

Peggy Arvanitas

August 8, 2000

Mrs. Blanca S. Bayo Director of Divisions Record and Reporting Florida Public Service Commission 2540 Shumard Oak Blvd Tallahassee, Fla. 32399-0850

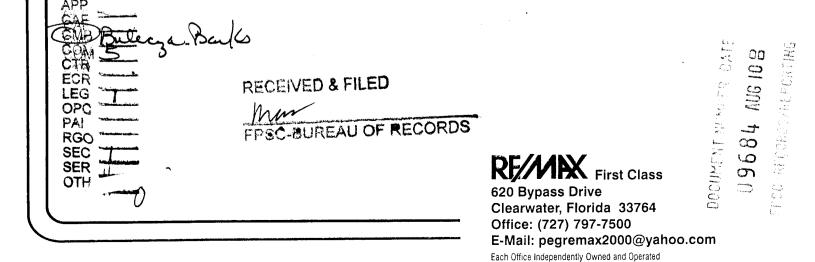
RE: DOCKET NO. 981444TP (number utilization)

Dear Ms. Bayo

Enclosed is an original and six (6) copies of Peggy Arvanitas Motion to Protest Bellsouth's request for Variance, which I request you file in the above captioned docket.

A copy of this letter is enclosed, that you may stamp "filed" and return to me. Copies have been mailed to the parties listed on the Certificate of Service. Thank-you for your efforts.

Arvanitas



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In RE: Mumber Utilization Study Investigation Into Number Conservation Measures

Docket No. 981444TP Filed: August 9,2000

## MOTION TO PROTEST BELLSOUTH'S REQUEST FOR VARIANCE OF NUMBER POOLING IMPLEMENTATION

Peggy Arvanitas, being the "lone consumer" on the docket 981444TP does hereby strongly protest any waivering of a major ILEC, Bellsouth Telecommunications, Inc (referred in the future as Bellsouth) from deviating in any way from the PAA order 00-10**6**. The variance of Bellsouth is for the exclusion of IAESS switch upgrades which need to be upgraded for number pooling for the trial dates in three area codes 954,561, and 904. In protest of this filing, Peggy Arvanitas states the following:

1. May 30,2000, the Commission issued order no. PSC 00-1046 PAA TP requiring all local number portability capable (LNP) carriers to implement number pooling in the 954, 561, and 904 area codes by Jan. 22,2001, Feb 5, 2001, and April 2,2001 respectively.

2. FCC order 95-116 third order May 1998, demands land line carriers (not CMRS providers) to be LNP capable in the top 100 MSA's by Dec 30,1998. The 954, 561, and 904 area codes are within the geographic scope of the top 100 Metropolitan Service Areas.

3. Bellsouth representitive, Michael Goggin stated at the May 5, 2000 Public Service Commission of Florida hearing his company was LNP capable. That asking for 3.0 pooling software and a delayed 2001 implementation date was NOT because they weren't LNP capable on their switches. That the additional time frame would be needed to "upgrade their switches for number pooling."

4. That if Bellsouth has 19 lAESS switches in Florida, and have known for two months, about 2003 phase out for software on AESS switch, Bellsouth has not and is not doing upgrades on this first generation switch.

5. That the timing for the proclamation of this variance comes after a rate center DOCUMENT NUMBER-DATE consolidation sub committee meeting, in which there was a discussion ILEC's might not 09684 AUG 108 receive 100% cost recovery for rate center consolidation. 6. That to economize ( or defer the building of rate centers) this is an "administrative" AESS switch which has been compressed. This allows you 2-3 times the number of NXX's on a switch. Maybe you asking not to upgrade switches for 1-3 years, in violation of an order has more to do with a "wait and see attitude" on cost recovery reimbursement than on actually being unable to perform switch upgrades in reference to software.

7. The Public Service Commission of Florda is aware that an Auditing department has just been created and trained. There has been no formal review or verification of Bellsouth's declarations as to the limited number of pooling numbers that would be affected. (See Exhibit 2, Bellsouth's July 28 filing)

8. The 954, 561, and 904 area codes have and will be in jeopardy relief and/or lottery for almost two years , by the time the last pooling trial is implemented (as per the Order). Not allowing pooling of numbers, no matter how small, for 1-2 years impedes CLEC's who are not able to compete in those rate center-areas.

9. That the EXCLUSION of any LNP capable carrier is not "competitively neutral", as per the 1996 Telecommunication's Act Sction 251. And the State of Florda is ordered by Florida Statutes 120 to be in compliance of the 1996 Telecommunication's Act (120.80)

10. Bellsouth, if it had the proper representation, should have been advised of the repercussions of pooling subcommittees for almost nine (9) months before the Order was final. The Lucent AESS switches will not have TECH SUPPORT after 2003. This should not keep them from upgrading their switches now. Today's date is August 8, 2000 Their "lack of expenditure" is not an emergenc y on the State of Florida's part.

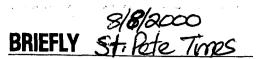
Wherefore, Peggy Arvanitas asks the Commission to DENY the motion for variance, and make the PSC-00-1046-PAA-TP move forward. Also, as my Exhibit A (attatched), I would like to call attention to Bellsouth's plans to have an Internet hub in Miami up and running by the end of this year. If they can afford a new bussiness venture, they can afford to upgrade existing switches. And our November 28, 2000 Neustar pooling "inventory" meeting will be met with great concern as to our available numbering resources for 954

pooling.

REPMAX''ISE''CIESS 620 Bypass Dr Clearwater, Fla. 33764

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Exhibit A



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**BELLSOUTH TO BUILD INTERNET AC-CESS HUB:** BellSouth Corp. plans to build the first major hub for Internet traffic in the Southeast, providing a much more direct route for communications with other parts of the United States and the world. The new "network access point" in Miami, only the eighth in the country, is expected to open by the end of this year, easing network delays for everyday Internet users and boosting service to Latin America and the Caribbean, BellSouth said. At present, Internet traffic is routed to and from the Southeast from as far away as Washington or even one of the network hubs on the West Coast.

**AOL LATIN AMERICA RAISES \$200-MILLION:** America Online Latin America Inc. raised \$200-million in an initial public offering, at the low end of the price it was hoping to get. AOL Latin America sold 25million shares at \$8 each, according to Salomon Smith Barney, an

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## CERTIFICATE OF SERVICE Docket No. 981444-TP

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

U.S. Mail this 2nth day Aug, 2000 to the following:

American Network Exchange, Inc. 6 Nevada Drive #C New Hyde Park, N.Y. 11042-1114

AT&T Communications of the Southern States, Inc. Tracy Hatch Marsha Rule 101 North Monroe Street, Suite 700 Tallahassee, FL 32301-1549 Tel: 850-425-6342 Fax: 850-425-6361

AT&T Wireless Services of Florida, Inc. William Higgins 11760 N. US Hwy. 1, W. Tower 3rd, Fl. North Palm Beach, FL 33408 Tel: 561-775-4383

Ausley Law Firm Lee Willis/Jeffry Wahlen P.O. Box 391 Tallahassee, FL 32302 Tel: 850-224-9115 Fax: 850-222-7952

Beard and Associates 3379 Sheffield Circle Sarasota, FL 34239-6717

BellSouth Mobility, Inc. (Atl) 1100 Peachtree St. NE, #910 Atlanta, GA 30309-4599 Fax: 404-249-0453 Bryant Law Firm 201 S. Monroe St., #500 Tallahassee, FL 32301 Tel: 850-222-8611 Fax: 850-224-1544

City of Lakeland Mr. Gary Lawrence 501 East Lemon Street Lakeland, FL 33801-5079 Tel: 941-499-6575 941-499-6344

Cole Law Firm J.D. Thomas 1919 Pennsylvania Ave., NW Washington, DC 20006-3458 Tel: 202-659-9750 Fax: 202-452-0067

David B. Erwin, Esq. 127 Riversink Road Crawfordville, FL 32327 Tel: 926-9331

Department of Management Services Carolyn Mason 4050 Esplanade Way, Rm. 135B Tallahassee, FL 52399-0950 Tel: 950-922-7503 Fax: 850-413-7067 Executive Office of the Governor Office of Planning and Budget General Government Unit The Capitol, Rm. 1502 Tallahassee, FL 32399-0001

Florida Cable Telecommunications Assoc., Inc. Michael A. Gross 310 N. Monroe St. Tallahassee, FL 32301 Tel: 850-681-1990 Fax: 850-681-9676

Florida Competitive Carriers Assoc. (Orl) c/o J.P. Gillan and Associates P.O. Box 541038 Orlando, FL 32854-1038

Florida Public Telecommunications Assoc. Angela Green 125 S. Gadsden St., #200 Tallahassee, FL 32301-1525 Tel: 850-222-5050 Fax: 850-222-1355

Fiorida Telephone Assoc. Susan Langston P.O. Box 1776 Tallahassee, FL 32302 Tel: 850-877-5141 Fax: 850-878-3471

Foley & Lardner Law Firm (DC) Marcus Williams 3000 K St., NW, #500 Washington, DC 20007 Tel: 202-672-5323 Fax: 202-672-5399 Foley & Lardner Law Firm (Jax) Domenic Altomars P.O. Box 240 Jacksonville, FL 32202-3527 Tel: 904-359-2000 Fax: 904-564-6001

Holland Law Firm Bruce May P. O. Drawer 810 Tallahassee, FL 32302 Tel: 850-224-7000 Fax: 850-224-8832

Hopping Law Firm Richard Melson P.O. Box 6526 Tallahassee, FL 32314 Tel: 850-222-7500 Fax: 850-224-8551

Hyperion Telecommunications of Fiorida, Inc. (PA) Lee McDowell 5 W. 3rd St. Coudersport, FL 16915-9210

Intermedia Communications of Florida, Inc. Mr. Steven Brown 3625 Queen Palm Drive Tamps, FL 33619-1309 Tel: 813-829-0011 Fax: 813-829-4923

International Speedway Corp. Devid Hickman P.O. Box 2801 Daytona Baach, Ft. 32120-2801 Tet. 904-254-2700 MCI WorldCom, Inc. Donna McNulty 325 John Knox Road The Atrium, Suite 105 Tallahassee, FL 32303

Floyd R. Self Messer, Caparello & Self, P.A. 215 South Monroe Street, S. 701 Tallahassee, FL 32301-1876 Tel: 850-222-0720 Fax: 850-224-4359

Charles J. Beck Deputy Public Counsel Office of Public Counsel c/o The Florida Legislature 111 W. Madison St., #812 Tallahassee, FL 32399-1400 Tel: 850-488-9330

Pennington Law Firm Peter Dunbar/Barbara Auger P.O. Box 10095 Taliahassee, FL 32302 Tel: 850-222-3533 Fax: 850-222-2126

Rutledge Law Firm Kenneth Hoffman P.O. Box 551 Tallahassee, FL 32302 Tel: 850-681-6788 Fax: 850-681-6515 Atty. for Wireless One Atty. for Omnipoint

Senate Committee on Regulated Industries John Guthrie 418 Senate Office Bidg. Tallahassee, FL 32399 Tel: 850-487-5829 Fax: 850-487-5925 Swidler & Berlin Rindler/Falvey 3000 K St. NW, #300 Washington, DC 20007 Tel: 202-424-7500 Fax: 202-424-7545

Telecommunications Resellers Assoc. Andrew Isar P.O. Box 2461 Gig Harbor, WA 98335-4461 Tel: 206-265-3910 Fax: 206-265-3912

Teleport Communications Group, Inc. Frederik Cedarqvist Two Teleport Dr., 3rd fl. Staten Island, NY 10311-1004 Tel: 718-370-4657 Fax: 718-355-2795

Time Warner AxS of Florida, L.P. d/b/a Time Warner Telecom 2301 Lucien Way, Suite 300 Maitland, FL 32751

Time Warner Communications Carolyn Marek, VP, Regulatory Affairs Southeast Region 233 Bramerton Court Franklin, TN 37069 Tel: 615-376-6404 Fax: 615-376-6405

Utilities and Telecommunications (State House) Bill Tabor 410 House Office Bidg, Tellahassee, FL 32399

Diana Caldwell Staff Counsel Florida Public Service Commission 2540 Shumard Oak Boulevard Tailabasson, FL 32399-0850