

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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: In the Matter of :
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: :
Investigation into telephone : DOCKET NO. 981941-TL
exchange boundary issues in :
South Polk County (Fort Meade :
area). :

: :
Investigation into boundary :
issues in South Sarasota and : DOCKET NO. 981941-TL
North Charlotte Counties :
(Englewood area). :

: :
Request for review of proposed: DOCKET NO. 990223-TL
numbering plan relief for the :
941 area code. :

VOLUME 2

PROCEEDINGS: HEARING

BEFORE: CHAIRMAN JOE GARCIA
COMMISSIONER JULIA L. JOHNSON
COMMISSIONER E. LEON JACOBS, JR.

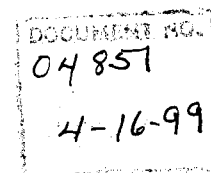
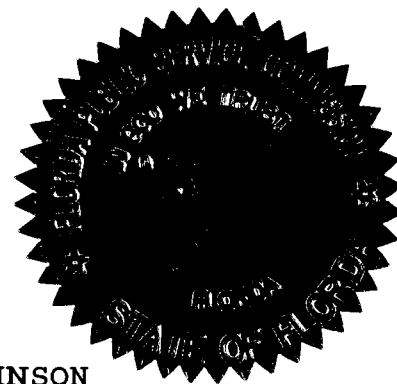
DATE: Thursday, April 8, 1999

TIME: Commenced at 10:20 a.m.
Concluded at 6:40 p.m.

PLACE: Sarasota County Administration Center
County Commission Chambers, 1st Floor
1660 Ringling Boulevard
Sarasota, Florida

REPORTED BY: JOY KELLY, CSR, RPR
FPSC Division of Records & Reporting
Bureau Chief, Reporting

APPEARANCES: (As heretofore noted.)



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P R O C E E D I N G S

(Transcript continues from Volume 1.)

THOMAS C. FOLEY

continues his testimony under oath from Volume 1:

BY MR. REHWINKEL:

Q Thank you, Mr. Foley. Do you have any summary remarks to make before I turn you over to cross examination?

A No.

MR. REHWINKEL: Mr. Foley is available for cross examination.

CHAIRMAN GARCIA: Thank you, Mr. Foley. We'll start with Mr. Minix.

MR. MINIX: Mr. Chairman, I'd like to go ahead and pass at this time. But if I do find some clarifying questions, I'd like to have the opportunity to do it a little later.

CHAIRMAN GARCIA: All right. We'll consider that a little later then. Ms. Burton.

CROSS EXAMINATION**BY MS. BURTON:**

Q Yes. Mr. Foley, in your testimony on Page 20 you had referred to the Englewood request, and I believe when this was prefiled this was before the consolidation of the dockets?

1 A That's correct.

2 Q Could I ask why you were including this
3 reference in the prefiled testimony for the 941 docket
4 at this point in time?

5 A It was my understanding at the time that the
6 Englewood request was asking basically for some
7 modification of the boundary, the industry consensus
8 boundary and a boundary change would have a direct
9 impact upon the relief activity and possibly the
10 relief interval.

11 Q You also mention in your testimony that it
12 can be very problematic for the service provider
13 companies to have an area code split that does not
14 follow the lines of a specific exchange.

15 Are you aware that the Public Service
16 Commission Staff has revised one of the alternatives
17 in Exhibit No. 2, and I believe it's -- they are
18 Alternative No. 3, that for Charlotte County adds some
19 land in DeSoto County because that's part of the Punta
20 Gorda exchange and deletes a small portion of -- oh,
21 I'm sorry -- (Hands document to witness.) Alternative
22 No. 3?

23 A Yes, I have that in front of me.

24 Q Looking at Charlotte County, that the Public
25 Service Commission Staff had altered the original

1 Alternative 3 that had been presented to the counties,
2 or to the parties back at the March 26th workshop in
3 Englewood, so that there were three changes actually
4 made to the Charlotte County boundaries. One is to
5 extend the northeastern boundaries of the county of
6 the new area code into DeSoto County to allow the
7 Punta Gorda exchange to stay together. Another change
8 was to extend the new NPA in the southern part of
9 Florida up into Charlotte County so that the North
10 Fort Myers exchange can stay together. And then I
11 believe the other change was to extend down and
12 include Boca Grande, the other part of Boca Grande
13 that's in Charlotte County?

14 A Yes. That would keep the exchanges
15 together.

16 Q So with that change, with that particular
17 change, would you have any objection to Alternative 3?

18 A No.

19 Q Likewise, would you have any objection to
20 another alternative which, as far as the exchange
21 lines concerning Charlotte County, follow the same
22 lines as are depicted in Alternative 3 for Charlotte
23 County -- and I realize we're only speaking for
24 Charlotte County.

25 A If you're referring to modifying the plan to

1 include or exclude whole exchanges, I think whatever
2 the Commission decides as long as it includes entire
3 exchanges would be acceptable. The problem with
4 splitting an exchange means that some customers, some
5 percentage of customers, depending on where the slice
6 is, of course, would have to take a full telephone
7 number change.

8 Q Thank you.

9 MS. BURTON: I have no further questions.

10 CHAIRMAN GARCIA: Okay. Ms. Schneider.

11 CROSS EXAMINATION

12 BY MS. SCHNEIDER:

13 Q Mr. Foley, do exchanges generally cross --
14 one exchange generally cross county boundaries?

15 A Sometimes they follow political boundaries.
16 Most always they follow geographic boundaries.
17 Sometimes they have been put there and history has
18 dictated where they are based on some growth patterns
19 and things like this. They don't normally follow
20 county lines, although there are a number of
21 exceptions where they don't follow county lines. They
22 generally try to follow county lines if that's at all
23 possible.

24 Q Do you know if with respect to the Manatee,
25 Charlotte, Sarasota area if exchanges cross any of

1 those?

2 **A** Yes. There are several -- I can't speak
3 specifically to Manatee and Sarasota County. It's not
4 our service area. But in the case of Charlotte
5 County, Port Charlotte exchange sticks into DeSoto
6 County; part of Punta Gorda is in DeSoto County; part
7 of North Fort Myers into Charlotte County, with the
8 bulk of North Fort Myers exchange down in Lee County.
9 I believe that Boca Grande transcends two counties,
10 Charlotte and Lee Counties. And I think that's about
11 all of them, I think.

12 **Q** Okay. So if that area down at the southern
13 end of Charlotte were included in a different split
14 that area that overlaps into Lee County, and DeSoto
15 was included in a Manasota -- Manatee, Sarasota
16 Charlotte configuration -- I'm sorry, GTE didn't go up
17 that far. That's right.

18 But -- okay going back to Charlotte --

19 **A** We have DeSoto County.

20 **Q** If DeSoto were included in a Manatee,
21 Charlotte and Sarasota combination, in that those
22 exchanges at the lower part of Charlotte were in a
23 different area code, that wouldn't present a problem?

24 **A** No. As long as the entire exchange were
25 moved.

1 Q Okay. On Page 2 of your prefiled testimony
2 you stated that you've managed Sprint's activities for
3 NPA relief since 1988 and including the implementation
4 of interchangeable NPA/NXX codes. What are
5 interchangeable NPA/NXX codes?

6 Q Originally when the North American Numbering
7 Plan was devised, area codes only had 0s and 1s in the
8 middle digit. This was done so the switches could
9 identify that that was an area code as opposed to an
10 exchange code; and vice versa, that exchange code did
11 not include the middle digit of 0 or 1, the NXX codes
12 if you will. As time progressed back in the late
13 '80s, early '90s, it was determined that the North
14 American Numbering Plan was beginning to run out of
15 numbers. And, in fact, one of the measures that was
16 implemented at that time was to remove that barrier
17 from the 0 and 1 digit being the middle digit of an
18 area code, and, in effect, giving several hundred more
19 area codes available for use in the country. And at
20 the same time it gave a couple hundred more NXX codes;
21 made them available for use inside an individual area
22 code, thus extending the life to a great deal of the
23 individual area codes themselves and the North
24 American Numbering Plan itself, area code.

25 Q Could you explain on Page 3 of your

1 testimony the factors which you say diminish the
2 number of assignable NXX codes. There are, I guess,
3 792 and you say there are a number of factors that
4 diminish --

5 A Based on the North American Numbering Plan
6 there are 800 codes and eight are automatically
7 removed because they are considered the N11 codes,
8 like 311, 411, 611, and 911 that all have specific
9 reasons for being there.

10 Other things that affect -- sometimes we
11 have dialing situations across an NPA boundary where,
12 through history, have been mandated to be seven
13 digits. Those codes have to be protected on either
14 side of that boundary so that the switching system
15 knows when you dial that code, that you're going there
16 and not somewhere else in your own area code.

17 There are other situations where easily
18 recognizable codes are not usually used, four, five
19 six, seven, eight hundred numbers. There are codes
20 such as 950 that are held out; 976. If they are not
21 used for the services they are intended, they are not
22 assigned to something else.

23 There are instances where if you have areas
24 in adjoining area codes, you do not try to assign
25 those area codes as NXX codes simply for the confusion

1 factor.

2 Q And that -- can anything be done in your
3 professional opinion to, I guess, overcome some of
4 those obstacles so that those codes are usable?

5 A Some of the industry consensus -- and it was
6 done recently in the 941 when the N00 codes were
7 opened up for use as NXX codes. In other words, they
8 opened up 200, 300, 400 -- 700, 900, I believe, were
9 made available for assignment as NXX codes. The 911
10 codes are still being held out, and they will
11 continue, I hope, to be held out. And they looked at
12 the use of the codes for adjoining area codes, such as
13 813, and that was placed back in the pool available
14 for use. That was done with industry consensus.

15 Q That has helped in some way too?

16 A Yes.

17 Q What happens to the unused numbers in an NXX
18 code? If someone has been given this 10,000 block of
19 numbers and they don't use them all --

20 A Right now they are basically assigned to a
21 individual code-holder and held for future use.

22 Q And if that -- so indefinitely those numbers
23 are there whether they have just used a thousand and
24 probably will only incrementally increase it; they
25 keep that extra 9,000 just there?

1 A Today that is correct.

2 Q Is it a difficult thing to overcome that?

3 A The industry is in the process of changing
4 that right now. I think Ms. Kenworthy's testimony
5 went a little bit to local number portability and
6 thousand block pooling. These are things the industry
7 is working on now that will, in the coming
8 year-and-a-half or two years, be made available to
9 allow those remaining numbers that are not being used
10 necessarily by that carrier to be assigned to another
11 carrier in that area.

12 Q Is that something that can be done now to
13 extend the -- since we're in this extraordinary
14 jeopardy situation with 941, can anything be done
15 to -- with respect to calling back some of those
16 numbers -- to help the current situation?

17 A Not in time, no.

18 Q Is that just -- why?

19 A With the local number portability and
20 thousand block pooling, it would require some software
21 changes in some administrative systems that are
22 controlling the number portability in the southeast.
23 And it would also incur some of these -- if the new --
24 there's a new method that is being worked on right now
25 that is different than the trial that's currently

1 going on in Chicago. And I don't think that was
2 mentioned anywhere. But a trial of number pooling was
3 going on in the Chicago area right now where they are
4 pooling thousands of blocks by individual numbers.

5 The newest release of the software that will
6 be available early to middle of next year will do this
7 in thousand block increments, and each data record
8 will be considered a thousand blocks of numbers. We
9 don't have the capacity, and I don't know many
10 carriers that would have the capacity, to install
11 individual numbers in these databases that do the
12 number portability. They were designed to handle only
13 positive deported number; not all numbers in the
14 ranges.

15 So these issues have been worked out. The
16 vendor for the software system that does this has
17 received the specifications and is in the process of
18 preparing the bid now. And sometime in the middle or
19 end of this month, those bids will be presented to the
20 various groups that control the number portability
21 centers, and acted on accordingly. And when that is
22 done, then the thousand block pooling will be made
23 available.

24 Q Okay. Thank you.

25 A Did I answer that?

1 Q Yes, you did.

2 On Page 8 of your prefiled testimony you
3 state the advantages of the overlay method of relief,
4 and including your opinion that after the initial
5 overlay code is employed, additional relief for the
6 area using another overlay NPA code will have minimal
7 impact on customers.

8 I just wonder if you could explain what you
9 meant by that?

10 A The pain, if you will, of going to an
11 overlay situation, overlay relief, is the process of
12 dialing 10-digits. Once you have overcome that,
13 adding just a different code, to me, is no -- the pain
14 is not there because you're already dialing 10 digits.
15 That's the issue.

16 Q That's not considering that -- as I
17 understand the overlay method, if I have just a
18 telephone in my home and then I buy a cell phone after
19 an overlay is in, I'll have another area code for my
20 cell phone that would be different from my telephone.
21 And if I add another line in my home for a teenager, I
22 will have yet a their area code, possibly, if the next
23 overlay is in there?

24 A You want that teenage line as far away from
25 your number as it can be.

1 That's not necessarily true. There is a
2 pool of numbers out there that are in these switches
3 that are available for use. At the moment that the
4 overlay goes into effect does not necessarily mean
5 that every number after that point will be assigned
6 that new area code. There are still people who are
7 moving in and out of the area. There's that churn.
8 Those numbers will still be available for quite a
9 period of time.

10 And the way the numbers are assigned now by
11 NXX code, they will be given the carriers on a
12 first-come-first-serve basis as they are now. And if
13 a new carrier moves into an area and you choose to use
14 that -- I'll say cellular carrier for something
15 better -- for you cellular phone, yes, it is possible
16 that you could have another telephone -- another area
17 code for your cell phone.

18 **COMMISSIONER JACOBS:** If we did an overlay
19 and there's churn, does each carrier retain their own
20 numbers?

21 **WITNESS FOLEY:** Yes, they do.

22 **Q** **(By Ms. Schneider)** If an overlay is in
23 place, you could have new people moving in keeping the
24 old area code or getting a new area code and there's
25 really no --

1 **A** Correct.

2 **Q** -- rhyme or reason, I guess, for the
3 average person to understand why. I mean, I know the
4 industry understands why.

5 **A** It would have to do with the growth in a
6 individual switch. If, for instance, the numbers
7 in -- I'll say Arcadia -- were to begin exhausting and
8 go out and get another NXX code for Arcadia, at that
9 point those customers moving to Arcadia would be
10 getting a new area code. But that may take a good
11 deal of time before those actual numbers exhaust
12 predicted in Arcadia or some other area. Or that if
13 you go to a competitive carrier that has been in the
14 area for a while, they already have 941 codes. And
15 those codes aren't used up yet; they will continue to
16 use those until they are full. Okay.

17 **Q** Recently there was an article in the
18 Sarasota Herald Tribune that stated that the maximum
19 usage of numbers of an NXX code by a provider is
20 somewhere around 50%. Would you agree with that?

21 **A** The practical -- it's not a maximum but it's
22 a rate, including a churn and things like this, is
23 somewhere in the neighborhood of 70% I believe.

24 **Q** 70.

25 **A** I don't think there's any firm industry

1 guideline on that. Our models start looking between
2 70% and 80%. At that point we need to relieve that
3 code.

4 Q Thank you.

5 MS. SCHNEIDER: That I have no further
6 questions.

7 CHAIRMAN GARCIA: Ms. Caswell?

8 MS. CASWELL: No questions.

9 CHAIRMAN GARCIA: Mr. Rehwinkel? Oh, I'm
10 sorry. Go ahead, Mr. May.

11 **CROSS EXAMINATION**

12 **BY MR. MAY:**

13 Q Mr. Foley, Bruce May, a representative of
14 BellSouth Mobility. I have one question for you. On
15 Page 8 of your testimony, Lines 22 and 23, you
16 recognize that, I guess, a one disadvantage -- the one
17 disadvantage to an overlay is that there would be
18 10-digit dialing required.

19 A Correct.

20 Q Then you state, however, that disadvantage
21 is mitigated because eventually all local calls will
22 require 10-digit dialing.

23 A Yes.

24 Q Could you expand on that as to what you're
25 referring to there?

1 **A** In a industry document a number of years
2 ago, the Industry Numbering Council made the
3 recommendation that all numbers begin -- that all area
4 code relief be with overlays and that all numbers
5 become ten digits. This eliminates a lot of
6 cross-boundary issues and things like this; and
7 facilitates growth by other carriers who are coming
8 into the area with new area codes and things like
9 this.

10 Eventually I think there will be a
11 significant number of 10-digit dialing. Wherever --
12 if this is chosen to be a split, wherever that line is
13 drawn there will be 10-digit cross-boundary dialing.
14 The smaller the geographic area that you make these
15 area codes, the more of that cross-boundary dialing
16 there will be as you start cutting into communities of
17 interest. And eventually it reaches the point where
18 you might as well make it all 10-digit dialing because
19 there is less 7-digit dialing than there is 10-digit
20 dialing, and you get the confusion factor whether you
21 dial seven or ten, so just make it ten and be done
22 with it.

23 **MR. MAY:** Thank you very much.

24 **CHAIRMAN GARCIA:** Mr. Heaton.

25 **MR. HEATON:** Did Mr. Rehwinkel have any

1 questions?

2 **CHAIRMAN GARCIA:** Mr. Rehwinkel will go at
3 the end since this is his witness.

4 **CROSS EXAMINATION**

5 **BY MR. HEATON:**

6 **Q** With respect to your Exhibit No. 8, the
7 exhibit TCF-1, Pages 4 and 5.

8 **A** Yes, sir.

9 **Q** Page 5 in particular, there's eight Sprint,
10 or Sprint-affiliated, parties that were listed as
11 invitees to that industry conference. Did any of them
12 act as code administrators for other code-holders?

13 **A** We have in the past, yes.

14 **Q** Do you think Sprint had any obligation to
15 advise the other code-holders that there was going to
16 be such a meeting and that they, too, would be
17 eligible to attend?

18 **A** No, I don't believe it was our obligation in
19 this case to notify the code-holders.

20 **MR. HEATON:** No further questions.

21 **MS. WHEELER:** No questions, Chairman.

22 **CHAIRMAN GARCIA:** Staff.

23 **CROSS EXAMINATION**

24 **BY MS. McKINNEY:**

25 **Q** Hello, Mr. Foley. Staff has several

1 questions.

2 Mr. Foley, in your testimony you indicated
3 that on Page 5, Lines 3 through 11, that the local
4 number portability, the technology available for
5 thousand-block pooling, you talked about that. Could
6 you please explain how the technology works and how it
7 helps eliminates the needs for NPAs?

8 **A** Right now numbers are assigned in blocks of
9 10,000, called NXXs. These are assigned to carriers
10 based on rate centers that they serve. And I think
11 we've heard the definition of a rate center earlier.

12 Thousand-block pooling will allow -- one
13 more thing. That the entire telecommunications
14 industry right now is based on NPA and NXX routing of
15 calls, six-digit routing of calls.

16 Without changing that, a database solution
17 has been devised which is the same database solution
18 for individual number porting between carriers that
19 will allow groups of thousands of numbers to be moved
20 from one carrier to another. And where this would
21 help in a rate center where you have multiple
22 carriers, instead of the competing carriers each
23 having a full NXX or requiring a full NXX to get into
24 the business, or if they grow beyond that NXX, going
25 out and getting another full one, a full 10,000

1 numbers, they can receive a block of 1000 numbers that
2 is unused by another carrier in that rate center to
3 provide service for their customers.

4 Q Mr. Foley, out of the five alternatives
5 presented today, which one of the alternatives do you
6 think will have problems related to boundary exchange
7 issues, if any, and implementation issues?

8 A With the exception of the plan that was
9 drawn along the LATA lines, if the terms "along county
10 boundaries" are used in any of the plans we will have
11 an issue with that.

12 Q What issue will that be?

13 A That will be splitting an existing exchange
14 forcing some customers to take a full number change.

15 CHAIRMAN GARCIA: Which one of the plans has
16 the most of that going on? Give me an idea of the
17 numbers.

18 WITNESS FOLEY: I would say the one I'm
19 looking at now, which is the Alternative 3, if that is
20 done along county lines. If it -- as was indicated
21 that it's drawing -- it does not show, for instance,
22 the North Fort Myers portion of -- the North Fort
23 Myers exchange that sticks into Charlotte County. It
24 doesn't show that. If it is along exchange boundaries
25 for the majority of the county, we wouldn't

1 necessarily have a problem with that.

2 If you'd like, I'd get out a bigger map and
3 show you where those are.

4 Q (By Ms. McKinney) Could you please give
5 some examples where rate consolidation could be
6 implemented in Florida?

7 A No, I can't.

8 Q If --

9 A That's not because -- we've looked at some
10 and we haven't been able to find any that meet the
11 criteria.

12 Q Is it possible to delay the 941 area code
13 exhaustion?

14 A The only option to delay 941 specifically is
15 through the code rationing procedures that were just
16 recently put into effect, and the possible typing of
17 those, which could delay it in a matter of months.

18 CHAIRMAN GARCIA: Describe what is in place
19 now just so we have an idea how much tighter we have
20 to make it.

21 WITNESS FOLEY: The industry reached a
22 consensus in a industry meeting to reduce the number
23 of codes assigned to the 941 beginning in May to seven
24 codes per month. And that would take you through what
25 we believe is the estimated relief period until we can

1 get a new code in place, and allowing several codes to
2 be held out to meet the requirements should there be
3 an overlay put into place to allow for new entrants
4 into the market to receive a code in the existing 941
5 NPA.

6 Q Do you think there are any other
7 alternatives the Commission should consider?

8 A I think that most -- all of the alternatives
9 that have been brought up provide some measure of
10 relief to the area, and I think should have a fairly
11 good handle on the areas.

12 Basically, wherever you decide that it is in
13 the best interest of the people to make that cut,
14 exchange boundaries notwithstanding, I think we would
15 support that. And if you're referring to, like, three
16 codes, yes, we could support a three-code relief plan.

17 Q Speaking of that, you were here at the
18 service hearing this morning. There was a suggestion
19 by Mr. James Ewing, as the Chairman, that an
20 alternative be that Area 1 be Polk, Hardee, Highlands
21 and Okeechobee; that Area 2 be Manatee, Sarasota,
22 Charlotte and DeSoto; and Area 3 be Lee, Collier,
23 Monroe, Hendry and Glades. Is that a feasible plan?

24 A Technically, yes. The only issue would be
25 in a three-way split, depending on where it is, we

1 have some labor considerations and timing of things to
2 make it happen. So we'd have to take a look at that,
3 a three-way split.

4 **MS. MCKINNEY:** Hold on a minute, please,
5 Mr. Foley.

6 **WITNESS FOLEY:** Okay. (Pause)

7 **Q** (By Ms. McKinney) Mr. Foley, you indicated
8 what jeopardy rationing was a minute ago. With that
9 jeopardy rationing, how long will it last
10 approximately?

11 **A** I believe we looked at June of next year;
12 about a 12-month period.

13 **Q** Earlier you were speaking, and you were
14 talking about the software and how you would need
15 software in order to implement the number pooling, et
16 cetera. The software that you were talking about
17 that's coming up, was that the 3.0 software that you
18 were referring to?

19 **A** Yes. For the impacts.

20 **Q** Correct. And when we went to the FCC on
21 Monday they indicated to us that the 1.4 software is
22 already in place all over the country?

23 **A** 1.3.

24 **Q** 1.3.

25 **A** And in answer, I think, to what your

1 question is, is yes, it does have the Illinois version
2 of number pooling in it.

3 Q Okay. And when we were talking with them
4 they said that all that had to take place was for it
5 to be turned on; that it's sitting there; is that
6 correct?

7 A I think they were looking only as far as the
8 impact itself. And, yes, that's probably the case.
9 Specifically it would have to be approved by the LLC
10 that is controlling the southeast impact and paid for
11 before the vendor would turn it on. But to make it
12 actually work, it takes a lot more work than just
13 turning on the software.

14 Q Okay. help me out, Mr. Foley, I'm not
15 technical. What is LLC?

16 A LLC is Limited Liability Corporation.
17 There's a group of telecommunications providers in the
18 southeast, as there are in each of the other six
19 regions in the country, who administer the impact
20 system, the number portability system for that region.

21 Q Okay. So you're saying it takes more work
22 than actually turning on the software?

23 A Correct.

24 Q We were also informed -- and I'm trying to
25 understand all of this -- that it would take

1 approximately six months to implement number pooling
2 in Florida because the companies actually have the
3 software. What's your assessment of that?

4 A I think six months to implement the
5 Illinois -- the current Illinois proposal is extremely
6 aggressive.

7 Q And why do you say that, sir?

8 A Just my knowledge of how we get things done
9 and the care that we take to make sure that we don't
10 have any errors and any problems.

11 Sprint's position is that we would rather
12 wait for a national solution, which is just a short
13 period away, which will save much equipment in storage
14 and things like this for the data records. The
15 Illinois solution to number pooling in place right now
16 is extremely inefficient.

17 Q There was also some -- I'm going to withdraw
18 that.

19 Are you aware that the software that you
20 have now will be able to be upgraded?

21 A Yes.

22 Q What is Sprint's role in number conservation
23 measures now, if any?

24 A Right now Sprint, with its assignment
25 systems, assigns, to the best we possibly can, to

1 within consecutive thousands blocks. And that is in
2 preparation for any thousands block pooling that may
3 come down the road later on. There are some notable
4 exceptions to that, one of which is customer demand.
5 If a customer absolutely demands that they have a
6 vanity number outside of our internally agreed upon
7 block of a thousand numbers we are using for a
8 particular rate center or particular exchange, we
9 usually will give that to that customer.

10 Q Thank you, Mr. Foley.

11 MS. MCKINNEY: No further questions.

12 CHAIRMAN GARCIA: Mr. Rehwinkel.

13 MR. MINIX: Mr. Chairman, before you get to
14 Mr. Rehwinkel, can I ask a couple of clarifying
15 questions? Thank you.

16 CHAIRMAN GARCIA: Okay.

17 MR. MINIX: Thank you.

18 CROSS EXAMINATION

19 BY MR. MINIX:

20 Q Mr. Foley, in response to Mr. May's question
21 you stated that all local calls required 10-digit
22 dialing in your opinion. And I think you started to
23 give him a basis for that. As I understood it, was
24 your basis for that simply that there was going to be
25 a lot more occasions for using new numbers?

1 A With growth in the industry and changes in
2 the industry, the delineation of specific geographic
3 areas will become more difficult. As you reduce
4 areas -- in the case if we're looking at three areas
5 here. Now, if we look at that, those areas are small
6 enough that anything across those boundaries, dialing
7 will have to be 10 digits. At some point in time
8 there will be sufficient 10-digit dialing that it
9 will -- I believe, it will be mandated by the FCC.

10 Q So --

11 A As a uniform numbering dialing plan in the
12 country.

13 Q Is your opinion a consensus in the
14 telecommunications industry that it's inevitable we'll
15 have 10-digit dialing?

16 A Of the majority of the members of the
17 industry I deal with, yes.

18 Q And do you see additional digits beyond ten
19 digits in the foreseeable futures?

20 A Yes.

21 Q So what you're saying is, the public should
22 start to becoming acclimated to dialing more and more
23 digits to get their phone calls through?

24 A Yes.

25 Q Okay. Did you attend the July meeting that

1 you referred to and you have listed here -- I saw your
2 name down on that list.

3 A Yes, I was there.

4 Q Were there any PSC representatives at that
5 meeting?

6 A Yes, there were.

7 Q There were? Staff?

8 A Yes, there was.

9 Q I didn't notice their names on there. Were
10 there any representatives of local governments?

11 A No, they were not.

12 Q And I take it that before the industry made
13 any conclusions regarding what area code option they
14 would recommend, there was no consultation with any
15 local government or civic groups in this particular
16 area here, Manatee, Sarasota or Charlotte?

17 A Not that I know of specifically.

18 Q And on Page 23 of your testimony you state
19 at page -- Line 12, "The split plan is workable as
20 proposed by the industry. It will meet all of the
21 criteria identified in the NANPA Relief Guidelines."
22 What do you consider to constitute all of the
23 criteria?

24 A The equal -- approximately equal life of the
25 split plan along a recognizable boundary. The split

1 being along a recognizable boundary and they provide
2 uniform -- or reasonably uniform relief periods.

3 Q And I believe you stated earlier that Sprint
4 has no objection to either a three-way area code
5 division for the 941 -- the current 941 area code
6 plan, correct? You had no --

7 A In general, no.

8 Q And you have no objection also -- Sprint has
9 no objection to Manatee, Charlotte and Sarasota
10 Counties being in an area code of their own?

11 A Not specifically, no.

12 Q Even though you would have to share, I
13 assume, with -- some of the counties are GTE and
14 Charlotte is Sprint and I guess Sarasota and Manatee
15 are GTE.

16 A GTE and Sprint have been working together
17 quite well for a number of years.

18 Q And it could work together quite well in
19 that area --

20 A You bet.

21 Q -- if that was --

22 A Yes, sir.

23 Q -- what was so?

24 A Yes, sir.

25 Q Thank you.

1 **MR. MINIX:** No further questions.

2 **COMMISSIONER JACOBS:** You said that there
3 was an additional requirement that would be need to
4 implement local number portability.

5 **WITNESS FOLEY:** Not so much local number
6 portability because we're in the process of doing that
7 right now. It's the thousand-block pooling that -- we
8 would have liked to have seen the new version of
9 thousand-block pooling, which actually moves instead
10 of individual numbers full thousand block numbers.
11 And that is because of a capacity issue in our
12 systems: storing 7 million numbers -- we would much
13 prefer to store 7,900.

14 **COMMISSIONER JACOBS:** And that's in the new
15 version of software.

16 **WITNESS FOLEY:** That's what is in the new
17 version of software.

18 **COMMISSIONER JACOBS:** How much of what is
19 necessary to occur would be downstream of the carrier,
20 i.e. mobile carriers or alarm companies -- how much of
21 an impact is that going to have on them?

22 **WITNESS FOLEY:** Right now mobile and
23 wireless carriers are not in the local number
24 portability and thousand-block pooling radar screen,
25 if you will. They have been given an exemption, I

1 believe, until 2004. I think that's the year, 2002.

2 **COMMISSIONER JACOBS:** So if we

3 implemented --

4 **WITNESS FOLEY:** It would only affect
5 wireline carriers.

6 **COMMISSIONER JACOBS:** Okay. Now, does that
7 mean that those local exempted carriers will still
8 have to do 10,000 blocks?

9 **WITNESS FOLEY:** Correct.

10 **COMMISSIONER JACOBS:** Okay. Thank you.

11 **CHAIRMAN GARCIA:** Let me just ask you real
12 quick since we don't have a witness, doesn't the PSC
13 hold workshops and hearings and try to get customer
14 testimony before we do this?

15 **WITNESS FOLEY:** Yes, they do.

16 **CHAIRMAN GARCIA:** In the cases that you have
17 been aware of, have we done that?

18 **WITNESS FOLEY:** Yes.

19 **CHAIRMAN GARCIA:** Okay. Thank you.

20 Mr. Rehwinkel.

21 **MR. REHWINKEL:** Thank you.

22 **CROSS EXAMINATION**

23 **BY MR. REHWINKEL:**

24 **Q** Mr. Foley, just for the record, could you
25 tell us what NPAC is and spell it, please?

1 A NPAC, N-P-A-C, is Number Pooling
2 Administration Center. It is a database -- where it's
3 physically located is in Michigan and Texas, I
4 believe -- that is assigned -- one is assigned to each
5 of the former Bell operating regions. And the impact
6 is the database that administers or oversees the local
7 number portability in a region.

8 Q Just -- let's go to the overlay issue. You
9 testify in your testimony, in your direct, about your
10 personal opinion about overlay. When you participated
11 in the July meeting, was overlay discussed? And if
12 not, why? If it was, why was it not recommended or
13 submitted to the Commission?

14 A It was discussed among the members briefly.
15 And at the suggestion of the PSC Staff member, of the
16 difficulty it would have to get it approved and get it
17 implemented through the Commission, that that was
18 given weight against it.

19 Q Okay. Would an overlay cost less to Sprint
20 to implement relative to a geographic split?

21 A No, it would not. To do an overlay we still
22 have to add additional software to our switches to
23 allow the mandating of 10-digit dialing.

24 Q Is it any easier?

25 A Not particularly. The subsequent ones, I

1 believe, would be, but the first one is not.

2 Q Okay. There was some discussion about --
3 with respect to 10-digit dialing and overlays in
4 Arcadia. Your response to Ms. Schneider's question
5 was merely hypothetical, was it not?

6 A Correct. I was looking at Arcadia on the
7 thing right here, that's why I picked it.

8 Q Do you know what Sprint's fill factor, so to
9 speak, is for the NXXs in the 941?

10 A In 941, it's in the 64% range, I believe.

11 Q Do you have an opinion about code rationing
12 and any tightening of code rationing beyond what was
13 agreed to the April 6th call; what impact that would
14 have on competitive providers?

15 A I believe that additional rationing would
16 place an additional burden upon especially a new
17 entrant into the area, or a start-up entrant, to
18 expand his business to the point that it might be
19 unreasonable.

20 Q How about a wireless provider that had a
21 high growth rate?

22 A The same would apply there.

23 Q The LLC process that you described, or
24 Limited Liability Company that you referenced earlier,
25 is that a process that has been sanctioned in some way

1 by either industry consensus or a federally-sanctioned
2 body?

3 **A** I believe it has been sanctioned by the
4 Florida Public Service Commission and other Public
5 Service Commissions in the southeast and the FCC.

6 **Q** Would it be prudent for a state or a
7 provider that serves the state to seek to depart from
8 the LLC process in your opinion?

9 **A** No, it would not be prudent. It would be a
10 stand-alone system and those usually are considerably
11 more expensive.

12 **Q** The Illinois solution that you were asked
13 about earlier, is that the 1.3 version of the
14 software?

15 **A** Yes, it is.

16 **Q** Is it -- in your opinion is the industry
17 going towards the Illinois solution or another
18 variation of the software?

19 **A** The industry is going to an updated version
20 of the software which will be out in what they call
21 Release 3, which will include the porting of numbers
22 in full thousand blocks. The difference is that the
23 records that are written to the database will be in
24 thousands blocks increments rather than individual
25 number increments.

1 Q Okay.

2 A The primary difference.

3 Q Okay. With respect to the technical
4 implementation of number pooling, you referenced
5 another practical customer interface consideration
6 with respect to vanity codes. Is it your opinion that
7 that could be halted, the practice of issuing vanity
8 codes?

9 A It would be extremely difficult. Being a
10 customer-focussed, or a customer-driven company that
11 we are, we attempt to give our customer what we want.
12 I believe we could implement it. I think it would be
13 difficult and receive some complaints from customers.

14 Q You were asked some questions about various
15 alternatives that followed county lines. And I
16 believe you said that Sprint could technically
17 implement any alternative that is on the table; is
18 that correct?

19 A I think I clarified that in saying that it
20 provided that it followed exchange boundaries rather
21 than specifically county boundaries.

22 Q And with respect to local number portability
23 in Florida, is that a precondition to -- to pooling on
24 a statewide basis?

25 A Yes, it is.

1 Q Do you have any knowledge about the time
2 frame for implementing local number portability in the
3 state of Florida among, a) Sprint, and b) the other
4 major local exchange companies?

5 A I can't address specifically the other local
6 exchange companies other than some information they
7 have shared with us. We are all heading pretty much
8 for the same goal. We do have some requirements
9 placed on us for implementation of local portability
10 by the FCC; some time frames based upon demand by
11 noncompeteing carriers.

12 Right now our plans are to have, with some
13 notable exceptions, local number portability available
14 by the end -- completely by the end of the first
15 quarter of 2000 in this state. The notable exceptions
16 are some several large switches that are not
17 compliant, and that we have a plan. And that the
18 carriers have agreed with that plan, or that they
19 understand that plan to replace those switches.

20 Q So would it be -- well, would the local
21 number portability that would be achieved by first
22 quarter of the year 2000, would that level of
23 compliance allow number pooling to occur?

24 A If the Release 3.0 software were available
25 at the time, yes.

1 **COMMISSIONER JACOBS:** Who makes that
2 determination?

3 **WITNESS FOLEY:** The Release 3 software?

4 **COMMISSIONER JACOBS:** Right.

5 **WITNESS FOLEY:** The members of the Limited
6 Liability Corporation that release the NPAC determine
7 when it's appropriate to install it and pay for it.

8 **COMMISSIONER JACOBS:** You said that earlier.
9 Now, who is making the decision for a limited
10 liability company? Is there a board? Are they
11 ultimately under NANPA or how is that decision --

12 **WITNESS FOLEY:** The Limited Liability
13 Corporation has, I believe, eight members and they
14 make their own decisions. They follow national
15 recommendations and guidelines, but the decision with
16 what happens to the Southeast Number Portability
17 Number Administration is ultimately with the LLC.

18 **COMMISSIONER JACOBS:** Let me ask you this,
19 this is totally conjecture, because I'm the only one
20 speaking -- if you were to order local number
21 portability by the end of the first quarter, how would
22 that body respond?

23 **WITNESS FOLEY:** Right now it --

24 **MR. REHWINKEL:** Commissioner, did you mean
25 pooling or local number portability?

1 **COMMISSIONER JACOBS:** Pooling.

2 **WITNESS FOLEY:** I know that all of the
3 members that I deal with on that body -- and I sit on
4 that LLC -- are moving very quickly towards
5 thousand-block pooling. They are all very interested
6 in it. They all understand the ramifications and they
7 understand the needs for it. However, what action is
8 taken, they try very hard to take into account the
9 best interests of the industry and of the public in
10 the long term because they don't want to implement
11 something quickly that's going to break. They want to
12 make sure that it's a national standard; that is a
13 benefit to all national carriers, and that it is the
14 best possible solution at the time.

15 And I think that if -- if it was ordered by
16 first quarter of 2000, I think there would be some
17 challenges to it because I don't think that the first
18 quarter of 2000 is the absolute implementation line
19 that they have right now.

20 **COMMISSIONER JACOBS:** At the national level.

21 **WITNESS FOLEY:** At the national level.

22 **Q** **(By Mr. Rehwinkel)** Finally, Mr. Foley,
23 just with respect to the April 6th call, what was the
24 target date that was generally established or
25 estimated by the consensus?

1 **A** For the relief?

2 **Q** Yes.

3 **A** I believe that was May or June. June is the
4 relief date that -- given all of the considerations
5 necessary that we could have, start assigning new
6 codes shortly after June.

7 **Q** So if the Public Service Commission acquired
8 the necessary authority, local number portability was
9 implemented to a sufficient degree, and the requisite
10 software was available and turned on, such that a
11 thousand-block pooling could be implemented in the
12 first quarter of the year 2000 hypothetically, would
13 that provide material relief for 941 such that a
14 relief plan could be forestalled?

15 **A** Not to sound too fatalistic, I believe it's
16 too late for 941.

17 **Q** Thank you.

18 **COMMISSIONER JACOBS:** I thought we had a
19 rationing plan that gets us through June though?

20 **WITNESS FOLEY:** Yes, we do, but at that
21 point, if we -- say, we were to implement
22 thousand-block pooling in 941 in the first quarter.
23 We still only have about 20 codes left over at that
24 point left to assign.

25 **COMMISSIONER JACOBS:** Yeah. So how long

1 does it extend out?

2 **WITNESS FOLEY:** The NPA will -- right now
3 we're forecasting -- with the rationing measures in
4 place right now we'll exhaust in June of 2000.

5 **COMMISSIONER JACOBS:** Okay. If we say that
6 pooling has to be effective in the first quarter --
7 this is what I'm hearing you say is that there's
8 sufficient window to fully implement it to say
9 whatever calls would be left in 941.

10 **WITNESS FOLEY:** We'll not be able to reclaim
11 codes. You'll be able to reclaim portions of codes
12 for growth and for new entrants, but the codes that
13 are already assigned are out there.

14 **COMMISSIONER JACOBS:** Okay. Thank you.

15 **MR. REHWINKEL:** I have no further questions.
16 And I would move Exhibit 8 into the record.

17 **COMMISSIONER JOHNSON:** Let me ask you -- I
18 came in on the tail end of one of your answers. I
19 think your answering sequential numbering; you said
20 that would be extremely difficult to implement.

21 **WITNESS FOLEY:** No. Purely sequential
22 numbering we would oppose for a number of reasons.

23 One is that our sister company uses specific
24 thousand-blocks for specific types of services;
25 prepaid cellular is an example. They use specific

1 thousand blocks of numbers to identify that is a
2 prepaid cellular.

3 What I was talking about was that we are
4 prepared now, and are doing specific thousand block
5 assigning. We assign until a thousand-block is
6 approximately 70% or 80% full, and then at that point
7 we open to our service reps another thousand block to
8 assign.

9 The problem comes in is if we have a
10 customer who demands a vacant number, we find it very
11 difficult because of our customer service positions to
12 tell that customer no, and that we will assign that
13 number, even though it's not in that thousand block.

14 **COMMISSIONER JOHNSON:** I'm following you.

15 Are you, with respect -- I know you were
16 asked some questions about the three-way split. Are
17 you familiar with the areas where they've allowed
18 three-way splits?

19 **WITNESS FOLEY:** Only in my reading; not
20 intimately familiar with them, no.

21 **COMMISSIONER JOHNSON:** Any familiarity with
22 the criteria; what did they use or what they stated as
23 the extenuating circumstances or the standard? Any
24 recollection?

25 **WITNESS FOLEY:** No. I have no real

1 knowledge of the specifics, the process that they went
2 through to get that second relief code.

3 **COMMISSIONER JOHNSON:** Okay. And I
4 understand, too, that you were answering the questions
5 regarding going to the thousand-block pooling. And
6 you stated that the difficulty would be in not
7 necessarily activating the software on the input side
8 but the difficulty would occur where?

9 **WITNESS FOLEY:** Well, turning on of the
10 software in the NPAC itself is to what I think you're
11 referring.

12 We have the Version 1.3 software in our NPAC
13 in the southeast, which is the same version of the
14 software that's currently working in the Midwest, in
15 the Chicago area.

16 **COMMISSIONER JOHNSON:** Okay.

17 **WITNESS FOLEY:** The problem is the
18 downstream systems and equipment that use and support
19 that information are not sized appropriately to handle
20 the volume of numbers for the Illinois version of
21 thousands-block pooling; where they enter each
22 individual number as individual data entry.

23 The new software is being designed to enter
24 those numbers in thousands ranges, and, therefore,
25 causing a reduction in size by a factor of a thousand,

1 requiring storage space, for instance, on the switch
2 control points for the -- that do the storage of those
3 numbers. The capacity just is not there right now to
4 store all of the numbers in Florida, or even another
5 couple of area codes in Florida.

6 **COMMISSIONER JOHNSON:** Okay. Thank you.

7 **MR. REHWINKEL:** Madam Chairman, if I could
8 ask one follow-up question on the sequential numbering
9 question you asked.

10 **Q (By Mr. Rehwinkel)** Mr. Foley, is it your
11 position that can be done on a wireline-basis only
12 within Sprint?

13 **A** The --

14 **Q** I should say the thousand-block assignment.

15 **A** No. The thousand-block assignment, if you
16 look at thousand block -- anywhere within a thousand
17 block with the PCS side or the wireless side of Sprint
18 and Sprint local can do both. They can assign within
19 that thousand block.

20 Truly pure sequential starting at 0000 and
21 going up would be very -- almost impossible because of
22 the PCS requirement for certain thousand blocks for
23 certain features. I think they use the 4,000 block
24 for prepaid cellular. Something like that.

25 **COMMISSIONER JOHNSON:** Okay. Any other

1 clarifications?

2 **MR. REHWINKEL:** Thank you.

3 **COMMISSIONER JOHNSON:** Exhibits.

4 **MR. REHWINKEL:** Madam Chairman, I was
5 prepared to move Exhibit 8 into the record, but it's
6 been brought to my attention among the attorneys up
7 here that there may not be a 7. Does anybody have 7?

8 **MS. MCKINNEY:** Yes, there has been -- Cheryl
9 Lauzon from Charlotte County, and her prefiled --

10 **MR. REHWINKEL:** Did she have an exhibit?

11 **MS. MCKINNEY:** I thought she had a composite
12 and that was --

13 **COMMISSIONER JACOBS:** They moved her
14 testimony.

15 **MR. REHWINKEL:** That shouldn't be as an
16 exhibit.

17 **MS. MCKINNEY:** There aren't exhibits
18 attached to that, Ms. Burton?

19 **MS. BURTON:** No.

20 **MS. MCKINNEY:** Then no, it just should have
21 been moved into the record as though read. That needs
22 to be corrected.

23 **MR. REHWINKEL:** Okay. So would it be
24 appropriate to reidentify Mr. Foley's composite as 7?

25 **MS. MCKINNEY:** Correct. If we could change

1 it to Mr. Foley's exhibits, it was a composite exhibit
2 as No. 7 for the record.

3 **MR. REHWINKEL:** Yes.

4 **MS. MCKINNEY:** And if you can move that in.

5 **MR. REHWINKEL:** I would move that at this
6 time.

7 **COMMISSIONER JOHNSON:** Let in the record
8 reflect the correction, and we'll move that in to
9 evidence.

10 (Exhibit 7 received in evidence.)

11 **COMMISSIONER JOHNSON:** We're going to take a
12 ten-minute break.

13 (Brief recess taken.)

14 - - - - -

15 **COMMISSIONER JOHNSON:** I think the system is
16 back on. Counsel, do we have any preliminary matters
17 before we go to the next witness?

18 **MS. MCKINNEY:** Yes, we do, Commissioner
19 Johnson. Just for the record, while I'm thinking
20 about it, earlier all the parties were handed the
21 transcripts from the previous workshops: Englewood,
22 Bartow, et cetera; that composite exhibit. And Staff
23 would like that marked as Exhibit 8 for
24 identification, if there are no objections; to have
25 that moved into the record as a composite exhibit.

1 **COMMISSIONER JOHNSON:** It will be marked as
2 Composite Exhibit 8. Short title Customer
3 Testimony -- Customer Workshops from --

4 **MS. MCKINNEY:** Englewood, Bartow, Fort Meade
5 and Sarasota.

6 **COMMISSIONER JOHNSON:** Thank you. It will
7 be admitted.

8 **MS. MCKINNEY:** Thank you.

9 (Exhibit 8 marked for identification and
10 received in evidence.)

11 And additionally, there was mention of the NPA code
12 assignment. The NPA Allocation Plan and Assignment
13 Guidelines, which was to be Late-filed Exhibit No. 6. We have
14 a copy which we're handing out to all the parties at this
15 time. And with the stipulation of the parties, we'd like to
16 go ahead and have that admitted into the record as Exhibit 3.

17 **COMMISSIONER JOHNSON:** It will be admitted
18 as.

19 **WITNESS KENWORTHY:** I'm sorry, Commissioner,
20 Exhibit 6.

21 **COMMISSIONER JOHNSON:** It was marked as
22 Late-filed 6 and it will now, because we have the
23 document, strike the late-filed and admit it as
24 Exhibit 6.

25 (Exhibit 6 received in evidence.)

1 **MS. MCKINNEY:** There are no additional
2 preliminary matters. We're ready to proceed at this
3 time.

4 **COMMISSIONER JOHNSON:** I think we're ready,
5 Ms. Caswell.

6 **MS. CASWELL:** GTE calls Mike Scobie.

7 - - - - -

8 **CHARLES MICHAEL SCOBIE**

9 was called as a witness on behalf of GTE Florida,
10 Incorporated and, having been duly sworn, testified as
11 follows:

12 **DIRECT EXAMINATION**

13 **BY MS. CASWELL:**

14 **Q** Would you please state your name and
15 employer for the record?

16 **A** My name is Charles Michael Scobie. My
17 employer is GTE Florida, Incorporated.

18 **Q** Did you file direct testimony in this case?

19 **A** Yes, I did.

20 **MS. CASWELL:** Commissioner Johnson, I would
21 ask that Mr. Scobie's testimony be entered into the
22 record as though read.

23 **COMMISSIONER JOHNSON:** It will be entered as
24 though read.

25 **Q** **(By Ms. Caswell)** Mr. Scobie, did you have

1 one exhibit attached to that direct testimony
2 designated CMS-1?

3 A Yes, I did.

4 MS. CASWELL: Could I please have that have
5 marked for identification, I believe it would be
6 Exhibit 9, Commissioner Johnson?

7 COMMISSIONER JOHNSON: It will be marked as
8 Exhibit 9 and identified as CMS -- did you say 1?

9 MS. CASWELL: 1, yes.

10 COMMISSIONER JOHNSON: CMS-1.

11 (Exhibit 9 marked for identification.)

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GTE FLORIDA INCORPORATED**DIRECT TESTIMONY OF CHARLES M. SCOBIE****DOCKET NO. 990223-TL**

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Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Charles Michael Scobie. My business address is One Tampa City Center, Tampa, Florida.

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am employed by GTE Service Corporation (GTE) as Manager-Regulatory Affairs.

Q. WILL YOU BRIEFLY STATE YOUR EDUCATIONAL BACKGROUND AND BUSINESS EXPERIENCE?

A. I have been employed by GTE for over twenty eight years. For the past nine and one half years I have been employed in the regulatory and governmental affairs area of GTE Florida and GTE Service Corporation. Prior to my present assignment, I held the positions of South Area Regulatory Affairs Manager, Tariff Administrator and Service Cost Coordinator in the same department. During my career I have also held positions in Sales, Market Planning, and Forecasting with GTE Florida and positions in Market Planning with GTE Service Corporation.

1 **Q. HAVE YOU EVER TESTIFIED BEFORE THE FLORIDA PUBLIC**
2 **SERVICE COMMISSION?**

3 A. Yes. I have testified before this Commission on numerous occasions.

4

5 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS**
6 **DOCKET?**

7 A. The purpose of my testimony is to present GTE's position on the
8 appropriate relief for the 941 area code. In addition, I will address the
9 dialing patterns that should be utilized in the 941 area code.

10

11 **Q. SHOULD THE COMMISSION APPROVE A GEOGRAPHIC SPLIT**
12 **FOR THE 941 AREA CODE RELIEF?**

13 A. Yes, as this was the relief that was unanimously approved by the
14 current code holders in the 941 area code.

15

16 **Q. WHY DOES GTE SUPPORT A GEOGRAPHIC SPLIT?**

17 A. Unlike the 813 area code for which an overlay was initially
18 recommended, the 941 area code covers a large geographic area.
19 The LATA boundary between GTE and Sprint was a reasonable basis
20 for the split and met the criteria for an area code split. In addition,
21 there are a limited number of routes between GTE and Sprint in the
22 941 area code which are dialed on a seven digit basis.

23

24 **Q. DOES THE LATA BOUNDARY HAVE TO BE THE BASIS FOR THE**
25 **GEOGRAPHIC SPLIT?**

1 A. No. There are currently two additional dockets which are looking at
2 the possible boundaries for the 941 area code split - Docket No.
3 981941-TL dealing with Ft. Meade and Docket No. 990184-TL
4 dealing with the Englewood area.

5

6 **Q. SHOULD THESE DOCKETS BE CONSOLIDATED?**

7 A. Yes. GTE and Sprint have filed a Joint Motion for consolidation of
8 these inextricably related dockets. However, if the dockets are not
9 consolidated, they should all be decided at the same time.

10

11 **Q. WHY DOES GTE SUPPORT CONSOLIDATION OF THESE**
12 **DOCKETS?**

13 A. The main reason is the need for a final, uniform decision before all
14 codes are used in the 941 area code. The recommendation for the
15 area code split was forwarded to the Florida Public Service
16 Commission on August 14, 1998. At that time, it was hoped a final
17 decision on the area code could be reached by November 1, 1998.
18 With a decision made in November, the plans were to implement
19 permissive dialing in March 1999 and mandatory dialing in September
20 1999.

21

22 **Q. DOES GTE HAVE A RECOMMENDATION ON THE BOUNDARY TO**
23 **BE USED FOR FT. MEADE AND ENGLEWOOD?**

24 A. No. Since there is no dividing line that won't require some ten digit
25 dialing, the Commission will need to determine the split that best

1 meets the needs of the majority of the customers.

2

3 **Q. WITH A GEOGRAPHIC SPLIT, WHICH AREA WILL RETAIN THE**
4 **941 AREA CODE?**

5 A. Since the growth was forecasted to be greater in the GTE area and
6 GTE has the greater number of NXX codes, NANPA guidelines
7 indicate that the Tampa LATA should retain the existing 941 area
8 code and the Ft. Myers LATA would be assigned a new area code.

9

10 **Q. DOES GTE HAVE A RECOMMENDATION ON THE NEW AREA**
11 **CODE WHICH SHOULD BE USED FOR THE FT. MYERS LATA?**

12 A. No. However, GTE is concerned about the press reports which have
13 suggested that area code 241 will be assigned to this area. Since
14 that number would have two digits which are the same as the current
15 area code, GTE is concerned that this would lead to customer
16 confusion and an unusually high volume of misdialed calls. The
17 current guidelines should be utilized with NANPA recommending a
18 code and the industry reviewing the code prior to publication to insure
19 there are no conflicts with the new code selected.

20

21 **Q. SINCE THE AREA CODE SPLIT HAS BEEN DELAYED, WHEN CAN**
22 **PERMISSIVE DIALING BE IMPLEMENTED?**

23 A. The industry normally prefers to have six months from the date of the
24 decision on an area code split until the beginning of permissive
25 dialing. Due to the requirements for LERG notification, a minimum of

1 90 days is required. In addition, GTE recommends that the
2 permissive dialing period begin on a Monday so that the required
3 billing system modifications can be completed over the weekend prior
4 to permissive dialing.

5

6 **Q. WHAT SHOULD THE DIALING PATTERN BE FOR LOCAL CALLS?**

7 A. If a geographic split is implemented, some local calls should be dialed
8 on a ten-digit basis. If an overlay is implemented, all local calls
9 would be dialed on a ten-digit basis.

10

11 **Q. WHY SHOULD ANY LOCAL CALLS BE DIALED ON A TEN DIGIT**
12 **BASIS WHEN YOU IMPLEMENT A GEOGRAPHIC SPLIT?**

13 A. Due to the local/EAS/ECS calling areas, there is no dividing line
14 which will not split some local calling area. Exhibit No. CMS-1 shows
15 the proposed dialing patterns for three geographic split options and
16 two overlay options proposed by FPSC staff for GTE exchanges.

17

18 **Q. WHAT ARE THE INDUSTRY GUIDELINES ON LOCAL CALLING**
19 **BETWEEN DIFFERENT AREA CODES?**

20 A. The industry guidelines state that inter-NPA calls should be done on
21 a ten-digit basis to insure against code conflicts and inefficient usage
22 of NXXs.

23

24 **Q. WHAT SHOULD THE DIALING PATTERN BE FOR TOLL CALLS?**

25 A. GTE completed the conversion for intraLATA equal access in

1 February 1997. The dialing pattern for all toll routes will continue to
2 be 1+10 digits regardless of the relief plan which is implemented.
3 Customers are also able to dial calls on all routes on a 1010XXX
4 basis.

5

6 **Q. WHAT SHOULD THE DIALING PATTERN BE FOR EAS CALLS?**

7 A. If a geographic split is implemented, some EAS calls should be dialed
8 on a ten-digit basis as shown in Exhibit No. CMS-1. If an overlay is
9 implemented, all EAS calls would be dialed on a ten-digit basis.

10

11 **Q. WHAT SHOULD THE DIALING PATTERN BE FOR ECS CALLS?**

12 A. If a geographic split is implemented, some ECS calls should be dialed
13 on a ten-digit basis and some could remain on a seven-digit basis as
14 shown in Exhibit No. CMS-1. If an overlay is implemented, all ECS
15 calls would be dialed on a ten-digit basis.

16

17 **Q. HAS THE COMMISSION MADE A GENERIC DECISION ON**
18 **DIALING PATTERNS FOR ECS CALLS?**

19 A. No. The Commission did initiate an investigation on dialing patterns
20 in Docket No. 960090-TP. It issued an Order on April 25, 1996 which
21 affected a number of BellSouth routes.

22

23 **Q. WHAT WAS THE COMMISSION'S RECOMMENDATION FOR THE**
24 **DIALING PATTERN FOR ECS CALLS IN THE LONG TERM?**

25 A. The recommendation was to dial all ECS calls on a 1+10 digit basis.

1 **Q. DID THE COMMISSION ADOPT THIS RECOMMENDATION IN THE**
2 **813 AREA CODE SPLIT WHICH WAS RECENTLY IMPLEMENTED?**

3 A. No. The decision in the 813 area code correctly recognized that
4 inter-NPA ECS calls cannot be dialed on a 1+10 digit basis if the LEC
5 handles the traffic. In addition, GTE's billing system can only handle
6 the billing of ECS calls dialed on a seven digit or ten digit basis.

7

8 **Q. WHAT IS GTE'S POSITION ON ALTERNATIVE 4 AS PROPOSED**
9 **BY FPSC STAFF?**

10 A. GTE does not believe that it is warranted to request two additional
11 area codes at this time. In addition, since all GTE customers would
12 be required to go to ten digit dialing, it would seem like Alternative 5
13 would be the better approach so all customers in the existing 941
14 area code would be able to maintain their current telephone number
15 including the area code.

16

17 **Q. WHAT IS GTE'S POSITION ON ALTERNATIVE 5 AS PROPOSED**
18 **BY FPSC STAFF?**

19 A. In this testimony, GTE has supported a geographic split as this was
20 the relief supported by all code holders. However, GTE believes that
21 an overlay NPA is a better option than a geographic split. An overlay
22 has the benefit of insuring that no existing customer has to change
23 the area code portion of their telephone number, wireless customers
24 in the new proposed NPA do not have to reprogram their phones, and
25 businesses do not have to reprint stationery, etc. In addition, it

1 avoids the problem of having to deal with the issue of trying to find a
2 boundary for a geographic split that best meets the desires of the
3 majority of the customers as there is probably no boundary which will
4 please all customers.

5

6 **Q. DOES THIS CONCLUDE YOUR TESTIMONY?**

7 **A.** Yes, it does.

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1 **MS. CASWELL:** Thank you. Mr. Scobie is
2 available for cross.

3 **COMMISSIONER JOHNSON:** Mr. Minix.

4 **MR. MINIX:** Thank you, Madam Commissioner.

5 **CROSS EXAMINATION**

6 **BY MR. MINIX:**

7 **Q** Mr. Scobie, I asked the Sprint
8 representative this question; I'd like to ask you, the
9 GTE representative. Does GTE have any objection to a
10 plan in which Manatee, Sarasota and Charlotte are all
11 in the same area code?

12 **A** You mean one of the alternatives that have
13 been put forth that would keep them all in the same
14 area code?

15 **Q** Well, I'm not specifically referring to the
16 alternatives because I think alternatives also include
17 Polk County, the ones I've looked at. I'm talking
18 about now one of the proposals that were made by
19 several members of the audience; that would include an
20 area code, either the existing 941 area code or a new
21 area code that would involve only Manatee, Sarasota
22 and Charlotte County.

23 **A** I would agree to that only if it maximizes,
24 I guess, the relief period of the areas involved.

25 **Q** Could you explain what you mean?

1 A I think what I heard earlier today is that
2 the proposal of Charlotte, Manatee and Sarasota
3 only -- as one area code and the rest of the county as
4 another area code would have a 3.6 year exhaust of the
5 remaining counties and I think given the NANPA
6 guideline that's a little short.

7 Q But it's predicated upon the fact that the
8 Public Service Commission is considering possibly
9 requesting three area codes as opposed to simply two.
10 In other words, two new area codes where Polk and
11 maybe some of the smaller counties could be in their
12 own area code. With that assumption, would GTE have
13 any objection to an area code consisting of Manatee,
14 Sarasota and Charlotte Counties?

15 A I haven't heard any -- I guess why I'm
16 hesitating, the other proposals I heard did not have
17 just Charlotte, Manatee and Sarasota and two others as
18 one area code and then the rest of the county is in
19 the other two. So you're talking about if they came
20 up with a totally new option with the two area codes.

21 Q I'm not restricting you to just the
22 alternatives that were listed in the PSC Special
23 Report. I'm asking you whether -- it's the same
24 question I asked the Sprint representative and he said
25 that Sprint and GTE can work together in a new area

1 code with just Manatee, Charlotte and Sarasota
2 Counties.

3 **MS. CASWELL:** Excuse me, Mr. Minix and
4 Commissioner Johnson, I would like to point out that
5 we've only had the options 1 through 5 before today.
6 I think Option 6 and 7 were new. Mr. Scobie heard
7 about them this morning, but we haven't had the chance
8 to analyze them in detail like we did 1 through 5.
9 I'd like to make that qualification. He can answer to
10 the best of his abilities.

11 **MR. SCOBIE:** Yeah, I don't think -- we don't
12 have a problem, I don't believe, implementing a
13 three-area code split again. But I haven't seen the
14 exhaust lives to know that that might not be the best
15 for all concerned.

16 **Q** With an understanding you haven't examined
17 it in detail at this point, you have no objection to
18 that proposal?

19 **A** No.

20 **Q** All right. Thank you. I also asked the
21 Sprint representative concerning the -- his opinion
22 that it was inevitable that we were going to move to
23 ten-or-more digit dialing. Do you share that opinion?

24 **A** I have seen some -- well, on a secondhand
25 basis I have heard some industry discussion of that.

1 Personally, I have no firsthand knowledge that that's
2 what's coming. But given the velocity of change I've
3 seen lately, I would agree with that.

4 Q Does GTE have any 10-digit dialing anywhere
5 in your service area?

6 A Yes, we do.

7 Q Where was that?

8 A We have 10-digit dialing between the Tampa
9 exchange and Clearwater exchanges and Tarpon Springs
10 exchanges, and the Tampa exchange and St. Petersburg
11 exchange concurrent with the 727/813 split that
12 recently occurred.

13 Q Do you get an inordinate amount of customer
14 complaints about 10-digit dialing?

15 A I have heard no customer complaints after
16 that split occurred regarding the calling back and
17 forth across the bay.

18 Q So it's your testimony that that is a
19 relatively popular alternative?

20 A I don't know --

21 Q In that area?

22 A I don't know that it's a popular
23 alternative, I just have not seen or heard any
24 customer complaints based on 10-digit dialing.

25 MR. MINIX: No further questions.

CROSS EXAMINATION**BY MS. BURTON:**

Q Mr. Scobie, on Page 7 of your prefiled testimony you say on Line 20 and 21 that you believe that an overlay is a better option than a geographic split. And then on Page 2 of your prefiled testimony you had another statement referring to a large geographic area. And that is -- the comment "Unlike the 813 area code for which an overlay was initially recommended, the 941 area code covers a large geographic area."

Is there any kind of -- any technical problem or any other specific problems that GTE has experienced in your knowledge as far as geographic splits?

A No, not to my knowledge.

MS. BURTON: I have no further questions.

CROSS EXAMINATION**BY MS. SCHNEIDER:**

Q Mr. Scobie, are you familiar with the COCUS that your company submits to the NANPA?

A Unfortunately, I'm not. I'm aware that it exists but I'm not familiar with the document itself.

Q Are you familiar with how it is put together? What data goes into it?

1 **A** No, I'm not.

2 **Q** Okay. Thank you.

3 **MS. SCHNEIDER:** I have no further questions.

4 **MR. REHWINKEL:** No questions.

5 **MR. MAY:** No questions.

6 **MR. HEATON:** No questions.

7 **MS. WHEELER:** No questions.

8 **COMMISSIONER JOHNSON:** Staff.

9 **MS. MCKINNEY:** Staff has a few questions.

10 **CROSS EXAMINATION**

11 **BY MS. MCKINNEY:**

12 **Q** June McKinney on behalf of Commission Staff.
13 How are you doing, Mr. Scobie?

14 **A** Fine.

15 **Q** On Page 2, Lines 19 through 22, thereabouts,
16 your testimony stated that there are a limited number
17 of routes between GTE and Sprint in the 941 area code
18 where they are dialed on a 7-digit basis. Could you
19 please explain those limited numbers or routes for us,
20 please?

21 **A** Yes. Today in 941 there is EAS between
22 Englewood exchange and the Cape Haze exchange, which
23 is Sprint. There's EAS between the North Port
24 exchange, which is a GTE exchange, and the Port
25 Charlotte exchange, which is Sprint. There's also EAS

1 between the Bartow exchange and Polk County, which is
2 GTE and Fort Meade exchange, which is Sprint. And EAS
3 between the Lakeland exchange, which is GTE, and the
4 Fort Meade exchange, again which is Sprint.

5 There's also some 7-digit dialing between
6 certain exchanges. We have local calling plans, which
7 are optional local calling plans, in both the Polk
8 County area from Frostproof, Indian Lake, Lake Wales
9 and Polk City exchanges to Avon Park, Fort Meade and
10 Sebring. And also local calling plan in the North
11 Port exchange and Englewood exchange, with calling
12 7-digit to Cape Haze, Port Charlotte and Punta Gorda.

13 Q In your testimony, Page 3, Line 25, you
14 indicated the Commission will need to determine if the
15 split meets the needs of the majority of customers.
16 What criteria do you think the Commission should
17 consider?

18 A Well, I think one -- certainly a criteria is
19 economic cost both to end users as well as to the
20 companies involved. I think the cost of changing
21 advertising, alarm services requirements, wireless
22 services are all costs, economic costs, that have to
23 be built in, have to be recovered, have to be incurred
24 depending on what kind of split you incur. I think
25 from that standpoint, those economic costs need to be

1 considered.

2 Q There was also some mention by you that the
3 permissive dialing period would need to begin on a
4 Monday. Could you please explain the technical
5 difficulties, or what would cause the need to start on
6 a Monday?

7 A Yes, I will, as soon as I can find my note
8 here on that one that was provided to me by our
9 billing people.

10 We get from carriers that we do business
11 with order changes, services and customers going in
12 all the time. And we have to change the billing
13 system to recognize a new area code, let's say a 941
14 when it converted, or a 727, and we have to have the
15 timing, hopefully, with these orders coming in our
16 systems to receive it, both on a call routing as well
17 as a billing standpoint, to match up valid area code
18 or permissively dialed area code. And we normally do
19 those over a weekend down period: Friday, Saturday
20 Sunday. So therefore we'd like to start permissive on
21 a Monday, if possible, which we did in 727, and, I
22 believe, 941 when they converted before.

23 Q Is there a particular alternative that GTE
24 supports in this proceeding?

25 A Well, after being at the Bartow workshop, at

1 the initial Sarasota workshop and certainly the
2 Englewood workshop on March 26th, and looking at the
3 five alternatives being offered, I think GTE -- our
4 position would be to support Alternative 3.

5 We believe of the alternatives that are in
6 the record before you today, where we see the exhaust
7 years in the record, Alternative 3 would have the -- I
8 think the optimal exhaust time frames involved where
9 the new area code is forecasted to not exhaust -- is
10 forecasted to exhaust in 7.3 years, where the existing
11 code, 941, would be 4.1 years, which, in effect, given
12 the current schedule that we think we know -- where
13 we've got one more year, I guess, out of 941 -- that
14 would be over 8 years before the 941 people today,
15 given Alternative 3, would have had to change their
16 code, and 7.3 years for the new area, given this
17 schedule, to have to change their code.

18 So given that data, given these
19 alternatives, given what we've heard at the workshops,
20 GTE would support Alternative 3.

21 Q And lastly, Mr. Scobie, are you aware of any
22 conservation measures or are you familiar with
23 conservation measures that are being implemented
24 across the United States?

25 A Just peripherally. In reading some of the

1 trade documentation. I'm not directly involved in
2 co-conservation efforts in our company.

3 Q Thank you.

4 MS. MCKINNEY: No further questions.

5 COMMISSIONER JOHNSON: Any questions,
6 Commissioner Jacobs?

7 COMMISSIONER JACOBS: Those routes that you
8 indicated were between GTE and Sprint's territory, if
9 we do the split, what happens, those become 10-digit
10 dialed calls?

11 WITNESS SCOBIE: Again, it depends on the
12 alternative that is chosen.

13 COMMISSIONER JACOBS: Let's go with No. 3.

14 MR. SCOBIE: Yes, sir. Let me get my little
15 note here. As I heard Mr. Foley, and I think I saw
16 from Mr. Foley's -- some of his exhibits, that Sprint
17 is talking about moving the Boca Grande exchange into
18 the Charlotte County split area, if it's done that
19 way -- if I understood it correctly.

20 What that would mean is all of those
21 routes -- all of those routes -- I want to look -- all
22 the routes in the Englewood/North Port area would
23 retain 7-digit dialing into the other area. I was
24 looking -- I'm now looking at the Polk County routes
25 for Alternative 3.

1 The Polk County routes, if Fort Meade is
2 moved per the proposal now to stay with Polk County,
3 only our local calling plan routes that have optional
4 local calling between Frostproof, Indian Lake, Lake
5 Wales and Polk City -- I'm sorry, Frostproof, Indian
6 Lake, Lake Wales and Avon Park, Fort Meade, Avon Park
7 and Sebring would be 10-digits, would go to 10-digits.
8 So on an optional basis those two routes would go to
9 10-digit under Alternative 3.

10 **COMMISSIONER JACOBS:** Okay. Thank you.

11 **COMMISSIONER JOHNSON:** Redirect?

12 **MS. CASWELL:** I have no redirect. I would
13 just ask if no one else has any questions, that the
14 witness be excused from the hearing.

15 **COMMISSIONER JOHNSON:** Certainly.

16 **MS. CASWELL:** And I do need to move his
17 exhibit which is Exhibit 9.

18 **COMMISSIONER JOHNSON:** Show it admitted
19 without objection.

20 **MS. CASWELL:** Thank you.

21 (Exhibit 9 received in evidence.)

22 (Witness Scobie excused.)

23 - - - - -

24 **COMMISSIONER JOHNSON:** Charlotte county.

25 **MS. BURTON:** Charlotte County's first

1 county line. So I have been a Sarasota County
2 resident as well as a Charlotte County resident during
3 those periods of time.

4 Q During that period of time have you had any
5 other community involvement?

6 A I've served on just about every advisory
7 board in both counties. I was elected in the '70s to
8 the Englewood Water District. I served there. I
9 served 12 years on the Charlotte County School Board,
10 three years of those as Chairman, and I'm presently
11 serving on the County Commission.

12 Q In this case did you file prefiled
13 testimony?

14 A Yes, ma'am, I did.

15 MS. BURTON: I would like to now move that
16 testimony into the record as though read.

17 COMMISSIONER JOHNSON: It will be inserted
18 as though read.

19 WITNESS HORTON: Do I get make any
20 corrections that I feel that I need to make in that
21 statement?

22 MS. BURTON: Yes, Mr. Horton. That was
23 going to be my next question.

24 WITNESS HORTON: I got ahead of you. I'm
25 sorry.

1 **COMMISSIONER JOHNSON:** Actually, we got
2 ahead of you. We probably shouldn't have inserted it
3 if it needed revisions, but go ahead.

4 **WITNESS HORTON:** There are a couple of
5 things since I made that original statement, which was
6 in Englewood at the time we had that workshop there.
7 Out of that workshop some things came that I felt like
8 I need to correct today. And the biggest one is
9 pertaining to the overlay.

10 The first one was I talked about Sarasota
11 and Charlotte County being included in whatever
12 decision you made. Manatee County need to be included
13 in that same decision as a three-dialing -- I'll
14 elaborate a little bit more on that -- I think
15 Sarasota, Manatee and Charlotte County need to be
16 considered from that standpoint.

17 But the other one was the overlay. I was
18 asked pointedly by one of your Staff members, who
19 isn't here at this time, whether I could accept or
20 live with the overlay.

21 At the time I looked at it strictly from an
22 economic standpoint. I felt like that would probably
23 be the cheapest and easiest way for everybody to go,
24 for the industry as well as any business, because the
25 businesses now that have a number wouldn't have to

1 change.

2 Since then, looking at the aspect of it from
3 the standpoint of how it's going to affect the
4 citizens of our area, it's a horse of a different
5 color.

6 When you look at our community, Charlotte
7 County is probably the third oldest county in the
8 nation. I'm middle-aged in Charlotte County. I mean,
9 half of my constituents are older than I am. And a
10 lot of these people have a real difficult time with
11 it. You don't buy green bananas in Englewood. Nobody
12 buys them. That's just the way it is.

13 You might say, well, it's inevitable, we're
14 going to have 10-digit numbers ten years from now.
15 These people don't care. They are not going to be
16 here and they are the first to admit it. And so from
17 that standpoint, I'd like to change that. At this
18 time I don't find an overlay acceptable for my
19 community in any shape, form or fashion. It just
20 won't work. Thank you.

21 **COMMISSIONER JOHNSON:** Show the testimony
22 that was inserted to reflect those comments.

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PRE-FILED DIRECT TESTIMONY
OF
MAC V. HORTON
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
CHARLOTTE COUNTY, a political subdivision of the
STATE OF FLORIDA
DOCKET NO. 990223-TL

DOCUMENT NUMBER-DATE

03739 MAR 23 2008

FPSC-RECORDS/REPORTING

1 **Q. Please state your name and your business address for the record.**

2 A. Mac V. Horton, Charlotte County Government, 18500 Murdock Circle, Port Charlotte,
3 Florida.

4 **Q. What is your position with Charlotte County Government?**

5 A. I am currently serving as Chair of the Charlotte County Board of County Commissioners.

6 **Q. How long have you been a member of the Charlotte County Board of County
7 Commissioners?**

8 A. I was elected to a four-year term on the Board as the Commissioner from District 3 in
9 November 1996. District 3 includes that portion of the Englewood community which is
10 located in Charlotte County.

11 **Q. Docket No. 990223-TL is before the Florida Public Service Commission to review the
12 proposed numbering plan relief for area code 941. The 941 NPA Exhaust
13 Recommended Relief Plan recommends splitting the existing 941 area code into two
14 sectors, with the South Sector acquiring a new area code. The North Sector (which
15 would retain the 941 area code) would include Polk, Manatee, and Sarasota Counties,
16 including the communities of Bartow, Bradenton, Haines City, Lake Wales, Lakeland,
17 Palmetto, Venice and Winter Haven. The South Sector (which would receive a new
18 area code) would include Charlotte, Collier, DeSoto, Glades, and Okeechobee counties,
19 including the communities of Arcadia, Avon Park, Bonita Springs, Cape Coral, Fort
20 Myers, Naples, North Naples, North Fort Myers, Okeechobee, Port Charlotte and
21 Sebring. According to the Relief Plan, the revised 941 area code service area is forecast
22 to exhaust in about 5.2 years. The new area code service area (including Charlotte
23 County) would exhaust in about 5.9 years. As Chairman of Charlotte County's Board
24 of County Commissioners, do you have any concerns about the proposed numbering
25 plan relief for area code 941?**

26 A. Yes. My primary concern regarding the proposed boundary line split is the impact that two
27
28

1 different area codes will have on Charlotte County. As the commissioner for district 3, which
2 includes Englewood, I am also very concerned about the impact of the proposed boundary
3 line on the Englewood community, which is uniquely located in both Charlotte and Sarasota
4 Counties. But that issue is the subject of Docket No. 990184 and I reserve my comment on
5 that issue for the Englewood docket.

6 Charlotte County's area code was changed from 813 to 941 just three years ago, in 1996.
7 While I understand the need to split area code service areas because of the exhaustion of
8 available numbers, the expense and confusion which result from an area code change are
9 tremendous. And the impact is magnified when those changes occur so often. There is a
10 significant impact on government emergency management services, which will be addressed
11 in more detail by Wayne Sallade, the County's Director of Emergency Management. There
12 is also a significant impact on continued economic development in the County. It is extremely
13 expensive and time-consuming for small businesses, such as those that predominate in
14 Charlotte County, to make the necessary changes to communications and advertising
15 materials, as well as technical equipment. Mr. Bill Wishard, president of the Charlotte County
16 Chamber of Commerce, will address these matters in more detail. Only two years ago
17 Charlotte County created a Tourist Development Council and hired a Tourist Development
18 Director, who has created a major tourism advertising campaign for Charlotte County all
19 over the world. Finally, a significant percentage of Charlotte County citizens are senior
20 citizens who find frequent changes of this kind extremely confusing and unsettling.

21 **Q. If the Commission were to consider alternatives to the proposed North/South split,**
22 **would you have any recommendation?**

23 **A.** Yes. Although the number of new telephone numbers may require a split in the 941 area code
24 service area, an alternative should be chosen that allows for a longer exhaust period than the
25 projected 5.9 years. This is particularly true in light of the fact that Charlotte County just had
26 its area code changed three years ago, in 1996. It would be much more cost efficient if the
27

1 941 area code were now split into more than just two sectors. An area code change has a
2 tremendous negative financial impact on government offices and commercial businesses.

3 **Q. As Chairman of the Charlotte County Board of County Commissioners, would you be**
4 **in favor of an overlay method of relief in Charlotte County as a means of achieving an**
5 **extended exhaust period?**

6 A. Only as an alternative to the use of smaller initial service areas to accommodate more growth.
7 An overlay system would be confusing to Charlotte County's high percentage of elderly
8 citizens. But if more frequent area code changes are inevitable, I think it would be better to
9 go to an overlay system now.

10 **Q. Does this conclude your direct testimony?**

11 A. Yes, it does.

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1 **MR. REHWINKEL:** I'm trying to figure out did
2 he change his testimony anywhere? (Laughter)

3 **Q** **(By Ms. Burton)** Mr. Horton, have you,
4 since the your prefiled testimony was prepared, in
5 light of the recent consolidation of the Englewood and
6 941 dockets, have you looked at and prepared and
7 brought with you a packet of information that you
8 would like to show to the Commission and discuss with
9 the Commission as an exhibit?

10 **A** I have. At the Englewood workshop I felt
11 like we were charged or given instruction by Staff to
12 see if there was some other alternate plans that we
13 might have, or have some consideration of which we
14 would like to introduce.

15 I went home and did my homework, and I have
16 something I brought back that I would like to share
17 with the Commission on that basis.

18 **MS. BURTON:** And, Commissioners, we faxed
19 this information to the attorneys, the various
20 parties, late yesterday afternoon; some of them to the
21 hotels where they were staying last night so they'd
22 get a chance to, at least, look it before this
23 morning. And I believe everyone must have a copy of
24 it at your chair.

25 **WITNESS HORTON:** I'll try to keep my

1 comments brief. I know everybody wants to get to
2 dinner sometime tonight.

3 **MS. BURTON:** Excuse me. At this point, can
4 we have the packet marked as Composite Exhibit 10?

5 **COMMISSIONER JOHNSON:** It will be marked as
6 Composite Exhibit No. 10.

7 (Exhibit 10 marked for identification.)

8 **Q (By Ms. Burton)** Mr. Horton, would you like
9 to go through the packet and explain the purpose of
10 the contents therein?

11 **A** I'll do that, and I'll do this precisely and
12 quickly as I can.

13 The first one says the Charlotte County
14 Urban Service Area Population Centers. The reason I
15 show you that is because the population in Charlotte
16 County is surrounded around the waterways. The
17 eastern part of the county is basically agricultural,
18 groves, ranches, et cetera, so the population in
19 Charlotte County is in the Charlotte Harbor area. It
20 has been talked about and suggested we could divide
21 Charlotte County at the Peace River, we could divide
22 it at the county line, or we could divide it at the
23 Myakka River. Any one of those divisions will divide
24 the population centers of Charlotte County and cause
25 extreme hardship.

1 I'm having a little bit of a problem
2 understanding how we got to this situation as quickly
3 as we have, seeing as how we all made the sacrifice
4 three years ago in our area -- not all of our areas
5 but some of the other areas as well -- by looking at
6 the map it looks like we end up with an extremely
7 large area which ended up being 941.

8 I know we have a lot of growth going on in
9 our area in Charlotte County. Our rate of growth over
10 the past few years has been averaging about 2% or
11 less. That's not anything really tremendous. That's
12 just a normal growth. And from that standpoint, I got
13 questioned how we got to the point if the whole
14 district, whole 941, grew by such a tremendous rate, I
15 don't see that growth in the population; that we've
16 run out of numbers. I have a hard time with that.
17 Unless we made a mistake the last time that this was
18 divided.

19 That's why I'd like to encourage you to
20 really consider dividing this area into three areas.
21 Because if you don't, I'm afraid we're going to be
22 back here two years from now, or three years, doing
23 the same thing we've done. You took 813 and divided
24 it; 941, shortly, a little bit after that, you pulled
25 out 742, or whatever the other number was, and now

1 here we are doing it again three years later. I
2 encourage you please consider to looking at dividing
3 this area into three.

4 Now, I'd like to talk about 941, and the one
5 that you have here. It says Alternate 3 split.

6 Now, when we were all in Englewood, we had
7 the workshop there, it was Sprint who pointed out that
8 some of the exchanges they needed to have addressed if
9 we went to an Alternate 3. This was not the first
10 Alternate 3 we saw. It was adjusted to meet those
11 accommodations. So that is what we had.

12 And if you look at the next one. This is
13 the one I'm so proud of because that one is mine.
14 Okay. And basically what I did, the northern
15 geographic areas in the county is pretty much well
16 involved. I've been around long enough that I've got
17 friends in Hardee, DeSoto, Lee, Glades and Collier --
18 Monroe, I don't have quite as many friends down there
19 as I do the rest of them. Knowing the geographic
20 areas and some of the population things, I arbitrarily
21 chose this for the simple purpose that I thought it
22 would be a way to divide that area into three sections
23 and still have some kind of balance.

24 Since then, I have had some dialogue with
25 Staff again, and they came up with one, which is

1 No. 4. Okay. That's a black and white one. And in
2 that split that's only split twice. The problem that
3 they had with the one that I chose is we haven't been
4 able to come up with how long before these three areas
5 would be exhausted. But I think if you'll take
6 something along that line -- you heard some people
7 here earlier suggesting, well, maybe we would need to
8 add DeSoto County to Manatee, Sarasota and Charlotte
9 County to come up with a balance. Or maybe we would
10 have to add Glades -- I mean, we may have to adjust
11 some of those inner counties to make it balance. But
12 maybe if you will approach it from that standpoint
13 you'll be able to do that and we'll have an exhaust
14 period that all three areas will be able to live with
15 for more than four or five years. I think that's
16 possible. And if that would happen, that would be the
17 ultimate situation for us to have. But you've got to
18 remember Sarasota, Manatee and Charlotte County needs
19 to be together because of so many things that we do
20 collectively. We're all coastal counties. We all
21 have much the same needs, and we really need to be
22 considered as one.

23 That's as precise and as quick as I can do
24 this. And I'll try not to get -- thank you very much.

25 Q Mr. Horton, the last page in the packet,

1 could you explain where that information came from?

2 **A** Okay. The last page in the packet is what I
3 received through our staff from your Staff as far as
4 the numbers are concerned as the exhaust years. Okay.
5 And if you'll look down there, the last one there is
6 No. 7, which is the black and white one, and that
7 gives us a 6 and 5.6 exhaust year, if you divide it
8 into two areas along that line. If you stay with the
9 three areas, I'm convinced you can get better exhaust
10 time than that.

11 **Q** Thank you. Is there anything further that
12 you would like to add?

13 **A** It's been fun. (Laughter)

14 **MS. BURTON:** Commissioners, I would like to
15 move this packet into evidence.

16 **COMMISSIONER JOHNSON:** Show it admitted
17 as -- and that was Composite Exhibit 10?

18 **MS. BURTON:** Yes.

19 (Exhibit 10 received in evidence.)

20 **COMMISSIONER JACOBS:** Commissioner Horton,
21 are you familiar enough with Manatee to know if the
22 inland regions of that county are as sparsely
23 populated as you've indicated the inland regions of
24 Charlotte County are?

25 **WITNESS HORTON:** That agricultural area is

1 fairly sparsely population, just like Charlotte County
2 is. Most of their population growth, again, is along
3 the coastal areas.

4 Englewood comes together with Sarasota and
5 Charlotte County just like in that. You have the
6 Englewood area; you've got the North Port area.
7 Northern Charlotte County and southern Sarasota County
8 probably, if you look at the whole thing, you have
9 roughly 200,000 people we're talking about affecting,
10 that comes together. If you look at Manatee and
11 Sarasota County, the same way, the northern and
12 southern ends come together in that same way. We're
13 all pretty much locked into this thing together.

14 **COMMISSIONER JACOBS:** Thank you.

15 **WITNESS HORTON:** Okay.

16 **COMMISSIONER JOHNSON:** Questions?

17 **MR. MINIX:** Madam Chairman, we have no
18 questions of Mr. Horton. I think he expressed our
19 position very well.

20 **COMMISSIONER JOHNSON:** Ms. Schneider.

21 **MS. SCHNEIDER:** No questions.

22 **MS. CASWELL:** No questions.

23 **MR. REHWINKEL:** No questions.

24 **COMMISSIONER JOHNSON:** Mr. May.

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CROSS EXAMINATION1
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25**BY MR. MAY:**

Q Mr. Horton, I just needed some clarification on your exhibit here, which has been marked as Composite Exhibit 10.

On the page that you said was your plan, is the yellow, the green and the blue, under that relief plan, what area code number would Manatee, Sarasota and Charlotte have?

A We'd like to maintain 941.

Q Would that mean a small businessman in Polk County has, under your scenario, your proposal, would have to change his stationery, change his business cards and advertisements?

A If we divide this thing into three, someone is going to have to do that, yes, sir.

Q If your business was located in Polk County --

A I would want 941. I would want 941. And in all fairness and honesty, this particular scenario probably gives our area the best exhaust time. I don't know that but I'm guessing. I'm just sharing that. Like I said, we're all in this together whether we like it or not.

Q I appreciate that. Thank you, sir.

1 **COMMISSIONER JOHNSON:** Chairman Horton,
2 which is most important to you, to have the three
3 counties together or to -- what if we did the
4 configuration that you like but it was a different
5 area code?

6 **WITNESS HORTON:** I shared this with my board
7 on Tuesday, before we sent it out, to make sure we had
8 a consensus on our board. Our board's number one
9 consideration would be to keep the three counties
10 together.

11 **COMMISSIONER JOHNSON:** Okay. Thank you.
12 That's very important. Staff, did you have any
13 questions?

14 **MS. MCKINNEY:** No, Commissioner Johnson.

15 **COMMISSIONER JOHNSON:** Redirect?

16 **MS. BURTON:** No, Commissioner.

17 **COMMISSIONER JOHNSON:** Thank you very much
18 for your testimony.

19 **MS. BURTON:** Charlotte County's next witness
20 is Mr. Wayne Sallade.

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WAYNE P. SALLADE

1
2 was called as a witness on behalf of Charlotte County,
3 state of Florida and, having been duly sworn,
4 testified as follows:

DIRECT EXAMINATION

5
6 **BY MS. BURTON:**

7 **Q** Could you please state your name and
8 business address?

9 **A** Wayne P. Sallade, 18500 Murdock Circle, Port
10 Charlotte, Florida.

11 **Q** What is your position with Charlotte County?

12 **A** I am a county director of the Office of
13 Emergency Management.

14 **Q** How long have you held that position?

15 **A** 12 years.

16 **Q** Have you filed prefiled testimony in this
17 case?

18 **A** Yes, ma'am, I have.

19 **Q** Do you have any corrections or additions
20 you'd like to make to that prefiled testimony?

21 **A** Yes, ma'am. Similar to Chairman Horton,
22 there's been information come to light since I did the
23 prefiled testimony relating to some alternatives I did
24 not know might be available in this situation.

25 And one of the things that we had looked at

1 was in getting longer exhaust times, saying let's bite
2 the bullet and possibly taking something along the
3 lines of an overlay. But in looking at that, in doing
4 some further analysis of the upheaval that it would
5 create, again not only to our demographics, to our
6 senior population, but to the emergency services.

7 As the Director of Emergency Management, as
8 you will also no doubt hear later, we have the
9 responsibility of notifying critical populations in
10 times of extreme emergencies, such as hurricanes. We
11 have automatic dialing systems. We have calling teams
12 that are required to call upwards of anywhere from 800
13 to 1000 people for evacuation of special needs. If we
14 were to go, be forced to go to an overlay system of
15 some sort, it would increase that time by 30% by
16 adding numbers, and probably even more so by adding
17 confusion to our calling teams and others. And that's
18 not even to mention the amount of reprogramming that
19 would be necessary in terms of our dialing systems,
20 our fax machines and so forth.

21 But the major consideration -- and this is
22 taken up in additional testimony -- was the ability
23 not to split, in my particular case, Charlotte and
24 Sarasota County. Manatee County, we have a similar
25 working relationship that Sarasota has with Manatee.

1 City of North Port and Charlotte County have automatic
2 response agreements for fire service, ambulance. We
3 have a fire district that's split by the county line
4 in Englewood, serving both Sarasota and Charlotte
5 County residents. We don't have that closeness on the
6 south side. There's a gap of about 20 miles between
7 the urban populations of Punta Gorda and the Cape
8 Coral-Fort Myers community. There's no split on the
9 northern end of our county between Port Charlotte,
10 North Port and Englewood, and Englewood and the two
11 counties.

12 Q Is there anything further that you would
13 like to add?

14 A No. But, again, not having had the
15 knowledge of any additional alternatives, we would
16 like to see the area code for the convenience, as
17 would anyone -- and I have many friends in Polk County
18 as well -- who certainly understand the ramifications
19 of having an area code change. But I think our
20 primary consideration is being included in a same area
21 code, no matter what that is, with Sarasota and
22 Manatee Counties. If it involved -- as some of us
23 have discussed, if it did involve some changing of
24 counties, addition of counties, DeSoto County from my
25 perspective would certainly be one that we could bring

1 in with those other three to provide balance if there
2 were a three-way split.

3 We work on an everyday basis very closely
4 with DeSoto County. As you've seen, there are
5 exchanges that go up into DeSoto County from Punta
6 Gorda. Port Charlotte exchanges go into the Lake Suzy
7 area along Kings Highway, and Sarasota County works
8 very closely in emergency services with DeSoto County.
9 So that would be a natural alignment if that were to
10 be one of the alternatives; if it were to have -- to
11 bring balance to the exhaust period of a three-way
12 split, that would be a possibility.

13 Q From the point of view of emergency
14 management, do you have any particular feeling about
15 the use of an overlay?

16 A Again, certainly the confusion factor we
17 talked about. I know we heard earlier about the fact
18 that there are 10-digit dialing areas in some parts of
19 the state, but I would argue that we have an unique
20 population. Charlotte County is part of a -- what has
21 been declared a hurricane special district because of
22 our extreme vulnerability.

23 I reiterate again the need to call upwards
24 of 800 to a 1000, depending on the time during a
25 hurricane season, either July or November, of those

1 that are special needs. It takes time. This is not
2 just a quick phone call. This is determining their
3 need for being picked up, being sheltered, being
4 evacuated. And if we had to go to 10-digit dialing,
5 it would add 30% to the time that it would require to
6 make that call.

7 And if some day, as the industry indicates,
8 we have to go to that, then we'll have to go to that.
9 But we'd like to stave that off as long as possible.

10 **MS. BURTON:** Madam Chairman, I would like to
11 move Mr. Sallade's prefiled testimony into the record
12 as though read and amended.

13 **COMMISSIONER JOHNSON:** It will be inserted.

14 **MS. BURTON:** Thank you.

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PRE-FILED DIRECT TESTIMONY
OF
WAYNE P. SALLADE
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
CHARLOTTE COUNTY, a political subdivision of the
STATE OF FLORIDA
DOCKET NO. 990223-TL

1 **Q. Please state your name and your business address.**

2 A. Wayne Sallade, Charlotte County Government, 18500 Murdock Circle, Port Charlotte,
3 Florida.

4 **Q. What is your position with Charlotte County Government?**

5 A. Director of Emergency Management.

6 **Q. How long have you held that position and what are your responsibilities?**

7 A. Since June 1987. As Director of Emergency Management, it is my responsibility to develop,
8 coordinate, and maintain the County's Emergency Management plan.

9 **Q. Docket No. 990223-TL is before the Florida Public Service Commission to review the**
10 **proposed numbering plan relief for area code 941. The 941 NPA Exhaust**
11 **Recommended Relief Plan recommends splitting the existing 941 area code into two**
12 **sectors, with the South Sector acquiring a new area code. The North Sector (which**
13 **would retain the 941 area code) would include Polk, Manatee, and Sarasota Counties,**
14 **including the communities of Bartow, Bradenton, Haines City, Lake Wales, Lakeland,**
15 **Palmetto, Venice and Winter Haven. The South Sector (which would receive a new**
16 **area code) would include Charlotte, Collier, DeSoto, Glades, and Okeechobee counties,**
17 **including the communities of Arcadia, Avon Park, Bonita Springs, Cape Coral, Fort**
18 **Myers, Naples, North Naples, North Fort Myers, Okeechobee, Port Charlotte and**
19 **Sebring. According to the Relief Plan, the revised 941 area code service area is forecast**
20 **to exhaust in about 5.2 years. The new area code service area (including Charlotte**
21 **County) would exhaust in about 5.9 years. As Director of Emergency Management for**
22 **Charlotte County, do you have any concerns about this proposed split and the**
23 **predicted exhaust period?**

24 A. Yes. My primary concern regarding the proposed boundary line split is the impact that two
25 different area codes in Charlotte County would have on the County's Emergency Management
26 plan in the case of an emergency. There will be delays in calling Special Needs Registrants
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1 to notify them of an impending evacuation. (These people are transportation-dependent and
2 are evacuated by Charlotte County resources.) But that issue is the subject of Docket No.
3 990184 and I reserve my comments on that issue for the Englewood docket. Any change of
4 area code within Charlotte County will cause a loss of Emergency Management manpower
5 due to the time required to reprogram fax machines (over 100 numbers) and the automatic
6 notifier (over 400 numbers). All of these changes cause government expense, which can be
7 avoided with longer exhaust periods for area codes. Although I recognize that the sheer
8 number of new telephone numbers necessitates a split in the 941 area code, a relief alternative
9 should be selected that allows for a longer exhaust period than the projected 5.9 years. This
10 is particularly true in light of the fact that Charlotte County just had its area code changed
11 three years ago, in 1996. It would be much more cost efficient if the 941 area code were now
12 split into more than just two sectors.

13 **Q. If the Commission were to consider alternatives to the proposed North/South split,**
14 **would you have any recommendation?**

15 A. Yes. As I mentioned, my principal concerns are the frequency of area code changes and the
16 bifurcation of the Englewood community, which lies in both Charlotte and Sarasota counties.
17 The extra costs and lost productivity experienced by government in adjusting to area code
18 changes, and also the Emergency Management problems associated with having two or more
19 area codes, would be lessened with one area code throughout Charlotte County and longer
20 exhaust periods for any required area code changes.

21 **Q. As Director of Emergency Management for Charlotte County, would you be in favor**
22 **of an overlay method of relief in Charlotte County as a means of achieving an extended**
23 **exhaust period?**

24 A. Although multiple area codes within one county have the potential of undermining the
25 effectiveness of emergency services, if more frequent area code changes are inevitable, I think
26 it would be better to go to an overlay system now.

1 **Q. Does this conclude your direct testimony?**

2 **A. Yes, it does.**

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1 **COMMISSIONER JOHNSON:** Is he tendered? Any
2 questions?

3 **MR. MINIX:** Manatee County has no questions.

4 **MS. SCHNEIDER:** No questions from Sarasota
5 County.

6 **COMMISSIONER JOHNSON:** Staff?

7 **MS. MCKINNEY:** Commission Staff has no
8 questions.

9 **COMMISSIONER JOHNSON:** Commissioners, no
10 questions? Thank you.

11 **WITNESS SALLADE:** Thank you, ma'am.

12 **COMMISSIONER JOHNSON:** You're excused.

13 (Witness Sallade excused.)

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15 **MS. BURTON:** Charlotte County would now call
16 Mr. Bill Wishard.

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18 **BILL WISHARD**

19 was called as a witness on behalf of Charlotte County,
20 state of Florida and, having been duly sworn,
21 testified as follows:

22 **DIRECT EXAMINATION**

23 **BY MS. BURTON:**

24 **Q** Could you please state your name and
25 business address?

1 **A** Bill Wishard. 272 East Virginia Avenue,
2 Punta Gorda, Florida.

3 **Q** And what is your position?

4 **A** I'm here representing the Charlotte County
5 Chamber of Commerce. I'm the president of the Chamber
6 of Commerce.

7 **Q** Do you have involvement with the Charlotte
8 County community as far as leadership programs or
9 community involvement?

10 **A** Yes, ma'am, I do.

11 **Q** Have you filed prefiled testimony in this
12 case?

13 **A** Yes, ma'am.

14 **Q** In light of the PSC's consolidation of the
15 three 941 area code dockets, is there anything you
16 would like to add to your prefiled testimony?

17 **A** Yes, there is. As president of the Chamber
18 representing some 1,200 businesses in Charlotte County
19 I must share Commissioner Horton's concern about
20 what's happening here with regard to area code 813,
21 losing Manatee, Sarasota and Charlotte Counties three
22 years ago; losing Pinellas County eight months ago.
23 And the fear that we're going to be back here again,
24 as he stated, in two or three more years going through
25 the same process again.

1 There have been mentions of hard costs
2 involved in these changes. I have some hard data on
3 those costs from ten different types of businesses in
4 Charlotte County.

5 It cost a business anywhere from \$1,000,
6 depending on what the size of the business is, up to
7 \$10,000 just to change invoicing, business cards and
8 stationery. The \$10,000 is a small community bank;
9 one office. \$1,000 is a small real estate office with
10 about four employees in it. So there are hard costs
11 involved with this.

12 I urge you to do whatever you're going to do
13 to lengthen the time before this has to change again.
14 It is traumatic for small business. It is important
15 for small business that they have some time to budget
16 this money that they're going to have to spend to
17 change their invoices, their stationery and their
18 business cards. It's extremely important.

19 As I said, I surveyed ten different types of
20 businesses prior to coming up here today, and I'd like
21 to get that entered into the record that the costs
22 range from \$1,000 to \$10,000 for those businesses --
23 that's not to mention intangible -- not the
24 intangibles, but the soft cost of lost business down
25 the road.

1 We have a home builder who 90% of his
2 business is in Canada with Canadian customers. They
3 are extremely concerned about the area code change
4 again in that it changed three years ago.

5 Q Do you have an opinion on use of the overlay
6 that would require 10-digit dialing?

7 A I'm totally opposed to it for reasons that
8 Commissioner Sallade and Commissioner Horton
9 expressed.

10 Q Is there anything unusual or different about
11 Charlotte County that should have possibly special
12 treatment in this particular case?

13 A I think the age factor; that we are the
14 fourth oldest county in the country, and some of the
15 concerns that that raises; the emergency management
16 concerns. The sharing of North Port, Port Charlotte,
17 Englewood, Venice, Sarasota -- and going up into
18 Sarasota, Manatee, the same situation that
19 Commissioner Horton spoke to is unique to those three
20 counties, I think. And I would share his plan of
21 those three counties staying together; preferably
22 staying in the 941 area code, but those three counties
23 staying together.

24 **MS. BURTON:** Move Mr. Wishard's prefiled
25 testimony into the record as though read and

1 corrected.

2 COMMISSIONER JOHNSON: It will be inserted.

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PRE-FILED DIRECT TESTIMONY
OF
BILL WISHARD
BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION
ON BEHALF OF
CHARLOTTE COUNTY, a political subdivision of the
STATE OF FLORIDA
DOCKET NO. 990223-TL

DOCUMENT NUMBER - DATE

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FPSC-RECORDS/REPORTING

1 **Q. Please state your name and your business address for the record.**

2 A. Bill Wishard, Florida Power & Light, 272 East Virginia Avenue, Punta Gorda, Florida.

3 **Q. What is your position with Florida Power and how long have you been with the**
4 **company?**

5 A. I am the Major Accounts Manager and have been with Florida Power & Light for 28 years.
6 I am also a graduate of Leadership Charlotte & Leadership Southwest Florida, and currently
7 serve as President for Charlotte County Chamber of Commerce.

8 **Q. Docket No. 990223-TL is before the Florida Public Service Commission to review the**
9 **proposed numbering plan relief for area code 941. The 941 NPA Exhaust**
10 **Recommended Relief Plan recommends splitting the existing 941 area code into two**
11 **sectors, with the South Sector acquiring a new area code. The North Sector (which**
12 **would retain the 941 area code) would include Polk, Manatee, and Sarasota Counties,**
13 **including the communities of Bartow, Bradenton, Haines City, Lake Wales, Lakeland,**
14 **Palmetto, Venice and Winter Haven. The South Sector (which would receive a new**
15 **area code) would include Charlotte, Collier, DeSoto, Glades, and Okeechobee counties,**
16 **including the communities of Arcadia, Avon Park, Bonita Springs, Cape Coral, Fort**
17 **Myers, Naples, North Naples, North Fort Myers, Okeechobee, Port Charlotte and**
18 **Sebring. According to the Relief Plan, the revised 941 area code service area is forecast**
19 **to exhaust in about 5.2 years. The new area code service area (including Charlotte**
20 **County) would exhaust in about 5.9 years. As President for Charlotte County**
21 **Chamber of Commerce, do you have any concerns about this proposed split and the**
22 **predicted exhaust period?**

23 A. Splitting the area code within Charlotte County would significantly alter our sense of
24 community. Notable progress has been made to bring together all the geographic areas of
25 Charlotte County. To mark a river or a road as a cut-off point for the area code would be a
26 man-made barrier which could cripple our community.

1 Charlotte County is positioning itself throughout the United States through the marketing
2 efforts of the Chamber, Visitors Bureau, Economic Development Council and the Airport
3 Authority. The material sent is inclusive and describes the entire community. Imagine the
4 confusion as potential new residents, visitors or businesses have to utilize two different area
5 codes to contact one County.

6 In addition, there is a substantial expense and inconvenience to both businesses and residents
7 who would have to change their printed material.

8 **Q. If the Commission were to consider alternatives to the proposed North/South split,**
9 **would you have any recommendation?**

10 A. Yes. The Public Service Commission should look at the possibility of adding more area
11 codes, rather than changing the area codes so often.

12 **Q. Does this conclude your testimony?**

13 A. Yes, it does.

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1 **MR. MINIX:** Manatee County has no questions.

2 **MS. SCHNEIDER:** No questions from Sarasota
3 County.

4 **MR. MAY:** Just a couple, Mr. Wishard.

5 **CROSS EXAMINATION**

6 **BY MR. MAY:**

7 **Q** I thank you for quantifying some of the
8 costs that are involved with respect to geographic
9 splits, and I have a couple of questions on that.

10 Under Mr. Horton's plan, if you took
11 Sarasota, Charlotte and Manatee County as a separate
12 NPA, and there were only two alternatives, one would
13 be keeping that three-county group as a separate NPA
14 but not allowing those counties to maintain or retain
15 the 941, and then compared that to an all-systems
16 overlay, what would the businesses, in your view, that
17 are members of your Chamber, prefer in that scenario?

18 **A** The businesses that I surveyed prior to
19 coming here expressed extreme concern about the length
20 of time before this happens again. I think the
21 business community would want to see those three
22 counties stay together, number one; but would prefer
23 probably a different area code if it's going to extend
24 the life of that area code, as opposed to keeping 941
25 now and three years from now changing it again. I

1 would hope that there's going to be an alternative out
2 there that's going to try to keep 941 for those three
3 counties and extend the life of it for more than 4.6
4 years, I think was Alternative 3, the plan.

5 Q Sir, you're aware that under an overlay
6 program none of the existing businesses that are
7 members of your Chamber would be required to change
8 their signage and incur these hard costs?

9 A I realize that. The confusion that would be
10 created by the new businesses right across the street
11 or next door, or additional phones that were installed
12 in that business having a different area code, would
13 be the major problem.

14 Q So your members believe that the confusion
15 associated with an overlay would far outweigh the hard
16 costs that would be associated with a geographic plan?

17 A I don't have data to support that one way or
18 the other, but I think the gut feeling is yes.

19 **MR. MAY:** Thank you, sir.

20 **COMMISSIONER JOHNSON:** Any other questions
21 for the witness?

22 **MS. MCKINNEY:** Commission Staff has no
23 questions.

24 **COMMISSIONER JOHNSON:** Thank you.

25 **WITNESS WISHARD:** Thank you.

1 **COMMISSIONER JOHNSON:** Sarasota County.

2 **MS. SCHNEIDER:** Sarasota County calls

3 Commissioner Shannon Staub.

4 - - - - -

5 **SHANNON H. STAUB**

6 was called as a witness on behalf of Sarasota County,

7 state of Florida and, having been duly sworn,

8 testified as follows:

9 **DIRECT EXAMINATION**

10 **BY MS. SCHNEIDER:**

11 **Q** Commissioner Staub, please state your name
12 and your position with Sarasota County for the record.

13 **A** Shannon H. Staub, County Commissioner. I'm
14 serving as Chair of the County Commission. I
15 represent District 3, which includes South Venice,
16 Englewood and North Port, although I'm elected at
17 large by the whole county.

18 **Q** Did you file prefiled testimony in this
19 matter?

20 **A** Yes, I did.

21 **Q** Do you have any changes to the prefiled
22 testimony?

23 **A** No, I don't.

24 **Q** As you are aware, the PSC has entered an
25 order consolidating the Englewood docket and the 941

1 area code docket. As a result, the testimony today
2 pertains to both dockets and your prefiled was limited
3 to one. In light of that fact, do you have any
4 additional testimony that you would like to submit
5 into the record at this time?

6 A I do, primarily because, Madam Chairman, you
7 were not at the other meeting because that was just
8 Staff, and we want to make sure that you and the
9 others do hear about the difference in Englewood.

10 Englewood is a very unique community. It is
11 split by Charlotte and Sarasota Counties. It also has
12 two special districts created by the state; a water
13 district and a fire district, which means it's a
14 hodge-podge of all kind of governments. The citizens
15 there don't know, when they turn on their tap, where
16 the water comes from; they don't care. It happens to
17 come from a special district. When they get emergency
18 services, all they know is they want the emergency
19 services. They don't care if it comes from Sarasota,
20 Charlotte or a special district.

21 We have a lot of interaction and
22 interrelationship between Englewood, Charlotte County
23 and Sarasota County. One hospital serves both areas.
24 We have students that go to school in the -- go to
25 school in Charlotte County and they are Sarasota

1 County residents. They are crossing that line all the
2 time. The business community, Englewood Chamber of
3 Commerce, is made up of businesses of both counties.
4 They don't know when they cross the line, when they
5 spend their money on one side of the county line or
6 the other. And it's very important that this
7 community remain intact. The community is one where
8 tax dollars are actually being spent -- and this is
9 almost unbelievable to some people -- Charlotte County
10 is spending their tax dollars in Sarasota County to
11 build a road. We're talking about \$13 million. This
12 is a hurricane evacuation route so that their folks
13 can get out and they have to use our road to get out.
14 So we don't have problems sharing our tax dollars.
15 We're now collaborating on a \$60 million road project.
16 We have tried to share the funds on that.

17 So this community is one that is important,
18 and it needs to stay together. So we are asking that
19 Charlotte and Sarasota Counties definitely stay
20 together.

21 I want to tell you about the
22 interrelationship with Manatee County and Sarasota
23 County. We're in the middle. So we're lucky. We get
24 to interact with both north and south counties. We
25 share an airport with Manatee County. We share water;

1 they sell us water that we use. We also work with
2 road -- our MPO, Metropolitan Planning Organization,
3 is the only one in the state that's bi-county. It is
4 a Manatee-Sarasota County metropolitan area.

5 We have developments. I think you heard
6 from Shroeder Manatee this morning. A large
7 development that has the county line going right in
8 the middle of it. If you drive down University
9 Parkway, which is the northernmost Sarasota County
10 road, on the north side you live in Manatee County but
11 your address is Sarasota County. Your telephone
12 exchange number is Sarasota County. If you live on
13 the south side you are in Sarasota County. So as you
14 can see, we are three musketeers; it's one for all and
15 all for one.

16 The three counties actually have a lot of
17 interaction also. We have what we call the Peace
18 River Authority. This is our new water resource
19 initiative, where we, as well as DeSoto County, are
20 all going to be in an initiative for water for the
21 next 20 to 30 years.

22 We also have an estuary program, the
23 Charlotte Harbor Estuary Program, that Manatee,
24 Charlotte and Sarasota all are part of. Manatee and
25 Charlotte are also in the national estuary program for

1 Sarasota Bay. So as you can see, we cross over more
2 than, I think, most tri-county areas do.

3 In the area of navigational waters, we also,
4 the three counties, are represented. So we have a lot
5 of overlapping; that means our people and our
6 citizens, our businesses want to cross over. We need
7 to maintain the same area code so that we do have that
8 sense of community.

9 The whole state, and even the nation, is
10 having to look at more regional planning. Our three
11 counties are looking at regional planning. And we
12 hope you all will look at planning in our region to
13 try to look at a longer exhaust period for us. That
14 is, I think, number one, keeping the three counties
15 together and a longer exhaust period.

16 Q Commissioner Staub, Composite Exhibit 10
17 that was put into evidence by Chairman Horton, on the
18 last page indicated some exhaust years for an
19 alternative which is numbered 7. And that alternative
20 was comprised of Manatee, Sarasota, Hardee, DeSoto and
21 Charlotte. And Commission Staff had accommodated us
22 by calculating some exhaust years for that
23 alternative, and as indicated on that last page, with
24 exhaust years for the Manatee, Sarasota, Hardee,
25 DeSoto and Charlotte being six years, and the new NPA,

1 or the balance of the current 941, being 5.6 years.

2 What is your opinion on that geographic
3 split, and is that something that you feel the
4 Sarasota County can endorse?

5 **A** The Sarasota County Commission has taken a
6 stand that we make three resolutions. One, we oppose
7 an overlay district. One is we want to keep the three
8 counties together. And the other was to have a new
9 code, if it can give us 50% more time than the
10 proposed Alternative 3, which was presented to us in
11 Englewood, which would mean six years or more. If
12 not, we would want to retain the 941 code, but we
13 could live with a new code as long as we're six years
14 or longer.

15 We think that -- I think Alternate 7
16 probably would be suitable. I think that Commissioner
17 Horton's other three-code aspect does deserve
18 evaluation. I think that it's very important that for
19 everyone saving time and money and energy, that we
20 don't show up here in three more years doing the same
21 thing we're doing now. My understanding is that with
22 the numbering organization, that if, in fact, two
23 codes -- two new codes can be put forward
24 simultaneously, that they would be considered.

25 So looking at the three codes would be, I

1 think, advantageous. I think we have to see what the
2 numbers are on that, but Alternative 7 would be,
3 certainly suitable.

4 Q So at this point Sarasota County would
5 endorse Alternative 7, but would reserve its position
6 regarding the three-way split, but you would encourage
7 a three-way split if it meant a longer exhaust period?

8 A A longer exhaust period is important to
9 business, for citizens, for everyone involved, and I
10 think for the Public Service Commission so you don't
11 have to come back here so often.

12 Q Commissioner Staub, do you have anything
13 further to add --

14 **CHAIRMAN GARCIA:** That's one of the things
15 that we look forward to.

16 **WITNESS STAUB:** Oh, and we're glad to have
17 you.

18 No, I think we tried to show all day with
19 the morning testimony -- we've done an awful lot of
20 work trying to rally the troops, both in Englewood and
21 Manatee and Sarasota Counties, to show you what we're
22 really like and how important it is to us to stay as
23 one community. And we're willing to look at a new
24 code. If it's a longer exhaust period, businesses
25 seem to be in favor of that. They just don't want to

1 have to have a new code and be back here in three
2 years. So I hope you'll take that under
3 consideration.

4 **MS. SCHNEIDER:** Thank you. I have nothing
5 further.

6 **COMMISSIONER JOHNSON:** Any questions?

7 **MS. MCKINNEY:** Clarification for the record.
8 Commission Staff would just like to point out that the
9 numbers that are being referred to as the -- that were
10 provided to the County are projections and they are
11 based on historical data, for the record.

12 **MS. SCHNEIDER:** Excuse me. I forgot to
13 enter the testimony as though read, so -- with the
14 additional testimony given today.

15 **COMMISSIONER JOHNSON:** We'll show it
16 inserted as though read.

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1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2

3 **In Re:** Request for Review of Proposed

Docket 99-0223-TL

4 Numbering Plan Relief for the 941

5 Area Code

6

PRE-FILED TESTIMONY

7

OF SHANNON STAUB

8

9 **Q. Please state your name and your business address for the**
10 **record.**11 A. Shannon Staub, Sarasota County Government, 1660 Ringling
12 Blvd., Sarasota, Florida.13 **Q. What is your position with Sarasota County Government?**14 A. I am Currently serving as Chair of the Sarasota County Board of
15 County Commissioners.16 **Q. How long have you been a member of the Sarasota County**
17 **Board of County Commissioners?**18 A. I was elected to a 4-year term on the Board as the Commissioner
19 from District 3 in November 1996. District 3 includes that portion
20 of the Englewood community which is located in Sarasota County.21 **Q. This Docket No. 99-0223-TL is before the Public Service**
22 **Commission to consider which portions of the current 941**
23 **Area Code service area should retain the 941 designation in**
24 **light of the imminent area code split. The 941 NPA Exhaust**

1 **Recommended Relief Plan recommends that the Northwest**
2 **split combine Sarasota County with Bartow, Bradenton,**
3 **Haines City, Lake Wales, Lakeland, Palmetto, Venice and**
4 **Winter Haven, and that the 941 Area Code be retained for that**
5 **portion of the split. The balance of the current 941 Area Code**
6 **service area, consisting of Arcadia, Avon Park, Bonita Springs,**
7 **Cape Coral, Fort Myers, Naples, North Naples, North Fort**
8 **Myers, Okeechobee, Port Charlotte and Sebring, the Southeast**
9 **split, would be given a new area code. According to the Relief**
10 **Plan, the exhaust period for the revised 941 Area Code service**
11 **area is forecast to be 5.2 years. As County Commissioner, do**
12 **you have any concerns about this proposed split and the**
13 **forecast exhaust period?**

- 14 A. Yes. Regarding the proposed boundary lines for the split, I have
15 very strong concerns about the impact on the Englewood
16 community, which straddles both Sarasota County and Charlotte
17 County. However, I realize that issue is the subject of Docket No.
18 99-0184 and I will reserve my comments on that issue for the
19 Englewood docket.
- 20 With respect to the proposed numbering plan relief for the 941
21 Area Code, I have two major concerns. First, approximately three
22 (3) years ago, Sarasota County's area code was changed from 813
23 to 941. While I understand the need to split area code service areas

1 because of the exhaustion of available numbers, the Public Service
2 Commission and NANPA should be cognizant of the expense and
3 confusion which result from an area code change. The impact is
4 magnified when those changes occur with such frequency.

5 Specifically, there is a significant impact on the governmental
6 emergency services with respect to telephone alert systems and
7 paging programs. This issue will be addressed in more detail by
8 Gregg Feagans, the County's Emergency services Director. There
9 is also a significant impact on continued economic development in
10 the County. It is extremely expensive and time-consuming for
11 small businesses, such as those that predominate in Sarasota
12 County, to effectuate the changes necessary for an area code
13 change. Mr. Bill Couch of the Sarasota County Chamber of
14 Commerce will address these matters in more detail.

15 Also, Sarasota County has a large tourist industry which depends
16 in large part on printed advertisements which are disseminated all
17 over the world. A change in area code has the very real potential
18 of negatively impacting those businesses by having to incur the
19 expense to reprint and re-distribute these materials not to mention
20 missed bookings due to a failure to have the right telephone
21 number.

1 Finally, demographically, a significant percentage of Sarasota
2 County citizens are senior citizens who find frequent changes of
3 this kind extremely confusing and unsettling.

4 Of course, I realize that other coastal communities in Florida have
5 similar problems. However, these problems coupled with the fact
6 that the number of exchanges in the proposed Northwest split
7 exceed the number of exchanges in the proposed Southeast split
8 support the conclusion that the Northwest split, which includes
9 Sarasota County should retain the 941 Area Code.

10 **Q. If the Commission were to consider alternatives to the**
11 **proposed Northwest/Southeast split, would you have any**
12 **recommendation?**

13 A. Yes. My principal concern with respect to an area code change is
14 the negative financial impact it has on government offices and
15 commercial businesses. While area code changes are inevitable,
16 the impact would be considerably lessened if the new service areas
17 could be smaller so as to lengthen the exhaust period. As I
18 mentioned earlier, the projected exhaust time for the proposed
19 change is 5.2 years and the last exhaust period was only 3 years. It
20 would seem to me that with a little more planning, those exhaust
21 periods could be extended. According to the NPA Code Relief
22 Planning & Notification Guidelines, it is recommended that relief
23 activity be implemented that prevents customers from having to

1 undergo number changes for 8 to 10 years. In my view, an 8 to 10-
2 year exhaust period is much preferred over a 3 to 5-year period.

3 **Q. Would you be in favor of an overlay method of relief in**
4 **Sarasota County as a means of getting to an extended exhaust**
5 **period?**

6 A. No, I would not. In my view, the overlay method is not in the best
7 interests of the citizens of Sarasota County. It would result in a
8 confusing hodge podge of numbers without any apparent
9 geographical boundaries. While I appreciate the extended exhaust
10 period the overlay method provides, the confusion to the public in
11 a community like Sarasota County is too great. As I previously
12 stated, the best alternative is smaller service areas so as to
13 accommodate more growth.

14 **Q, Does this conclude your testimony?**

15 A. Yes, it does.

1 **MR. MINIX:** Mr. Chairman, I have just a
2 couple of quick questions.

3 **CROSS EXAMINATION**

4 **BY MR. MINIX:**

5 **Q** I'm Jim Minix from Manatee County.

6 I just wanted to inquire two areas that you
7 may not have mentioned, but I think they are
8 important, and that is the fact that Manatee and
9 Sarasota, as you know, shares a common boundary.
10 Isn't it true that a lot of Manatee residents work in
11 Sarasota and vice versa?

12 **A** You bet.

13 **Q** And a lot of Manatee residents shop in
14 Sarasota?

15 **A** Very much. And we're glad to have them.

16 **Q** And it would be a bit of a business hardship
17 if there was an area code split between those two
18 counties?

19 **A** Yes.

20 **Q** Thank you.

21 **MR. MINIX:** No further questions.

22 **COMMISSIONER JOHNSON:** Thank you. Any
23 redirect?

24 **MS. SCHNEIDER:** No.

25 **COMMISSIONER JOHNSON:** Thank you, Chairman.

1 Appreciate it.

2 **WITNESS STAUB:** Glad to have you here.

3 **MS. SCHNEIDER:** Sarasota County will call
4 Gregg Feagans.

5 - - - - -

6 **GREGG D. FEAGANS**

7 was called as a witness on behalf of Sarasota County,
8 state of Florida and, having been duly sworn,
9 testified as follows:

10 **DIRECT EXAMINATION**

11 **BY MS. SCHNEIDER:**

12 **Q** Good afternoon. Mr. Feagans, please state
13 your name and your position with Sarasota County for
14 the record?

15 **A** My name is Gregg Feagans. I'm the Sarasota
16 County Emergency Management Chief.

17 **Q** Mr. Feagans, did you file prefiled testimony
18 in this matter?

19 **A** Yes, I did.

20 **Q** And do you have any changes to your prefiled
21 testimony at this time?

22 **A** No, I do not.

23 **Q** And as you are aware, as I mentioned
24 earlier, the PSC has consolidated the Englewood docket
25 and the 941 docket and your prefiled testimony

1 referred only to the 941 docket. In light of that
2 consolidation, do you have any additional testimony
3 you would like to add at this time?

4 A Yes, I do.

5 Q Please do.

6 A Okay. The issue of splitting Sarasota
7 County created a major problem for us. One, the
8 responsibilities that I have with the county since its
9 inception is the management of the databases and the
10 system associated with our 911 system here in Sarasota
11 County. I also serve as the County Emergency
12 Management Director. Both of those responsibilities
13 overlap and are very dependent upon the telephone
14 numbering systems.

15 We maintain over 300,000 telephone records
16 in our database. Those records come to us from
17 General Telephone, but we have to process each one so
18 that our enhanced telephone database is geographically
19 correct. By going into a different split, prefix on a
20 numbering system, means I will have to touch every one
21 of those numbers in our database. If we use the
22 overlay system, we literally can have, as described
23 earlier, a single residence or business with multiple
24 prefixes on their telephone exchange number, which
25 affords us a very complicated method of responding to

1 public call for assistance in those areas.

2 This system that we have been discussing
3 today, as we start to co-mix and commingle these
4 telephone numbers, demands that we use computers to
5 maintain that emergency run information. When those
6 computers not work, we have to rely on a manual system
7 of getting emergency response units out into the field
8 to the right locations.

9 The problem as I see it is, is when we have
10 those problems with computers, and we will
11 periodically, we have Y2K coming up on us very quickly
12 now and one of our methods of providing good service
13 to our community is add staff, because we may be in a
14 manual mode, and when we do not know, with a level of
15 precision, that phone number originates in our
16 jurisdiction, we have to take extra time. And I would
17 imagine the 30% increase that my counterpart in
18 Charlotte County referred to is probably a very
19 conservative Number.

20 The other area where we have problems fare
21 with dealing with call-up processes that we use here
22 in Sarasota County for our emergencies forces or
23 pagers. We have a telephone alert system that calls
24 and warns people of an impending threat coming from
25 the Gulf of Mexico in a hurricane. We actually call

1 the people that live on Siesta Key, there's ten
2 thousand residents that we call. We have to maintain
3 that database. It's very easy to do that now. We
4 have a nice neat telephone exchange out there; we know
5 where everyone is. If we used an overlay, I'll lose
6 that ability.

7 It's going to increase the cost to the
8 County to maintain our database if we change our area
9 codes. The split in Englewood is a problematic split.
10 We've already gone through establishing our boundary
11 line in the Charlotte County-Sarasota County interface
12 area of Englewood.

13 We maintain a law enforcement responsibility
14 in the Englewood area from the Sheriff's Department.
15 He doesn't cross the county line, except under mutual
16 aid basis. Our EMS, our Emergency Medical Services,
17 stop at the county line, but goes across the county
18 line on mutual aid calls. Yet our fire department has
19 a responsibility, the Englewood Fire Department, for
20 both sides of the county line. So we have to be that
21 precise so we send the right and appropriate resources
22 to those areas.

23 We have a similar situation in the Myakka
24 area of Sarasota County and Manatee County where we
25 have a jurisdiction there that is split between

1 Manatee County and Sarasota County; a similar area in
2 the University Parkway area and a minor area as we go
3 between Sarasota County and DeSoto County. So the
4 logic of keeping our three counties together is a very
5 valid option. Sarasota, Manatee and Charlotte County
6 were at one time Manatee County. We are still a
7 culture of that society back in the '30s before we
8 split apart.

9 Wayne Sallade refers to me as "dad." My
10 wife is the Emergency Management Director of Manatee
11 County. We're linked between Manatee County and
12 Charlotte County. That's the way all of our emergency
13 services people look at the two -- the three
14 communities. We've have fireman that live in Manatee
15 County but work in Sarasota County. We have
16 businesses that go the same way.

17 So I implore you to consider strongly
18 supporting keeping the three counties together:
19 Sarasota, Manatee and Charlotte.

20 **Q** Mr. Feagans, could you elaborate a little
21 bit on the impact of multiple area codes on the
22 enhanced 911? In other words, the impact of an
23 overlay?

24 **A** The overlay problem will be monumental.
25 Right now we get -- our database comes to us from GTE.

1 As we start on project an overlay on our 911 database,
2 our ability to quickly process those new additions
3 coming into our community -- we get about 2,000 new
4 residents, new telephones in our database on a monthly
5 basis. We'll have to process each and every one of
6 those in a manual manner to find out where they are
7 geographically on the ground. The only way we can do
8 it is through geography; have to literally look at
9 that place. Or pick up the phone and call it to
10 verify where that residence is.

11 One of the problems we have in our community
12 is the telephone installer that installs the telephone
13 device does not always know where the phone is going.
14 They don't know what county it is in or what city it's
15 in. Yet when the public calls us on 911, they expect
16 us to know that they are in Manatee County or they are
17 in Sarasota County, or they are in Charlotte County.
18 That's a major problem for us. And it's a major
19 liability for every county. It's the same situation
20 in Manatee County and the same situation in Sarasota
21 County. We link our systems together, so if a call is
22 misqueued and misdirected to Sarasota County, and we
23 recognize it, we transfer that call back to Manatee
24 County. They do the same thing for us. That's a
25 manual process and that's built on our staff

1 recognizing there's a foreign number in our database.

2 And one of the problems we have with
3 wireless today is when someone comes in with a
4 cellular telephone in our community -- I know it's not
5 part of the discussion -- but it's the same thing; we
6 have to stop, we have to query the caller and have the
7 caller tell us where they live. And that doesn't work
8 if someone is having a heart attack. We're in the
9 emergency business. So if I seem intense on what
10 we're doing, I'm very intense. This is a very
11 significant event to the emergency services.

12 The thing the industries do not do, they do
13 not involve us in the decision process when they are
14 making these decisions. So we always are kind of on
15 this side of the podium always, reacting to the plans
16 that were made from the side of the industry, and
17 that's a problem.

18 Q Do you have anything further?

19 A No, I do not.

20 Q Thank you.

21 **MS. SCHNEIDER:** I would like to move
22 Mr. Fegans' amended testimony into the record as
23 though read.

24 **CHAIRMAN GARCIA:** So moved.

25

1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**2 **In Re:** Request for Review of Proposed

Docket 99-0223-TL

3 Numbering Plan Relief for the 941

4 Area Code

5 PRE-FILED TESTIMONY

6 OF GREGG D. FEAGANS

7 **Q. Please state your name and your business address for the**
8 **record.**9 A. Gregg D. Feagans, Sarasota County Government, 1660 Ringling
10 Blvd., Sarasota, Florida.11 **Q. What is your position with Sarasota County Government?**12 A. Emergency Management Chief, Emergency Services Business
13 Center14 **Q. How long have you held that position and what are your**
15 **responsibilities as Emergency Management Chief?**16 A. The title "Emergency Management Chief" is a fairly recent title.
17 Previously, my title was Director, Emergency Management
18 Services, a position I have held since 1984. Although my title
19 changed, my responsibilities have remained the same. As
20 Emergency Management Chief, it is my responsibility to
21 coordinate the research, training and data for the 911 Center and
22 associated Emergency Services responses for the Sarasota
23 Community.

1 **Q. This Docket No. 99-0223-TL is before the Public Service**
2 **Commission to consider which portions of the current 941**
3 **Area Code service area should retain the 941 designation in**
4 **light of the imminent area code split. The 941 NPA Exhaust**
5 **Recommended Relief Plan recommends that the Northwest**
6 **split combine Sarasota County with Bartow, Bradenton,**
7 **Haines City, Lake Wales, Lakeland, Palmetto, Venice and**
8 **Winter Haven, and that the 941 Area Code be retained for that**
9 **portion of the split. The balance of the current 941 Area Code**
10 **service area, consisting of Arcadia, Avon Park, Bonita Springs,**
11 **Cape Coral, Fort Myers, Naples, North Naples, North Fort**
12 **Myers, Okeechobee, Port Charlotte and Sebring, the Southeast**
13 **split, would be given a new area code. According to the Relief**
14 **Plan, the exhaust period for the revised 941 Area Code service**
15 **area is forecast to be 5.2 years. As Emergency Management**
16 **Chief for Sarasota County, do you have any concerns about**
17 **this proposed split and the predicted exhaust period?**

18 **A.** Yes. My primary concern regarding the proposed boundary line
19 split is the impact two different area codes in Sarasota County
20 would have on the emergency management system in the case of
21 an emergency when computers may not be operational. I realize
22 that issue is the subject of Docket No. 99-0184 and I will reserve
23 my comments on that issue for the Englewood docket.

1 With respect to the proposed numbering plan relief for the 941
2 Area Code, while I recognize the sheer number of new telephone
3 numbers necessitates a split in the 941 area code, I would suggest
4 that a relief alternative be selected that would allow for a longer
5 exhaust period than the projected 5.2 years. This is particularly
6 true in light of the fact that Sarasota County just had its area code
7 changed 3 years ago. From my perspective, it would be much
8 more cost efficient if the 941 area code were split into more than
9 just two parts at this time.. We're going to eventually end up with
10 smaller and smaller geographic areas in each area code service
11 area, so why not reconfigure those smaller areas now. This would
12 significantly reduce the cost to the government and the confusion
13 to the customers. For example, with respect to emergency
14 management services, an area code change entails changing paging
15 programs, telephone alert systems, ten-digit dialing systems, the
16 enhanced 911 data base and processing, all telephone area
17 reference materials and the 911 operational software for CAD and
18 telephone systems. All of these changes equate to government
19 expense which can be avoided if longer exhaust periods for area
20 codes are achieved.

21 **Q. If the Commission were to consider alternatives to the**
22 **proposed Northwest/Southeast split, would you have any**
23 **recommendation?**

1 A. Yes. As I mentioned, my principal concerns are the frequency of
2 area code changes and the bifurcation of the Englewood
3 community, which lies in both Sarasota and Charlotte counties.
4 The first concern is predicated on the costs and lost productivity
5 incurred by government in adjusting to the area code changes. An
6 exhaust period of 8 to 10 years, as recommended by the NPA Code
7 Relief Planning & Notification Guidelines, would be more cost-
8 efficient and generate less confusion in the community. My
9 second concern involves the problems associated with having two
10 area codes within the same county for emergency management
11 purposes. In the event of an emergency in which the computers
12 shut-down, Emergency Services must rely on manual operations.
13 The introduction of multiple area codes could result in persons
14 being missed in a manual operation. These concerns would be
15 eliminated or at least alleviated with one area code throughout
16 Sarasota County and a longer exhaust period.

17 **Q. As Emergency Management Chief for Sarasota County, would**
18 **you be in favor of an overlay method of relief in Sarasota**
19 **County as a means of getting to an extended exhaust period?**

20 A. No. As I indicated, multiple area codes within one county have the
21 potential of undermining the effectiveness of emergency services.

22 **Q. Does this conclude your testimony?**

23 A. Yes, it does.

1 **MR. MINIX:** Mr. Chairman, I have a few
2 questions.

3 **CROSS EXAMINATION**

4 **BY MR. MINIX:**

5 **Q** Mr. Feagans, I'm Jim Minix with Manatee
6 County.

7 I understand from previous testimony that
8 there are some exchanges in south Manatee County that
9 are, in fact, Sarasota exchanges. What happens when
10 somebody in south Manatee County calls, do they get
11 service from Sarasota or do they get service from
12 Manatee?

13 **A** Provided the database has been appropriately
14 coded, they will electronically come to the Sarasota
15 County switch, and then they are electronically sent
16 to Manatee County. So there is no intervention from
17 an operator on our side of the 911 equation. If it's
18 a new resident and it hasn't yet reached the database
19 and they call, it rolls to a default location, which
20 is -- quite frankly, it's the best guess from the
21 installer. We then look at the call; ascertain what
22 the address is, street name, and if appropriate will
23 transfer the call up. If we're confused about where
24 it is, we'll transfer the call and we'll also have a
25 dual response. Any time there's a confusion, we send

1 units from both Manatee County and Sarasota County.

2 Q It sounds like a complicated procedure.

3 Would it be made even more complicated with an area

4 code change if there were two separate area codes?

5 A Two separate area codes would create a major
6 problem for us. The reality is that no one really
7 knows where they live. And along those lines, we have
8 to drive -- we literally put field people -- people in
9 the field and drive those streets and record the
10 address numbers of those houses and we do it on a
11 continual basis.

12 Q And the Commission may not be aware --
13 there's been a lot of discussion about Englewood as
14 being a jurisdiction that crosses county lines. But
15 there's also another jurisdiction that crosses county
16 lines between Sarasota and Manatee called Long Boat
17 Key. How does the service work there as far as
18 emergency services between Manatee and Sarasota
19 Counties?

20 A It works real well, but took a lot of work
21 to get there. The Long Boat Key island is one
22 telephone exchange today. All of those numbers go to
23 the same switching mechanism I described earlier, but
24 the entire dispatch for emergency services ultimately
25 ends up in Manatee. And then the call is split and is

1 routed back to Long Boat Key for law enforcement
2 dispatch and for fire dispatch. But for emergency
3 medical services dispatch, it may get to be dispatched
4 by the 911 dispatch center. When we have a hurricane
5 evacuation type of situation, both Manatee and
6 Sarasota County are responsible for their areas of
7 that island. And Long Boat Key's emergency staff is
8 split and they can respond to both the emergency
9 operation centers and then we tie together by
10 telephone or radio.

11 Q Would the introduction of two separate area
12 codes between Sarasota and Manatee County simplify
13 this process or make it more complicated?

14 A It would be quite a bit more complicated.
15 That would probably be easy at the beginning, and as
16 we got more and more of the overlay, or the splits
17 coming in, depending how that happened, it would
18 become more and more complicated and complex.

19 Q Thank you?

20 MR. MINIX: No further questions.

21 MS. BURTON: I have no questions.

22 CHAIRMAN GARCIA: Go ahead, Mr. Rehwinkel.

23 CROSS EXAMINATION

24 BY MR. REHWINKEL:

25 Q Good afternoon, Mr. Feagans. Charles

1 Rehwinkel with Sprint.

2 Can I ask you, are you a member of any
3 national associations or statewide associations of
4 emergency management directors?

5 A Yes, I am.

6 Q Are you aware of any problems, functioning
7 problems with overlays in other parts of the country
8 with respect to operability of 911 systems?

9 A We have a 911 Coordinating Council and a
10 professional users group here in the state of Florida.
11 It has been a very hot topic since the proposition was
12 proposed.

13 And the advice -- to paraphrase the advice
14 is do everything in your power to get a grip on what's
15 going to happen because even under the best condition,
16 it's a real challenge for an emergency service unit to
17 be able to compensate for that kind of a change.

18 Q You're not aware of any problems that have
19 occurred in Dade County with respect to 911?

20 A Not in Dade County. Most of our information
21 comes to us from what's happen in Pinellas County and
22 Hillsborough County; all those areas where we did the
23 813 split.

24 Q But there was no overlay?

25 A There was no overlay at that point.

1 Q The issue about -- I'm looking on Page 3 of
2 your testimony, and you discussed it some in your oral
3 presentation, about just the change in an area code
4 for you. You would agree, would you not, that the
5 concern that you raised would be every bit as real for
6 the director in Lee County or the director in Polk
7 County, would you not?

8 A Yes. I think -- and I may qualify my
9 concern. If we're dealing with a single exchange
10 where the county boundary is contiguous within the
11 exchange, that's a fairly simple process from our
12 perspective. But when you start to split it or have
13 the overlay, then it becomes very, very difficult to
14 manage.

15 Q But with respect to the phenomenon of having
16 to change a number, the folks at Lee County, they have
17 the same hurricane evacuation issues and the 30%
18 issue; they would have the same thing --

19 A That's correct.

20 Q The installer problem that you mentioned,
21 you have that kind of a problem regardless of whether
22 there's an overlay or not, do you not?

23 A That's a consistent problem and it's such a
24 variable problem in that most of the time they get it
25 in the right county. But whenever we get up to where

1 there's a line, that's when you really have the
2 opportunity for some major confusion. They may not
3 spell the street name right, which they can take right
4 off the street sign, and there's never a county marker
5 out there. And we experience that all the time in the
6 Englewood area. In the Charlotte area, when we
7 started to move to enhance 911 in Charlotte County,
8 and we had to work with Sprint and with General
9 Telephone, that process took us about 18 months to
10 manage approximately 10,000 telephone records into the
11 right community.

12 Q But the answer to my question is it exists
13 regardless of whether an overlay is coming in. And
14 it's not really a telephone-company specific issue,
15 it's just a matter of human beings knowing exactly
16 what piece of ground they are working on?

17 A Oh, that's correct.

18 Q Okay. That's all I have. Thanks.

19 MR. HEATON: I have a few questions. Frank
20 Heaton with Wireless One network.

21 CROSS EXAMINATION

22 BY MR. HEATON:

23 Q When you're referring to an installer, are
24 you talking telephone company employee?

25 A Yes, I am.

1 Q Doesn't that telephone company employee have
2 a service order to work from that has a 911 -- an bona
3 fide 911 address where he's installing the service?

4 A No, sir.

5 Q In the Sprint service area he would have
6 such an address?

7 A I can't attest to that.

8 Q You talked about number exhaust on Siesta
9 Key, was one of your concerns for an overlay. Do you
10 have any idea how long the existing NXX codes would
11 continue to serve Siesta Key without a requirement for
12 a new area code and new NXX codes within that new area
13 code being assigned out there?

14 A I think if we followed the plan offered by
15 Commissioner Horton, that it would be a very palatable
16 proposition for us. I do not know when that will
17 exhaust.

18 Q If number exhaust of already established NXX
19 codes within the 941 area was able to continue for
20 another five years, before new NXXs had to be
21 established with a new area code, most of Mr. Horton's
22 constituents would be dead, according to him, and,
23 therefore, wouldn't be concerned.

24 I mean, I'm not sure if government
25 understands that an overlay doesn't mean instantaneous

1 proliferation of new area code and new assigned NXXs.
2 I really believe that it's a gradual process, it's
3 most likely to occur with start up --

4 **CHAIRMAN GARCIA:** Let's not testify. You're
5 asking questions. Ask a question.

6 **MR. HEATON:** Okay.

7 **Q (By Mr. Heaton)** You don't really know how
8 many new NXX codes in a new area code would be
9 required within Sarasota County if an overlay was
10 approved for use, do you?

11 **A** I do not.

12 **Q** Thank.

13 **MR. HEATON:** No further questions.

14 **COMMISSIONER JOHNSON:** Thank you,
15 Mr. Heaton.

16 **CROSS EXAMINATION**

17 **BY MS. MCKINNEY:**

18 **Q** Mr. Feagans, Staff would like you to submit
19 a late-filed exhibit, please. It will be No. 11,
20 Emergency Service Area Map, showing the area you have
21 been speaking of, please.

22 **A** Could you define what specifically you are
23 asking for?

24 **Q** Yes. You have been testifying as to an
25 area, geographic location, in which you service the

1 emergency area. If you could submit a map so we'll
2 know what geographic location you're talking about,
3 please. And that will be Late-filed Exhibit No. 11.

4 A I will be able to do that.

5 MS. SCHNEIDER: Mr. Feagans, if I may
6 clarify I believe that the area that you're talking
7 about, geographic area, is Sarasota County's
8 geographic boundaries; is that correct?

9 WITNESS FEAGANS: Sarasota County geographic
10 boundaries, with the exception -- for the purpose of
11 our 911 central dispatch operation, the areas covered
12 by the Englewood Fire District extend into Charlotte
13 County and that's the footprint, it's Sarasota County
14 and Charlotte County. And then I may have added some
15 confusion to it with Long Boat Key in that for
16 emergency management purposes we split Long Boat Key
17 at the county line, but for 911 telephone purposes
18 it's whole.

19 Q Then you may want to distinguish between
20 that for Long Boat Key.

21 MS. MCKINNEY: Yes. We'd appreciate that
22 clarification on the map. Maybe color an area or
23 something like that.

24 WITNESS FEAGANS: I have some maps we can
25 provide that.

1 **MS. MCKINNEY:** Thank you very much.

2 (Late-Filed Exhibit 11 identified.)

3 **WITNESS FEAGANS:** Thank you.

4 **MS. MCKINNEY:** Nothing further for Staff.

5 **COMMISSIONER JOHNSON:** Thank you.

6 **MS. SCHNEIDER:** I guess --

7 Madam Commissioner, Mr. Couch was going to be our
8 third witness and he had a leave for a doctor's
9 appointment. So I have discussed this with some of
10 the parties, though I didn't have a opportunity to
11 discuss they will with all of them. Mr. Rehwinkel has
12 concurred that they will stipulate to the entry of his
13 testimony as though read into the record.

14 **COMMISSIONER JOHNSON:** Any objection to
15 that?

16 **MS. MCKINNEY:** No objection.

17 **COMMISSIONER JOHNSON:** Seeing none show it
18 as inserted as though read. Are there any exhibits?

19 **MS. SCHNEIDER:** No exhibits.

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1 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

2

3 **In Re:** Request for Review of Proposed

Docket 99-0223-TL

4 Numbering Plan Relief for the 941

5 Area Code

6

PRE-FILED TESTIMONY

7

OF WILLIAM W. COUCH

8

Q Please state your name and your business address for the record.

9

10 A. William W. Couch, The Greater Sarasota Chamber of Commerce,
11 1819 Main Street, Sarasota, Florida 34236-5983.

12

Q. What is your position with the Chamber of Commerce?

13

A. I am the Vice President of Public Affairs.

14

Q. How long have you held that position and what are your responsibilities?

15

16 A. I have been in this position for seven (7) years and serve as the
17 Chamber's liaison with the various governmental entities and also
18 administer the Leadership of Sarasota program.

19

**Q. This Docket No. 99-0223-TL is before the Public Service
20 Commission to consider which portions of the current 941
21 Area Code service area should retain the 941 designation in
22 light of the imminent area code split. The 941 NPA Exhaust
23 Recommended Relief Plan recommends that the Northwest**

1 split combine Sarasota County with Bartow, Bradenton,
2 Haines City, Lake Wales, Lakeland, Palmetto, Venice and
3 Winter Haven, and that the 941 Area Code be retained for that
4 portion of the split. The balance of the current 941 Area Code
5 service area, consisting of Arcadia, Avon Park, Bonita Springs,
6 Cape Coral, Fort Myers, Naples, North Naples, North Fort
7 Myers, Okeechobee, Port Charlotte and Sebring, the Southeast
8 split, would be given a new area code. According to the Relief
9 Plan, the exhaust period for the revised 941 Area Code service
10 area is predicted to be 5.2 years. A formal complaint has been
11 filed by Cellular One in Ft. Myers, contesting the decision to
12 retain the 941 Area Code in the Northwest split rather than in
13 the Southeast split. As representative of the Sarasota Chamber
14 of Commerce, do you have any concerns about this proposed
15 split and the predicted exhaust period?

16 A. Yes. There are approximately 12,000 businesses in Sarasota
17 County, and all of them would be affected to a significant degree
18 should they be required to adopt a new area code. The Chamber
19 believes maintaining the current area code in both Sarasota and
20 Charlotte counties is essential to the development of the two-
21 county region. When area codes are changed, businesses are
22 required to take expensive, non-productive actions. Business

1 clients and customers must be notified of the new area code, and
2 stationery and business cards must be changed.

3 In order to prosper, businesses need to develop and preserve
4 effective communications systems, and time spent altering systems
5 may have serious consequences on their productivity. Changes in
6 area codes can affect many different systems within the business
7 enterprise, and if not handled properly, may cause failed
8 connections and downtime. Examples of some of the systems
9 affected by an area code change are: fax machine group calling
10 lists; speed dialers, auto dialers, alarms and PBX (private systems);
11 outdial lists on computers; wireless phones, paging systems,
12 burglar alarms; and ISDN termination equipment.

13 Although these problems are not unique to Sarasota County
14 businesses, coupled with the fact that the number of customers in
15 the proposed Northwest split exceeds the number of customers in
16 the proposed Southeast split, the equities weigh in favor of
17 retaining the 941 Area Code in the proposed Northwest split,
18 which includes Sarasota County.

19 **Q. If the Commission were to consider alternatives to the**
20 **proposed Northwest/Southeast split, would you have any**
21 **recommendation?**

22 A. Yes. My principal concerns are the frequency of area code
23 changes and the bifurcation of the Englewood community, which

1 lies in both Sarasota and Charlotte counties. Both of these
2 concerns arise out of the previously discussed steps which
3 businesses must take to adjust to the new Area Code. the less
4 frequent these changes are, the better. While area code changes
5 are inevitable, the impact would be considerably lessened if the
6 new service areas could be configured so as to result in a longer
7 exhaust period. The projected exhaust time for the proposed
8 change is 5.2 years and the last exhaust period was only 3 years.

9 **Q. Would the Chamber be in favor of an overlay method of relief**
10 **in Sarasota County as a means of getting to an extended**
11 **exhaust period?**

12 A. No. Although an overlay would eliminate the need for current
13 businesses to change computer systems and stationery, it would
14 effectively undermine the concept of a unified, interactive business
15 community. Moreover, it would be very confusing to customers of
16 the businesses.

17 **Q. Does this conclude your testimony?**

18 A. Yes, it does.

1 **COMMISSIONER JOHNSON:** That concludes
2 Sarasota County's case. BellSouth Mobility.

3 **MR. MAY:** BellSouth Mobility calls
4 Mr. William Brown, who is prepared to adopt the
5 prefiled direct and rebuttal testimony of Ron
6 Burleson. Mr. Burleson, due to circumstances beyond
7 his control, was not able to attend the hearing today.

8 **COMMISSIONER JOHNSON:** Mr. Brown.

9

- - - - -

10

WILLIAM H. BROWN

11 was called as a witness on behalf of BellSouth
12 Mobility and, having been duly sworn, testified as
13 follows:

14

DIRECT EXAMINATION

15 **BY MR. MAY:**

16 **Q** Please state your name and business address
17 for the record?

18 **A** William H. Brown, 1100 Peachtree Street
19 Northeast, Suite 809, Atlanta, Georgia 30309-4599.

20 **Q** Mr. Brown, have you taken the testimonial
21 oath and been sworn to testify in this proceeding?

22 **A** Yes.

23 **Q** By whom are you employed and in what
24 capacity?

25 **A** Employed by BellSouth Cellular Corporation,

1 the parent company of BellSouth Mobility and I'm
2 manager of State Regulatory.

3 Q On whose behalf are you testifying today?

4 A On behalf of BellSouth Mobility.

5 Q Please describe your position and job
6 responsibilities as manager, State Regulatory, for
7 BellSouth Cellular.

8 A In that position I handle issues that come
9 before the various state commissions where we provide
10 service that has an impact on our business, as well as
11 negotiate interconnection agreements between the
12 cellular carriers and landline telephone companies
13 where we provide service and related activities.

14 Q Can you briefly describe your educational
15 background and experience?

16 A Yes. I have a Bachelor of Science degree in
17 math from North Georgia College, and an MBA from the
18 University of Alabama in Birmingham. I have been in
19 telecommunications for more than 30 years, including a
20 couple years on active duty in Army as a
21 communications officer, and more than 16 years in the
22 cellular business, having started in October of 1982.

23 Q Mr. Brown, have you had occasion to review
24 the direct and prefiled rebuttal testimony of
25 Mr. Ronald Burleson, which BellSouth Mobility prefiled

1 in this docket?

2 A Yes, I have.

3 Q Are there any portions to Mr. Burleson's
4 prefiled testimony that are not applicable to your
5 testimony today?

6 A Yes, there are. That would be the personal
7 information and qualifications. Mine need to be
8 substituted for his. The substance of the testimony,
9 though, does not need to be changed in any way.

10 Q With that note that Mr. Burleson's
11 biographical information is not really applicable
12 here, if I were to ask you the same questions posed to
13 Mr. Burleson's prefiled direct and rebuttal testimony,
14 would your answers today be the same?

15 A Yes, they would.

16 Q And with those clarifications noted, do you
17 now adopt Mr. Burleson's prefiled direct and the
18 rebuttal testimony as your own?

19 A Yes, I do.

20 **MR. MAY:** Commissioner, we would ask that
21 Mr. Brown's prefiled direct and rebuttal testimony be
22 inserted into the record as though read.

23 **COMMISSIONER JOHNSON:** It will be so
24 inserted.

25

Refiled as adapted by William H. Brown.

EDUCATIONAL AND PROFESSIONAL HISTORY

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Q Please state your name and business address.

A Ronald W. Burlison, BellSouth Cellular Corp. 1100 Peachtree Street, Suite 89, Atlanta, Georgia 30309.

Q What is the relationship between BellSouth Cellular Corp. and Florida Cellular Service, Inc. d/b/a BellSouth Mobility, the intervenor in this proceeding?

A BellSouth Cellular Corp. owns, derivatively, 100% of BellSouth Mobility.

Q What is your current position with BellSouth Cellular Corp.?

A I am the Director of External Affairs and have occupied that position for the past six (6) years. I handle legislative and regulatory issues, including NPA issues, in Florida and in a number of other states.

Q Please briefly describe your educational background.

A I attended Louisiana State University from 1971-1975 where I received a Bachelors and Masters Degree in Business Administration.

ISSUE I

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Q Have you had occasion to review the "Florida 941 NPA Relief Plan" as proposed by North American Numbering Plan Administration ("NANPA").

A Yes.

Q Should the Commission approve NANPA's area code relief plan?

A Yes. The Commission should immediately approve the proposed area code split plan without modification. In its letter to the Commission of August 14, 1998, NANPA estimates that available numbers in the area code will be exhausted in the fourth quarter of 1999. It is critical that the Commission immediately implement NANPA's recommendation in order to provide sufficient time for BellSouth Mobility to modify networks, reprogram customer handsets and educate customers of the impending number changes.

Q What other geographic split plans were considered by the industry in addressing the 941 area code exhaust problem?

A The industry identified no other geographic split options as being viable.

Q Should the Commission consider other methods of splitting the 941 area code?

1 A No. NANPA's plan divides the 941 area code along LATA lines and company
2 boundaries. The plan is recommended by the industry and is the only logical way to split
3 the area code without imposing undue delays, costs, and confusion on BellSouth Mobility
4 and our customers.

5
6 Q What would be the impact if the Commission approved an area code split method that
7 materially deviated the plan submitted by the industry?

8
9 A When an area code is split, wireless service providers like BellSouth Mobility bear a
10 burden unlike that of other telecommunications service providers. Not only must a
11 wireless provider contact and educate its customers, it must schedule an appointment with
12 all affected customers and physically reprogram the customer's equipment with a new
13 calling number. BellSouth Mobility has determined that it can implement the required
14 notification and reprogramming of customers' equipment within the critical time frame
15 identified by NANPA, if NANPA's proposal is approved immediately. However, if the
16 Commission orders a different geographic split, such action could significantly expand
17 the number of wireless customers affected and, hence, the number of the telephones that
18 would need to be reprogrammed. Depending on this expanded number, BellSouth
19 Mobility very likely would be unable to reprogram all customer equipment before the
20 projected NPA exhaust date.

21
22 Q Are there other area code relief plans available to address the 941 area code exhaust
23 problem?

24
25

1 A As I have said, BMI supports the area code split plan proposed by NANPA. However,
2 if NANPA's plan is not approved as submitted, BMI would support an all-services
3 overlay relief plan as the only alternative to NANPA's recommended geographic split.
4

5 Q What are the benefits of an all services overlay plan?
6

7 A An all-services overlay is the relief option that has the least impact on consumers, has
8 the least impact on service providers' networks and provides the longest period for relief.
9 In addition, an overlay plan allows a current customer to keep its existing number. This
10 minimizes customer confusion and does not require existing customers to change business
11 cards, stationery and signage. Moreover, an overlay plan can be implemented in a matter
12 of several months which is important in this instance where exhaustion of available
13 numbers in the 941 area code is imminent. The only preparations required for an overlay
14 plan are notification to the public of the new area code, customer education on dialing
15 patterns, and translations in telecommunications carriers' switches so that the new area
16 code will be recognized.
17

18 Q Do you have any final comments?
19

20 A Yes. BellSouth Mobility respectfully urges the Commission to immediately adopt the 941
21 area code split plan recommended by NANPA and the industry.
22
23
24

25 TAL-149401

1 Q Please state your name and business address for the record.

2

3 A. Ronald W. Burleson, BellSouth Cellular Corp., 1100 Peachtree Street, Suite 809, Atlanta,
4 Georgia 30309.

5

6 Q. On whose behalf are you appearing?

7

8 A. Florida Cellular Service, Inc. d/b/a BellSouth Mobility.

9

10 Q. Have you had occasion to pre-file direct testimony in this docket?

11

12 A. Yes. My direct testimony was prefiled in this docket on March 18, 1999.

13

14 Q. Have there been recent developments in this docket that warrant your additional
15 testimony?

16

17 A. Yes. In my recent direct testimony I supported what then was the Industry consensus for
18 941 area code relief. I recommended that the Commission immediately approve the
19 Florida 941 NPA Area Code Split Plan as proposed by North American Numbering Plan
20 Administration ("NANPA") in NANPA's letter to the Commission dated August 14,
21 1998. Alternatively, I testified that BellSouth Mobility would support an all-services
22 overlay relief plan to address the imminent 941 area code exhaust problem.

23

24 Since preparing my direct testimony, I have learned that NANPA's Code Administrator
25 has declared an Extraordinary Jeopardy for the 941 NPA. The declaration of

1 Extraordinary Jeopardy recognizes that, under this docket's current procedural schedule,
2 forecasted demand for NXX resources will exceed known supply prior to implementation
3 of a relief plan.

4
5 Q. Will the declaration of Extraordinary Jeopardy impact the Industry's consensus on
6 NANPA's proposed area code split relief plan?

7
8 A. Yes. NANPA has scheduled an Extraordinary Jeopardy Industry Conference Call for
9 April 6, 1999 to address the emergency. BellSouth Mobility expects that the geographic
10 split plan will be reevaluated at the Industry's April 6 conference call.

11
12 Q. In light of NANPA's declaration of Extraordinary Jeopardy, what is the most appropriate
13 method of preventing the exhaust of numbering resources in the 941 NPA?

14
15 A. Rapid implementation of an area code relief plan is more critical now than before.
16 BellSouth Mobility believes that an all-services overlay plan is the most effective and
17 advantageous method of achieving expeditious relief for the 941 NPA. Additionally, I
18 would point out that both GTE and Sprint, which previously had been proponents of a
19 geographic split plan, now have endorsed an all-services overlay plan.

20
21 Q. What are the particular advantages to an all-services overlay plan?

22
23 A. An all-services overlay plan offers several advantages that are uniquely suited to address
24 the imminent 941 NPA exhaust problem:

25

- 1 • Rapid Implementation. An overlay can be implemented in a matter of
2 several months and thus provides area code relief much more rapidly
3 than would a geographic split.
- 4 • Reduced Code Rationing. The rapid implementation of an
5 overlay will reduce the code rationing required by NANPA to
6 respond to the Extraordinary Jeopardy declaration.
- 7 • Minimized Customer Confusion and Frustration. An overlay reduces or
8 eliminates the need for customer number changes.
- 9 • Minimize Impact on Carrier and Customer. Cellular handset
10 reprogramming, which would be required under a geographic
11 split method, would not be required under an all-services
12 overlay.

13
14 Q. Are there other advantages to an overlay relief plan that are relevant to this proceeding?

15
16 A. Yes. An overlay enables current residents to retain their 941 NPA. This would address
17 some of the concerns of the Fort Meade and Englewood residents which have been
18 expressed in related dockets.

19
20 Q. Would an overlay relief plan impose significant difficulties on Florida customers?

21
22 A. No, an overlay relief plan can be expeditiously implemented with no significant
23 difficulties on customers. There might be a concern about ten-digit dialing, which is
24 necessitated with an all-services overlay plan. Ten-digit dialing, however, is a minor and
25 temporary inconvenience.

1 Q. Why do you characterize ten-digit local dialing as a minor and temporary inconvenience?

2
3 A. The inconvenience associated with ten-digit dialing is minor when compared with the
4 burdens and confusion associated with a geographic area code split. Even with a ten-digit
5 dialing, an overlay plan is far less intrusive from a customer's perspective than a
6 geographic area code split. Unlike an area code split, an overlay plan allows existing
7 customers to retain their existing numbers. This minimizes customer confusion and,
8 unlike a geographic split, does not require existing customers to change business cards,
9 stationery, and signage.

10
11 The inconvenience associated with ten-digit dialing is temporary because customers
12 quickly and easily adapt to the dialing pattern. Indeed, this has been the case in the other
13 jurisdictions such as in Atlanta. Again, when one considers the frustration, confusion,
14 and burden imposed by a geographic area code split, the overlay relief plan is the much-
15 preferred alternative. This is particularly true in the 941 NPA where customers have
16 recently undergone an area code split and would be required to repeat that difficult effort
17 again if a geographic split were now to be adopted.

18
19 Q. Does this conclude your rebuttal testimony.

20
21 A. Yes.
22
23
24
25

1 **MR. MAY:** And we would tender Mr. Brown for
2 cross examination.

3 **COMMISSIONER JOHNSON:** Any questions for
4 Mr. Brown? None. Okay.

5 **MR. MINIX:** No questions from Manatee
6 County.

7 **COMMISSIONER JOHNSON:** Any questions, Staff?

8 **MS. MCKINNEY:** Yes, Commissioner.

9 **CROSS EXAMINATION**

10 **BY MS. MCKINNEY:**

11 **Q** Good evening, Mr. Brown.

12 **A** Good evening.

13 **Q** In your testimony, Page 3, Lines 9 through
14 20, you indicated that if the Commission chooses a
15 different alternative other than the one which is
16 proposed by the industry, and I'm referencing
17 Alternative 1, that changes would have to be made.

18 Could you tell me what type of changes, such
19 as programming, will be required by the carriers?

20 **A** I assume you're referring to the direct
21 testimony, not the rebuttal?

22 **Q** Yes, Mr. Brown, I'm sorry.

23 **MR. MAY:** Could Staff repeat that question,
24 please?

25 **MS. MCKINNEY:** Yes.

1 Q **(By Ms. McKinney)** If an alternative plan
2 was chosen besides Alternative 1, I'm interested in
3 knowing what changes -- and an example I'm giving you
4 is programming, would have to be implemented or would
5 be required by the carriers?

6 A Sure. And actually you're just referring to
7 lines 15 through the end of the question, I assume.

8 If the -- with the geographic split, of
9 course, wireless phones have to be reprogrammed at
10 great inconvenience to the consumer. The customer has
11 to make an appointment with the carrier, bring the
12 phone in and have it changed. But that's only for the
13 phones that are in the area code that gets the new --
14 the area that gets the new code. And so if you move
15 boundaries so that more or less wireless customers are
16 affected, then that would affect how many phones we'd
17 have to reprogram and the time it would take to do
18 that. Those are some of the considerations.

19 In addition, we're quite concerned about the
20 implementation schedule, and as we make changes to any
21 plans, it puts consumers at risk of not having service
22 because we can't get whatever is needed to be done,
23 done in the amount of time.

24 Q Mr. Brown, are you in favor of rate center
25 consolidation?

1 **A** Rate center consolidation is more a landline
2 issue and I'm not really in a position to comment on
3 that.

4 **Q** What alternative is BellSouth Mobility
5 supporting pertaining to this case?

6 **A** As you know, NANPA recently declared that
7 941 is in extraordinary jeopardy. In light of that,
8 we think it's very important to respond in a timely
9 manner, and it's quite clear that an overlay provides
10 the most expeditious and effective way to respond in a
11 timely manner. That's because it has a smaller
12 implementation period. There's no permissive dialing
13 period required. All that's really required is to
14 inform customers and educate customers and get the new
15 area code and put it in.

16 **CHAIRMAN GARCIA:** What do you mean there's
17 no permissive dialing? You have to allow permissive
18 dialing because of alarm systems and other systems
19 that have to be reprogrammed.

20 **WITNESS BROWN:** Since the existing numbers
21 do not change, then you don't have to --

22 **CHAIRMAN GARCIA:** No, you don't have to
23 reprogram cellular phones, I understand that, but you
24 have to reprogram alarms, don't you? Which have
25 automatic call-outs. You have to reprogram computers

1 and check automatic call-outs. You have to reprogram
2 elevators -- I mean, what do you call those building
3 call-up centers that have to be reprogrammed? There's
4 a lot -- you need a permissive period.

5 And we found, for example when -- sort of
6 asking this, but haven't you found that would be --
7 well, I guess you haven't done it anywhere else. For
8 you it's less. You're right. I'm understanding. You
9 mean it in your case; that it doesn't require any
10 permissiveness because you don't have to reprogram
11 your phones.

12 **WITNESS BROWN:** No, sir. I meant for all
13 telecommunications services. Let me explain a little
14 more precisely what I mean about the permissive
15 dialing period.

16 The permissive dialing period, as I believe
17 you pointed out earlier, is really to accommodate
18 consumer needs and geographic split. It's there so
19 that consumers can dial a telephone number either with
20 the newly assigned area code or with the old area code
21 and still have that call completed.

22 And so on the landline side, adjustments are
23 made to the switch to accommodate that sort of route.
24 At the end of the permissive dialing period -- which
25 NANPA got lines recommended be 12 months but we have

1 had some as short as six -- you had mandatory dialing.
2 At that point, if a call is dialed to the new area
3 code but dialed with the old area code put in, it will
4 not completed.

5 That's what permissive dialing really is.
6 I'm saying that requirement does not exist at all with
7 an overlay. So I'm talking about the functions that
8 the telecommunications industry goes through in a
9 geographic split compared to an overlay.

10 You're quite right, that within the
11 community there's customer education -- which I
12 mentioned you always want to do that -- but in
13 addition, you're right, the community would have to
14 see about programming whatever systems are based
15 currently on 7-digit dialing so that they would be
16 based on a 10-digit dialing basis, and, therefore, be
17 able to complete calls regardless of what the area
18 code was.

19 Q (By Ms. McKinney) Mr. Brown, you have
20 heard testimony today pertaining to conservation
21 measures. How would those affect your company?

22 MR. MAY: Could you be more specific on
23 which conservation measures you're referring to?

24 Q (By Ms. McKinney) Rationing, number
25 pooling; you've heard discussion about the need for

1 local number portability, for pooling. Everything
2 that has been mentioned earlier that you're familiar
3 with.

4 A I can explain all of that.

5 Let's start with, for the wireless industry,
6 local number portability, and -- excuse me, my mouth
7 is dry --

8 Q It's all right, Mr. Brown. Take your time.

9 A It's been a long day.

10 Let's start with local number portability
11 and its relationship to number pooling. It's
12 important to know that the wireless industry is not
13 required to provide number portability and cannot
14 provide number portability currently. It will have to
15 provide it starting in the year 2002, in November of
16 that year. And you have to have number portability
17 before you can do the number pooling. And so to the
18 extent there's a requirement to go to number pooling,
19 then that would be something that the wireless
20 industry would have to be exempt from consistent with
21 the FCC requirements.

22 To the extent the landline industry, as was
23 indicated, I think, in previous testimony, is under
24 the same FCC order but that order provides a different
25 schedule. And so based on that time line and the

1 various markets, there are markets that are already
2 local number portability capable, but on a wireline
3 basis only.

4 So that's how that would play out. The
5 requirement for number approval would not affect the
6 wireless industry because we would have to be exempt,
7 as we are.

8 Q You indicated that the wireless -- is not
9 required to implement local number portability until
10 approximately the year 2002. If that was not in
11 place, how long would it actually take the wireless to
12 implement local number portability if they started now
13 approximately?

14 A It's that very question that's been
15 addressed by the FCC and by the industry nationwide
16 and that led to the exemption that was provided by the
17 FCC until the date of November 2002.

18 The problem is that there needs to be a
19 nationwide solution, as there should be on all of
20 these things, where roaming, the requirement that
21 wireless customers be able to use their wireless unit
22 when they go to other markets, roaming is based on NXX
23 integrity. With local number portability you will
24 destroy the integrity of the NXX. That is to say,
25 roaming is based on NXX, a 10,000 number block, being

1 assigned to one carrier and one carrier only. And
2 that's how, when that phone is taken to another
3 market -- not the customer's home market -- the system
4 is able to identify the fact that he is a valid
5 roamer, a valid customer; someone whose calls should
6 be completed. And that's how a bill is generated for
7 him, through these clearinghouses. There are two in
8 the United States that perform this function.

9 So the problem is that the industry has not
10 come up with a solution to that, and they are working
11 towards it. And it is thought that November of 2002
12 is the very earliest that we would be able to have a
13 workable solution to that problem.

14 **COMMISSIONER JACOBS:** That sounds very
15 similar to the concerns that Mr. Foley raised with
16 regard to the landline problems, with implementing
17 local number portability. Am I missing something? Is
18 there a difference between where the landline
19 companies are having to facilitate for local number
20 portability and what nonlandline companies are having
21 to do?

22 **WITNESS BROWN:** They are very different.
23 I'm not the landline expert, but I believe Mr. Foley
24 was talking about the need to have software that would
25 work from one end to the other of this process.

1 **COMMISSIONER JACOBS:** What I'm speaking of
2 is, what he said was there was a capacity problem
3 with -- and the ability to implement the tracking -- I
4 may be misstating it somewhat. But there was a need
5 to implement the exact tracking. And I thought that
6 was because you were breaking up the identification of
7 a 10,000-block with a particular carrier. So you now
8 have to track down within that 10,000-block to find
9 out exactly where that customer came from and where
10 they were going to. That sounds similar to the
11 concept you're saying here.

12 **WITNESS BROWN:** I would say it is similar in
13 concept but not in industry, as far as the practices,
14 how it's supplied.

15 In the wireless industry it is a roaming
16 issue, whereas on the landline issue it is somewhat
17 different. I'm not very able to explain that part of
18 it much further.

19 **Q** **(By Ms. McKinney)** Well, Mr. Brown, can you
20 explain the technical steps necessary to complete
21 local number portability for wireless? Maybe that
22 would help us make the distinction; the technical
23 steps. I understand you can't determine the roaming.
24 That's what you're trying to figure out. So what
25 would the wireless have to do to separate out when

1 they go from area to area to distinguish the roaming?
2 Has that been deciphered? Has anybody figured that
3 out?

4 **A** No. That's exactly the problem. That
5 problem has been addressed industry-wide with all
6 sorts of experts, and worked on extensively and is
7 being worked on. And the current situation is that
8 nobody has a viable solution. Nobody knows how to
9 solve that problem. Yet roaming is a requirement and
10 it's so important, and so much in the public interest,
11 that the FCC has said, "We'll give you until November
12 of the year 2002 to resolve this problem."

13 **MR. MAY:** Commissioners and Mr. Chairman,
14 just to reiterate what Mr. Brown said, I think he's
15 kind of gone beyond the scope of his testimony. But
16 we will commit that these issues we understand are
17 part of a generic docket looking at number
18 conservation on a statewide basis. And BellSouth
19 Mobility will be participating in that and have a
20 witness who will be able to describe that in detail
21 and shed additional light on that.

22 **MS. MCKINNEY:** Just for the record, the
23 issue of number conservation measures was opened
24 earlier when NANPA brought it forth, and other people
25 have been answering questions pertaining to number

1 conservation measures.

2 Staff has no further questions at this time.

3 **CHAIRMAN GARCIA:** Let me ask you a real
4 quick question. How many -- approximately -- you
5 don't need to give away your business secrets --
6 approximately how many customers do you have in this
7 area?

8 **WITNESS BROWN:** Well, tens of thousands.

9 **CHAIRMAN GARCIA:** That wasn't very precise.
10 How many NXXs do you have?

11 **WITNESS BROWN:** I'm not sure.

12 **CHAIRMAN GARCIA:** You're not sure. Okay.
13 Mr. May.

14 **MR. MINIX:** Yes. Thank you, Mr. Chairman.

15 **CROSS EXAMINATION**

16 **BY MR. MINIX:**

17 **Q** Mr. Brown, I take it from your testimony
18 that you're adopting the previous testimony of
19 Mr. Burleson?

20 **A** Yes.

21 **Q** That includes the direct and the rebuttal?

22 **A** Yes.

23 **Q** I had a question regarding his original.
24 Originally he says in his direct that the Commission
25 should immediately approve the proposed area code

1 split plan without modification.

2 My understanding of that is, that is the
3 plan that was originally proposed by NANPA with regard
4 to Polk, Manatee and Sarasota, correct?

5 A Yes. That's was correct.

6 Q And everyone else would get a new area code?

7 A It's Alternative 1.

8 Q Alternative 1. And at that point, you
9 didn't have a problem, or BellSouth Mobility did not
10 have a problem with that particular alternative?

11 A I wouldn't characterize it quite that way.
12 You have to understand that when NANPA recommended
13 that, that there was a process, and the process as
14 you've already heard, was that we had these
15 interesting meetings and all carriers had the
16 opportunity to participate.

17 Consensus is not unanimous. Consensus means
18 that we work together, much like negotiating an
19 agreement to find out what would meet the needs, be in
20 the public interest and be something the carriers
21 could actually do. So I wouldn't say we did have a
22 problem with it. I would rather characterize it as in
23 the interest of doing what needed to be done, we were
24 going along with it and we were concerned that
25 whatever the plan was, that it be decided quickly so

1 it could be implemented quickly, because the time
2 between that point and exhaust was growing shorter by
3 the day.

4 Q And at that time you recognized and you
5 recommended that the Commission immediately approve
6 the proposed area code split?

7 A That's correct.

8 Q And you stated that the industrial identify
9 no other geographic split options as being available,
10 correct? That's what you say in your testimony.

11 A That's correct.

12 **CHAIRMAN GARCIA:** Do me a favor, first of
13 all, you surprised me because you went after our Staff
14 and usually our Staff is last to go, and I had called
15 on Mr. May and you jumped right in.

16 **MR. MINIX:** I'm sorry, Mr. Chairman. I
17 thought you said "Mr. Minix" that's why I jumped in.

18 **CHAIRMAN GARCIA:** That's all right. We
19 start over there. Usually you're the first one to go.

20 Do me a favor, if you can, try to be very
21 specific and limit your questions, because we're about
22 to start the customer hearing at 6:00 and I don't want
23 to make all of us travel or stay the night until we
24 finish the customer hearing. But we need to hear from
25 the customers as soon as possible. If you can't get

1 your questions in -- let's expedite it if you can and
2 narrow down the questions. If that isn't -- then
3 you're going to have to wait until all the customers
4 go and then we'll start it up again.

5 **MR. MINIX:** I understand. I appreciate it.

6 **MS. SCHNEIDER:** Mr. Chairman, I would
7 mention that Sarasota County and Charlotte County was
8 skipped in the questioning. We went from --

9 **CHAIRMAN GARCIA:** It struck me, also, we
10 went that way, and I just assumed you had no questions
11 and that's why you didn't speak up. Usually our Staff
12 is the last to go because they are the ones that are
13 trying to develop the record for us. That's fine. I
14 just ask if you could narrow the questions down so we
15 can get through them, so we can take the customers.

16 **MR. MINIX:** I appreciate that. I'm just
17 trying to point out something I think is pretty
18 important for the Commission to know about.

19 Where were we now?

20 **BY MR. MINIX:**

21 **Q** You had said no other geographic split was
22 viable.

23 **MR. MAY:** Could you point him to the
24 testimony line and verses.

25 **Q** Oh. It's on Page 2 of his direct testimony,

1 Line 21. But I'm assuming you remember that?

2 A I was not at the meetings. I'm substituting
3 for Mr. Burleson.

4 Q And you're adopting his testimony?

5 A I'm adopting his testimony, and so I don't
6 remember it, but I do know it based on the information
7 I have. But I'd point out that what he's doing is
8 reporting the industry consensus, which also was
9 reported by NANPA.

10 Q And since that time there have been other
11 geographic proposals that the Staff at the PSC has
12 pointed out as being viable, correct? You know,
13 proposals that this Commission should consider, let's
14 put it that way.

15 A I'm not in the position to address the
16 viability. There certainly have been other plans
17 pointed out. They have not been analyzed by the
18 industry, as far as I know, and certainly not by
19 BellSouth Mobility.

20 Q But then in your rebuttal testimony you
21 changed -- BellSouth Mobility changes its position
22 entirely to advocate an overlay plan; is that correct?

23 A That's right.

24 Q And the reason given in this is because of
25 the extraordinary jeopardy that you considered?

1 **A** That's right.

2 **Q** Between these two, what extraordinary
3 jeopardy occurred between your first testimony and
4 your second testimony to justify a complete change of
5 your position?

6 **A** NANPA declared 941 to be in extraordinary
7 jeopardy. Knowing that a code is going to exhaust and
8 planning for its on relief is one step; and that's
9 where we were when the industry initially met and came
10 up with all these alternatives and showed the one that
11 was best and recommended to the Commission through
12 NANPA.

13 Another step is jeopardy. A step beyond
14 that is extraordinary jeopardy. And NANPA declared
15 that it was extraordinary jeopardy and has certain
16 requirements for what they do to include code
17 rationing, which we are under now.

18 **Q** How does an overlay plan remedy the
19 extraordinary jeopardy any better than the
20 geographical alternatives that have been proposed
21 previously?

22 **A** I'm glad you asked that. I wish I had a
23 hour. It goes back to where we started talking at --
24 first, my testimony about the permissive dialing
25 period.

1 An overlay code does not require any
2 permissive dialing period on the part of the carriers.
3 Certainly, as has been discussed, there's a need for
4 customer education and for programming of some systems
5 that would have to go from 7-digit to 10-digit
6 routing. It greatly shortens the period required from
7 the time you make the decision until the time you get
8 relief.

9 With a split, you don't get any relief
10 during the permissive dialing period. You don't get
11 any relief until you reach a mandatory dialing, at
12 which time you can start to use codes that are freed
13 up in a new area code.

14 With an overlay, as soon as you put the new
15 code in place, from Day One, you have area code relief
16 because you can use numbers out of the new area code.

17 Q So what you're saying is it's more
18 convenient for the telecommunications company but not
19 necessarily for the customer.

20 **MR. MAY:** Objection. That's not what he
21 said.

22 **WITNESS BROWN:** If I can respond, no, sir,
23 it's not a matter of convenience; it's a matter of
24 viability. Whether or not the industry can do it;
25 whether or not they can make it work. You cannot make

1 an area code split work regardless of convenience, in
2 as short a time frame as you can make an overlay code
3 work.

4 Q You also said here in your testimony that
5 you were going to have a conference call with NANPA on
6 April 6th of 1999. What was the result of that
7 conference call?

8 A The result of that conference call was that
9 it addressed only the extraordinary code conservation
10 measures that were to be taken up in light of NANPA's
11 declarations. And they are the things that were
12 already mentioned by previous witnesses; rationing
13 codes so that on seven per month are given out
14 regardless of what needs are. Things of that nature.

15 Q And you are aware that this Commission was
16 considering procedures for keeping the telephone
17 numbers from being used up too quickly; that the
18 Commission is already looking into that?

19 A If you're referring to the generic docket,
20 yes, sir, I'm aware of that.

21 MR. MINIX: Thank you no questions.

22 CHAIRMAN GARCIA: Ms. Schneider.

23 MS. SCHNEIDER: I just have one question,
24 Mr. Chairman.

25 CROSS EXAMINATION

1 **BY MS. SCHNEIDER:**

2 **Q** On Page 3 of the testimony, BellSouth states
3 that when -- regarding the geographic split, that if
4 the Commission orders a different geographic split
5 than Alternative 1, that it would significantly expand
6 the number of wireless customers affected and hence
7 the number of telephone numbers would be reprogrammed.
8 And I didn't understand why one split would require
9 more reprogramming than another split.

10 **A** The wireless carrier service area, of
11 course, this is what's is authorized by the FCC, and
12 those areas don't match up with telephone company --
13 landline telephone company exchanges or county lines
14 or anything like that. And so where you draw the line
15 will make a great difference.

16 If the bulk of the customers, the majority,
17 a large portion are in the part of the split that
18 maintains the original area code, those phones do not
19 have to be reprogrammed. It's just the ones that get
20 the new area code. So where you draw the line makes a
21 big difference. We may not have very many wireless
22 customers getting the new code.

23 **Q** But you wouldn't know that until you
24 actually looked at the alternatives. There may be
25 another alternative beside Alternative 1 that would,

1 in fact, have fewer cellular phones in it to be
2 reprogrammed.

3 **A** That's exactly right. This could be a
4 positive or a negative impact. But the point is in
5 either case a change will require time, valuable time
6 given that we're in jeopardy -- to analyze and make
7 that sort of determination to find out what numbers
8 have to be changed and whether or not we have to hire
9 extra people to do it and those sorts of things.

10 **Q** Is an overlay the least expensive change?

11 **CHAIRMAN GARCIA:** Is this part three of the
12 one question? We really need to hurry.

13 **MS. SCHNEIDER:** Okay. This is my last
14 question.

15 **Q** Is an overlay the least expensive method of
16 relief for a cellular phone company?

17 **A** Yes, certainly it is. It's also the least
18 expensive for the consumers as we've already heard.

19 **MS. SCHNEIDER:** Thank you.

20 **CHAIRMAN GARCIA:** All right. Mr. May.

21 **MR. MAY:** I have no redirect.

22 **CHAIRMAN GARCIA:** Okay. Very good. That
23 concludes our technical hearing.

24 Is there any other issues?

25 **MS. MCKINNEY:** Yes, a few, Commissioner.

1 There have been requests for late-filed
2 exhibits, No. 4, 5 and 11, and Staff would ask the
3 parties to submit those, the parties being NANPA and
4 Sarasota County, by April 16th.

5 **CHAIRMAN GARCIA:** Is that all right with
6 everyone?

7 **MS. MCKINNEY:** That's the same date the
8 transcripts are due, is that all right? And just for
9 the record the transcripts or due April 16th; the
10 briefs are due on April 23. Staff's recommendation is
11 due on May 6; agenda is scheduled for May 18 and the
12 order is scheduled to go out on June the 7th.

13 **CHAIRMAN GARCIA:** We are going to take a
14 five-minute break to allow Public Counsel to come up
15 here, and then -- correct? Did we allow the attorneys
16 up here for the --

17 **MS. CASWELL:** No.

18 **CHAIRMAN GARCIA:** Good. We're going to let
19 the attorneys sit in the audience. They can always
20 ask questions if they'd like to of any witness.

21 Thank you for moving this along. We will be
22 back in five.

23 (Brief recess.)

24 - - - - -

25 **CHAIRMAN GARCIA:** We're going to reconvene

1 the hearing.

2 We'll have Public Counsel calling witness.

3 You know, what? Let me swear in all the witnesses.

4 If you are here to speak, please stand.

5 (Witnesses collectively sworn.)

6 **MR. BECK:** Thank you, Chairman Johnson. Our
7 first witness are Arwyn Maker.

8 - - - - -

9 **ARWYN MAKER**

10 was called as a witness on behalf of the Citizens of
11 the State of Florida and, having been duly sworn,
12 testified as follows:

13 **DIRECT STATEMENT**

14 **WITNESS MAKER:** Good evening. My name is
15 Arwyn Maker and I represent the Oakview Lakes
16 Homeowners Association. We're a retirement community
17 in the city of Fort Meade.

18 We support the Public Service Commission's
19 plan No. 3 which would keep our entire county under
20 the 941 area code. The other plans that have been
21 proposed we would find confusing and difficult, and
22 we, as seniors, don't feel we need any more confusion
23 in our life.

24 Previously I spoke in January at the
25 Fort Meade hearing. And I would like to reiterate how

1 strongly we ask that you just keep Fort Meade with the
2 rest of our county. Quite a hardship would be placed
3 on our citizens if we were isolated from the rest of
4 Polk County.

5 Thank you for your support.

6 **CHAIRMAN GARCIA:** Ma'am before you leave, I
7 want to ask you a quick question. I want you to look
8 at another map, one of the things we're considering
9 ask you about it. I think on the record somehow it
10 received what's calling plan No. 7, is that what it?

11 **MS. MCKINNEY:** Yes, sir.

12 **CHAIRMAN GARCIA:** I don't know how it got
13 that but -- obviously everybody wants to keep their
14 area code. So let me assume that I would take your
15 area code but keep you in the Polk County area; is
16 that acceptable to you?

17 **WITNESS MAKER:** It is acceptable to me. I
18 speak for myself and I also --

19 **CHAIRMAN GARCIA:** You didn't come with the
20 connection to all those back home. Just wanted to get
21 an idea from you -- obviously what everybody would
22 like is to keep their area code. And the perfect
23 world we would be able to do that.

24 **WITNESS MAKER:** This looks like an excellent
25 plan.

1 **CHAIRMAN GARCIA:** You think the communities
2 work there with each other.

3 **WITNESS MAKER:** Yes, I do. We have strong
4 connections with Hardee County; some of our people
5 shop in Hardee County.

6 **CHAIRMAN GARCIA:** Agree. Thank you very
7 much. Just leave that up there. I'm going to ask the
8 same of people if they are from that area.

9 **COMMISSIONER JOHNSON:** Ma'am, let me ask you
10 this, and we asked this and we had customer testimony
11 earlier today and just you as you stated, there's some
12 connectivity to Hardee and Highlands and Okeechobee.
13 Quite a few residents from Manatee, Sarasota and
14 Charlotte Counties thought that they made a good unit
15 in terms of identity and economic development and
16 their Chamber of Commerce, as a group and just
17 neighbors. And I asked him quite directly as it
18 related to Alternative 3, how did they feel about Polk
19 County and they didn't feel the same community of
20 interest with Polk County as they did the other
21 coastal counties. So they have suggested that
22 Manatee, Sarasota and Charlotte remain as a group, and
23 perhaps Polk with included with another group.

24 You didn't speak for the one issue, and that
25 would be the issue of -- I guess you did. I guess you

1 answered the Chairman's question and that question was
2 if we did he keep the county together as Polk, would
3 you mind changing your area code. And you're saying
4 personally you wouldn't mind it if kept you together.

5 **WITNESS MAKER:** Personally, I would have no
6 problem with it. I think where you run into the
7 trouble there is maybe the businesses would not want
8 this. But as a private citizen, I don't think any of
9 us -- we just changed from 813 three years ago. There
10 was no big problem as far as I could see. And like I
11 said, our residents are only concerned that the city
12 of Fort Meade stay with Polk County. That has been
13 our primary concern. Like I said, these other
14 counties, I do know people that go to Highlands.
15 Naturally, you go to your closest counties. We are
16 like not very far from Wauchula, which is in Hardee
17 County. So as far the other counties, I don't myself
18 have as much association with these counties as I do
19 the other counties.

20 **COMMISSIONER JOHNSON:** Very good. Thank you
21 very much.

22 **MR. BECK:** Next witness is Commissioner
23 James Watts.

24 **CHAIRMAN GARCIA:** While Commissioner Watts
25 comes up, now that I've been told that we're going to

1 be filmed, we going to be shown on local TV as opposed
2 to just our record, let me introduce the Commissioners
3 that are here. To my right is Commissioner Julia
4 Johnson and to my left is Commissioner Leon Jacobs.

5 Great. Go ahead Commissioner.

6

- - - - -

7

JIM WATTS

8 was called as a witness on behalf of the Citizens of
9 the State of Florida and, having been duly sworn,
10 testified as follows:

11

DIRECT STATEMENT

12

WITNESS WATTS: My name is Jim Watts, City
13 Commissioner of Fort Meade located at the southern end
14 of Polk County.

15

As Ms. Maker said, Alternative 1, it totally
16 separates Fort Meade out of Polk County. The economic
17 impact would be detrimental to our retirees in town
18 and our businesses. When you have to call the county
19 seat nine miles away long distance, it's not a good
20 situation.

21

We are supporting, along with Polk County,
22 Alternate 3 as you've shown us here, on, I believe you
23 referred to it as Alternate 7, our prime charge in
24 this mission is to stay within Polk County.

25

CHAIRMAN GARCIA: Okay. Good. And I guess

1 you heard Commissioner Johnson's questions. Mine, I
2 guess, are similar.

3 But you feel comfortable with that concept;
4 that if you stay with the -- your interest is not
5 necessarily to stay with Manatee, Sarasota or
6 Charlotte, your concept is to make sure you can keep
7 Fort Meade part of Polk.

8 **WITNESS WATTS:** That's correct.

9 **CHAIRMAN GARCIA:** Okay. Great. Well,
10 Commissioner, thank you for coming. Appreciate it.
11 Always good to have an elected officer here. Thank
12 you.

13 **MR. BECK:** John Fellin.

14 - - - - -

15 **JOHN FELLIN**

16 was called as a witness on behalf of the Citizens of
17 the State of Florida and, having been duly sworn,
18 testified as follows:

19 **DIRECT STATEMENT**

20 **WITNESS FELLIN:** Commissioners, good
21 evening. For the record I'm John Fellin. I have been
22 sworn.

23 I am the chairman of the bicounty Englewood
24 Area Planning Advisory Board. I'm also chairman of
25 the Englewood Area Chamber of Commerce Position and

1 Politics Committee. Also serve as the vice chair of
2 the Englewood Community Redevelopment Area Advisory
3 Board, and in my spare time I serve as the president
4 of Digital Electronic Systems, a manufacturer of
5 telecommunications and control systems.

6 I'm here this evening to speak for
7 Alternative No. 3 as it was modified pursuant to the
8 workshop in Englewood.

9 There are some underlying issues and
10 concerns that I have with regard to the exhaust time
11 tables that we have been hearing about. I'd like to
12 refer to it as "Al's conundrum" after Alexander Graham
13 Bell. It deals with which data are more correct: The
14 projections we were hearing three years ago when we
15 were faced with 813/941 split or the data we're
16 hearing today, which called for a much shorter exhaust
17 periods than what we were lead to believe were true
18 back then. Those issues tend to revolve around the
19 volume of NXX sets that are issued that are not used
20 or not being completely utilized.

21 If those -- if the -- if those numbers are
22 normally unnecessarily high, then it's likely that the
23 average, or the long-term exhaust periods, would come
24 in somewhere a lot closer to the projections of three
25 years ago than what we're hearing today.

1 If that's not the case, if the numbers that
2 we're hearing today are fairly accurate assessments
3 and can be reasonably projected into the future, to a
4 certain extent this whole debate is moot because at
5 that rate what we're hearing is that in something
6 along the lines of seven years we will have exhausted
7 all of the area codes, and what we're really looking
8 at then, my understanding, is a nationwide revamping
9 of our approach to dialing telephones. That obviously
10 is a very real concern for someone that does focus an
11 awful lot a long range planning. Obviously that's not
12 something we're going to solve here tonight.

13 Again, the Alternative 3, in my opinion, is
14 a very conservative and immediate step that will
15 provide relief for the 941 area code that will allow
16 time to explore and resolve the underlying issues of
17 where all of the numbers went and where all the
18 numbers are going.

19 The other issue I'd like to speak to is
20 strongly oppose any relief plan that involves an
21 overlay of any kind.

22 My understanding is that the overlay plans,
23 relief plans, are being promoted solely by the
24 wireless suppliers. And obviously it is an advantage
25 to them to go with the overlay method, but really when

1 you look at it, it's only to the providers of the
2 wireless service, not to the customers of the wireless
3 service.

4 The wireless devices will need to be
5 adjusted one time, one trip to the shop; one
6 inconvenience. And only for those customers that are
7 in the new area code. With the overlay every customer
8 underneath that overlay is going to be inconvenienced
9 and, yes, time is money and that means an expense
10 every day of their life for the rest of their lives.

11 The difference between having to dial a
12 10-digit number and a 7-digit number is, I believe, a
13 significant issue.

14 Also I'd like to point out that the wireless
15 customer with the overlay who winds up saving one trip
16 to the shop most likely also has one or more hard wire
17 services, and that same wireless customer we saved the
18 trip to the shop for, again is going to be the same
19 customer that's going to be having to go through the
20 inconvenience of the 10-digit dialing every day, every
21 time he dials every number indefinitely.

22 I'd like to wrap up by pointing out that I
23 think the wireless providers grossly underestimates
24 the volume of devices and the types of devices that
25 would require reprogramming with the overlay method.

1 It's not just fax machines and modems and
2 computers and the like, we manufacture a variety of
3 control of monitoring devices that collect data from
4 devices like laser printers and photo copiers.
5 Periodically they connect to the phone line. They
6 dial into a central office to report paper usage.
7 Each one of these things would have to be reprogrammed
8 to go from the 7-digit local call that they use now to
9 the 10-digit.

10 I don't have any facts or figures or numbers
11 on what we're talking about in manhours. But these
12 aren't things people that a customer can pick up and
13 take into a shop someplace for their convenience.
14 Someone having to send a trained service technician
15 out in the field to do this kind of work.

16 Again, when you look at the obvious
17 inconvenience with the overlay, it's the tip of the
18 iceberg.

19 **CHAIRMAN GARCIA:** Let me ask you, since I
20 got you here. You saw that map I gave -- obviously it
21 effects the people in Polk County to some degree --
22 but give me your thinking on it, that Option 7. If
23 you don't have a opinion you don't have to give it.

24 **WITNESS FELLIN:** It goes a little bit
25 against the grain. I don't have a problem with that

1 per se, but it goes back to the underlying issues.

2 If we looking at a relief plan here on
3 Alternative 7 that's going to give 12-year exhaust
4 periods, when nationwide we may not have anything that
5 lasts between seven years I have to wonder how much
6 merit there is to that.

7 **CHAIRMAN GARCIA:** Well, it will last longer
8 than anything else because clearly you have three --
9 so no matter how quick it is, you have more time with
10 those. So leaving that aspect out of it, I want you
11 to look at it as someone who lives in the area: Does
12 that make sense to you geographically.

13 **WITNESS FELLIN:** Yes.

14 **CHAIRMAN GARCIA:** Great. Thank you very
15 much.

16 **MS. MCKINNEY:** I have a question please.

17 Mr. Fellin, the document that you handed us,
18 the bullets that are there, could you go to the one
19 that says "Subsequent Geographic Split" and then it
20 has information in parens "(still keeping the
21 tri-county area together)." Could you explain what
22 you mean by that, please?

23 **WITNESS FELLIN:** Basically if I we go today
24 with the Alternative 3 plan, that still keeps Manatee,
25 Sarasota and Charlotte Counties together. The

1 difference is they are together with Polk County. If
2 at some point roaming -- I think the exhaust
3 projections for that were something like eight and
4 four years respectively for the alternative three
5 split. I don't have the information in front of me.
6 At the end of the shorter exhaust period which would
7 be for the four-county area, Polk, Manatee, Sarasota
8 and Charlotte, at that point then there would be a
9 subsequent geographic split that would separate Polk
10 County from the Charlotte, Sarasota, Manatee County.
11 Did that make any sense at all? It didn't sound like
12 it from here.

13 **MS. MCKINNEY:** I just wanted to get your
14 explanation on the record. Thank you, Mr. Fellin.

15 **WITNESS FELLIN:** Okay. I'm not allowed to
16 ask questions, I guess.

17 **COMMISSIONER GARCIA:** Yes, you can. As a
18 citizen you can.

19 No, it does make sense. They wanted to get
20 an understanding of it.

21 It also lends itself -- one of the concerns
22 when you do an overlay, you're sort of stuck with the
23 overlay area; you don't then segregate it. I think
24 you also make sense is that if you do that right down
25 the area, and the future is overlay, you could overlay

1 that area and keep it together. The truth is, the
2 chances of just breaking out Polk for its own area
3 code are doubtful at best.

4 **WITNESS FELLIN:** I understand that.

5 **CHAIRMAN GARCIA:** Great.

6 **COMMISSIONER JACOBS:** Mr. Fellin, real
7 quickly, you mentioned a 12-year exhaust period on
8 Alternative 7.

9 **CHAIRMAN GARCIA:** Alternative 7 is the one
10 you have in front of you.

11 **WITNESS FELLIN:** I have no idea what the
12 exhaust periods --

13 **COMMISSIONER JACOBS:** Oh, I'm sorry, I
14 thought you said --

15 **WITNESS FELLIN:** The seven-year issue
16 came -- my concern is that what we're looking, at if
17 the current trends, if the current projections on
18 exhaust -- NXX exhausts are accurate, I was being told
19 that nationwide we will run out of area codes in
20 approximately seven years. Now, at that point in time
21 we're not talking about geographic splits or overlays;
22 we're talking about -- unless I'm missing something --
23 completely revamping the method of dialing nationwide;
24 going to 12-digit numbers or beyond that.

25 **COMMISSIONER JACOBS:** I understand.

1 **CHAIRMAN GARCIA:** I'm hoping that the
2 industry will figure a solution to that at some point.

3 **WITNESS FELLIN:** You think we're that smart?

4 **CHAIRMAN GARCIA:** Pain causes enough change.
5 Thank you very much for coming in. Public Counsel, is
6 that our last witness?

7 **MR. BECK:** It is, Mr. Chairman.

8 **CHAIRMAN GARCIA:** Is there anyone else out
9 there who wants to add something? Very good. Then
10 we're going to adjourn this hearing and we are going
11 to reconvene, I guess, tomorrow at 12 in Fort Myers.
12 All right.

13 Thank you very much, fellows, for making the
14 technical presentation today and thank you for making
15 it all in one day.

16 (Thereupon, the hearing adjourned at
17 6:40 p.m.)

18 - - - - -

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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

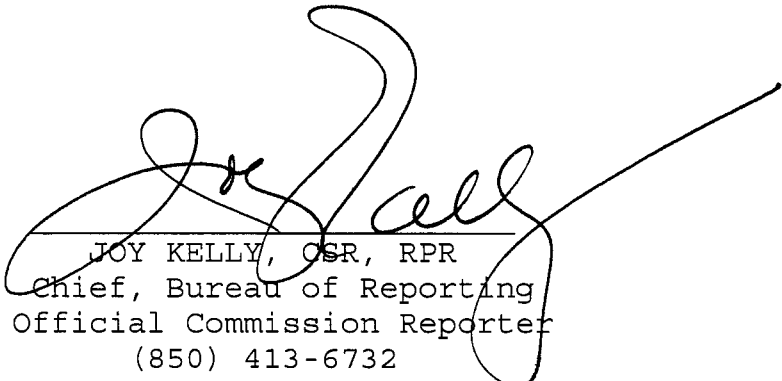
CERTIFICATE OF REPORTER

3 I, JOY KELLY, CSR, RPR, Chief, Bureau of
4 Reporting, Official Commission Reporter,

5 DO HEREBY CERTIFY that the Hearing in Docket
6 No. 990223-TL was heard by the Florida Public Service
7 Commission at the time and place herein stated; it is
8 further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed by me; and that this transcript,
12 consisting of 397 pages, and the insertion of the
13 prescribed prefiled testimony, constitutes a true
14 transcription of my notes of said proceedings.

15 DATED this 16th day of April, 1999.

16 
17 _____
18 JOY KELLY, CSR, RPR
19 Chief, Bureau of Reporting
20 Official Commission Reporter
21 (850) 413-6732
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23
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25

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