenance of the system, billing of the customers, customer service and marketing to expand the customer base.

The customer base currently consists of 118 active mobile units, 92% of which have been activated since the implementation of IMTS, inc.'s marketing plan.

Sincerely,

A handwritten signature in cursive script that reads "Patrick Farrell".

Patrick Farrell  
IMTS, inc.

8204 NORTH AMAR  
SUITE C 22  
AUSTIN, TEXAS 78751  
512-837-8511  
800-223-IMTS



# **NORTH AMERICAN NUMBERING PLAN**

## **NUMBERING PLAN AREA CODES**

### **1996 UPDATE**

**Report Prepared by**

**James N. Deak**

**North American Numbering Plan  
Administration**

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## North American Numbering Plan

### 1996 Update

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### 5. NPA Code Assignments Since 1984

The NANP was introduced in 1947. At that time 86 NPA codes were assigned to cover the continental United States and Canada. In 1957 Alaska and Hawaii were added, and in 1958 the 809 NPA was assigned to incorporate Bermuda and many of the Caribbean Basin islands. As time passed, additional NPA codes were assigned to provide relief in NPAs in which the supply of numbers was exhausting. The table below summarizes NPA relief activities completed since Bellcore became administrator of the numbering plan in 1984.

NPA RELIEF DATE	ORIGINAL NPA	NEW NPA	LOCATION
01/07/84	213	818	California
09/01/84	212	718	New York
03/05/88	303	719	Colorado
04/16/88	305	407	Florida
07/16/88	617	508	Massachusetts
11/11/89	312	708	Illinois
11/01/90	201	908	New Jersey
11/04/90	214	903	Texas
09/02/91	415	510	California
10/06/91	301	410	Maryland
11/02/91	213	310	California
01/01/92	212, 718	917*	New York
05/03/92	404	706	Georgia
07/01/92	212#	718#	New York
11/01/92	512	210	Texas
11/14/92	714	909	California
10/04/93	416	905	Ontario
11/14/93	919	910	North Carolina
12/01/93	313	810	Michigan
01/08/94	215	610	Pennsylvania
01/15/95	205	334	Alabama
01/15/95	206	360	Washington
03/01/95	713	281@	Texas
03/19/95	602	520	Arizona
04/02/95	303	970	Colorado
05/28/95	813	941	Florida
07/15/95	703	540	Virginia
08/01/95	404	770	Georgia
08/28/95	203	860	Connecticut
09/11/95	305	954	Florida
09/11/95	615	423	Tennessee
10/01/95	809	441	Bermuda
11/05/95	503	541	Oregon
12/03/95	803	864	South Carolina
12/03/95	904	352	Florida

In the above table (\*) indicates that 917 is an overlay to NPAs 212 and 718, (#) indicates that the Bronx moved from the 212 NPA to the 718 NPA, and @ indicates that 281 is an overlay relief plan to NPA 713.

**Bellcore**

Ⓢ Bell Communications Research

**NORTH AMERICAN  
NUMBERING PLAN**

**NUMBERING PLAN  
AREA CODES**

**1996 UPDATE**

**Report Prepared by**

**James N. Deak**

**North American Numbering Plan  
Administration**

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For further information, please contact:

Jim Deak  
North American Numbering Plan Administration  
6 Corporate Place, PYA 1G-278  
Piscataway, New Jersey 08854-4157  
(908) 699-6612  
(908) 336-3293 FAX  
[jnd2@cc.bellcore.com](mailto:jnd2@cc.bellcore.com)

# North American Numbering Plan

## 1996 Update

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01/07/84	213	818	California
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03/05/88	303	719	Colorado
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07/16/88	617	508	Massachusetts
11/11/89	312	708	Illinois
11/01/90	201	908	New Jersey
11/04/90	214	903	Texas
09/02/91	415	510	California
10/06/91	301	410	Maryland
11/02/91	213	310	California
01/01/92	212, 718	917*	New York
05/03/92	404	706	Georgia
07/01/92	212#	718#	New York
11/01/92	512	210	Texas
11/14/92	714	909	California
10/04/93	416	905	Ontario
11/14/93	919	910	North Carolina
12/01/93	313	810	Michigan
01/08/94	215	610	Pennsylvania
01/15/95	205	334	Alabama
01/15/95	206	360	Washington
03/01/95	713	281@	Texas
03/19/95	602	520	Arizona
04/02/95	303	970	Colorado
05/28/95	813	941	Florida
07/15/95	703	540	Virginia
08/01/95	404	770	Georgia
08/28/95	203	860	Connecticut
09/11/95	305	954	Florida
09/11/95	615	423	Tennessee
10/01/95	809	441	Bermuda
11/05/95	503	541	Oregon
12/03/95	803	864	South Carolina
12/03/95	904	352	Florida

In the above table (\*) indicates that 917 is an overlay to NPAs 212 and 718, (#) indicates that the Bronx moved from the 212 NPA to the 718 NPA, and @ indicates that 281 is an overlay relief plan to NPA 713.



29 August 1996

Thomas R. Morgan  
3616 Harden Blvd.  
Lakeland, FL 33803-5936

Dear Thomas Morgan,

Harris Corporation/RF Communications discontinued technical support for the IMTS HICOM terminal mid year of 1995. This included all software and hardware support. All supporting HICOM equipment at Harris/RF Communications had been disposed of or place in storage at a location that I do not have knowledge of.

If I can be of any more assistance, please don't hesitate to call me.

Very Truly yours,

N. James Swartz  
Harris/RF Communications  
1680 University Ave  
Rochester, NY 14610  
(716) 242-3973

-3-

19 August 1996

TO: Mr. Norman Schwartz  
Harris RF Communications  
1680 University Avenue  
Rochester NY 14610

FROM: Thomas R. Morgan  
3616 Harden Boulevard  
Lakeland FL 33803-5938

1. Are you presently employed by Harris Corp. of Rochester New York and do you have technical knowledge relating to the IMTS HiCom switch manufactured by Harris Corp? A. Yes
2. Did Harris Corporation manufacture the IMTS HiCom switch presently in use at Tampa, Florida by GTE Florida? *No. martin - marrietta sold them the HiCom. We purchased the HiCom from martin marrietta in 1975.* A. Yes
3. Is it true that the Harris HiCom IMTS switch does have the capability to be reprogrammed to recognize and complete calls to interchangeable area codes if said HiCom switch had not been programmed to this end when it was manufactured? A. Yes
4. Is it true that to reprogram a HiCom switch such as used by GTE Florida in Tampa, it is necessary to possess the "source codes" to effect said reprogramming stated in (3.) above? A. Yes
5. Were the referred to "source codes" available on request to any HiCom switch owner after Harris Corp. advised such HiCom switch owners that Harris Corp. was no longer going to provide technical support for the HiCom switch? *I don't know* A. know
6. Do you have any knowledge that Harris Corp. refused to provide said "source codes" on request by any HiCom switch owner after Harris Corp. advised that it would not provide future technical support for the HiCom switch? A. No
7. To the best of your knowledge, can the HiCom IMTS switch be reprogrammed to recognize and complete calls to interchangeable area codes, by using the "source codes" under the following conditions:
  - A) In the field, where the terminal is installed? A. Yes
  - B) Without the addition of any additional circuit boards or modules that do not already exist in a HiCom switch programmed only for the original NPA format? A. Yes
  - C) Without the use of any additional Harris HiCom programming apparatus, if any, that might otherwise not be available at this point in time? A. Yes
8. Do you have any knowledge of any visits by any employee or representative of Harris Corp. to the GTE Fla. HiCom switch after 2 March 1996 to attempt to modify said HiCom terminal in accordance with (3.) above? A. No

The above information is provided to the best of my knowledge and belief.

Date: 27 Aug 1996

(Signed) N. James Sewant

Raymond Nosewicz  
163 Chapel Street, PO Box 902  
Canandaigua, NY 14424

August 26, 1996

Mr. Thomas K. Morgan  
Jobb Harden Blvd  
Lakeland FL 33803-5936

Dear Mr. Morgan

Here-within is my response to your questions per your request for your petition with the Florida PSC against GTE Florida. I have answered your questions as objectively and realistically as I could.

Responses:

1. I was employed at Harris Corp. from June 1977 through December 1994. The majority of my employment was in the capacity of programming, field engineering and support of the HICOM IMTS mobile switch. In December 1994, I resigned from Harris to take a position with Cellular One, Rochester NY.

After my resignation from Harris in December 1994, I did independent consulting for technical support and program modification of the HICOM utilizing the development system and test bed located at Harris Corp. in Rochester NY. Harris would refer requests for technical and software support from HICOM switch customers to me. I would support these customers to the best of my ability utilizing Harris' facilities. In March of 1996, I learned that Harris had disposed of these facilities.

2. The HICOM in Tampa was originally manufactured by Martin Marietta Corp. In 1977, Harris acquired the HICOM product line and continued with its manufacture and support until it was manufacturer discontinued in the mid 1980's. Harris did offer repair, modification and technical support of existing HICOMs up to the time of my departure from the company in December 1994.
3. The HICOM was never designed to be able make translation changes in the field by the customer (GTE). Changes of this nature, e.g. dialing plan changes, had to be done by way of a system program modification by Harris. The HICOM has only limited capability to modify Special Service Number translations (411, 611 and 911) in the field without a program change.
4. To modify the dialing plan of HICOM switch used by GTE Florida, would require the HICOM program listings for this switch and sufficient knowledge of the programming in order to "patch" the program to allow

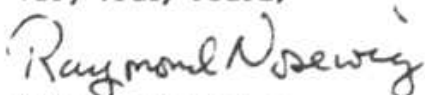
call completion to interchangeable area codes. As stated in item (1) above, I have sufficient knowledge, but to the best of my knowledge, Harris has disposed of the program listings.

5. I do not know if Harris offered the source code or program listings to HICOM switch owners when Harris decided no longer to support the HICOM. On several occasions, I made requests of Harris to obtain these for my independent consulting business, but my requests were never honored.
6. I do not know if Harris ever received any such requests or refused to provide the HICOM source code. I believe that by contract, Harris agreed to support the HICOM for 10 years after it was accepted by the switch owner. I do not recall ever seeing the contract between Harris and GTE, Florida.
- 7A. The HICOM owned by GTE could be "patched" in the field only if the program listings were made available by Harris.
- 7B. The required modification to the GTE HICOM is a program change only and would require no additional hardware. I do not know of any hardware solution for the dialing plan change issue.
- 7C. As stated in (4) and (7A), the existing program could be "patched" if the required program listing were obtained. This would not require the use of additional programming apparatus if the listings were provided on paper. The specific program listings for this switch, not the source code, would be required to "patch" the program. If these were made available, I would be able to modify the GTE HICOM to allow dialing to interchangeable area codes for an appropriate fee
8. Since March 2, 1996, I have had numerous telephone contacts with yourself, with IMTS Corp. who maintain the HICOM for GTE and with GTE regarding this issue and other problems. I have provided technical support and made numerous recommendations in addressing this and other issues, but have not visited the GTEF HICOM switch site.

I have initiated yet another request to Harris to locate the program listings for the HICOM owned by GTEF, but I don't expect favorable results.

If I can be of further assistance, please call me at 716-729-7572.

Very Truly Yours,



Raymond Nosevicz  
Engineering Consultant

*FreePage Corporation*  
*P.O. Box 2576*  
*Montauk, NY 11954*  
*516 668 6775*

August 27, 1996

Mr. Thomas R. Morgan  
3616 Harden Boulevard  
Lakeland, FL 33803-5938

Dear Tom:

For your information, in the last 18 months, I have acquired IMTS channels in New York City, Richmond, Norfolk, and Harrisburg. Additionally, I have contracts (with deposits!) or Letters of Intent to acquire additional frequencies in New York City, New Haven, Philadelphia, Atlantic City, Baltimore, Washington, and in thirteen California locations.

As part of my efforts, I contacted Anne Marie Moran at GTE's Irving, TX office and was told that they were not interested in selling any of their Tampa area IMTS frequencies unless I was able to bid on all the IMTS frequencies throughout the country. I was quoted a "ballpark" figure of \$ 2.8 Million for all the systems, including customers.


Please bear in mind that I was exploring other "neglected" mobile services as well: Air-Ground and Marine Operator, plus paging systems. My goal was to build a network of small systems into a larger company which could then explore newer technologies to increase usage and revenues. I plan to continue doing so in the NorthEast and California, as I believe I can reach critical mass.

Ms. Moran did write me in either May or June 1996, indicating GTE would not be doing anything with IMTS, but if they changed their minds, they had my letter expressing interest in their files. This was confirmed in a phone conversation in August 1996, when I inquired about the Tampa Marine Operator facilities. I was quite surprised to learn GTE had filed to discontinue IMTS operations in Florida.

I am taking a wait-and-see attitude on this since it appears you've taken it to the PSC/PUC as a class action. More power to you! Should GTE ever sell the Tampa IMTS system to me, I would certainly look forward to working with you to load up the system. As I indicated to you, I have modern IMTS terminals (Glenayre 1200s) which I could use to upgrade the older switching equipment now in place there.

I wish you and the other IMTS subscribers in Florida the best of luck in your case. Let me know how it turns out.

Sincerely,



Matt Edwards  
President





# THE FECHTEL COMPANY

August 29, 1996

Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

Re: Petition to rescind and dismiss GTE Florida A117 Tariff  
by Thomas R. Morgan et al, Docket #960875TL

To Whom It May Concern:

We purchased five IMTS mobile telephones between November of 1993 and June of 1994, which we are utilizing in conjunction with GTE Florida's IMTS mobile telephone service referred to in the above reference.

We wish to be joined into the above-referenced petition as a party-in-interest, as we rely on this service for our day to day business communications. Therefore, we oppose GTE Florida's efforts to discontinue serving the public interest, convenience and necessity in their A117 tariff filing to discontinue said service.

We believe that our position is also representative of the interests of the many other users of this valuable service.

Very truly yours,

Jay Fechtel  
President

JF:ps

August 29, 1996

Public Service Communication  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399

Subject: Petition To Rescind GTE Florida, Tariff A 117

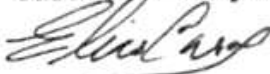
Dear Sir or Madam:

We are a subscriber to the GTE IMTS Mobile Telephone Services in Florida and purchased 5 IMTS telephones in October of 1995. We are using the equipment for our business communications with the public.

We ask to be joined to the petition of T.R. Morgan docket #960875TL, as we oppose efforts by GTE Florida to discontinue IMTS Mobile Telephones Services.

We are sure that our position on this matter reflects the position of all other users of this service.

Yours truly,  
Cura Sod Corporation



Elias Cura  
President

EC:mts



604 W Memorial Blvd  
Lakeland, FL 33801

FAX 813-688-9924  
Store 813-687-8701

August 29, 1996

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399

Subject: PETITION TO RESCIND GTE'S TARRIFF A-117

Dear Sir or Madam,

We purchased an IMTS mobile telephone and have been using the service since 1974, in conjunction with GTE's IM'S car phone service in Central Florida.

We wish to be joined into Petition of Thomas R. Morgan, referenced above (Docket # 960875TL), as we oppose any effort on the part of GTE to discontinue IMTS service in this area. We are confident that our position is representative of all other IMTS users who value GTE Florida ITMS mobile telephone service.

Sincerely,

David R. Spiker  
Owner/President  
All American 4 Wheel Drive, Inc.

[REDACTED]

103 Burns Lane  
Winter Haven, Florida 33884  
941-299-3366

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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399  
August 30, 1996

Re: Petition to recind GTE Florida A117 Tariff  
Docket # 960875TL

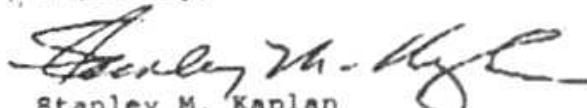
Gentlemen:

I wish to join in the above docket filed by Thomas R. Morgan. I have had a mobile phone since September 3, 1993 and use it very often in my business. I am both a residential contractor and Cabinet shop owner and rely heavily on mobile communication.

I value the service this system provides and feel the delay in the area code change was criminal(it took 3 months to be able to dial in the new 941 area code without going through the operator, and most of the time there was a hassle).

I oppose GTE Florida's intention to discontinue IMTS service in the state of Florida. It would be a hardship to me.

Sincerely,



Stanley M. Kaplan  
President