

James Meza III
Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

April 20, 2001

Mrs. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

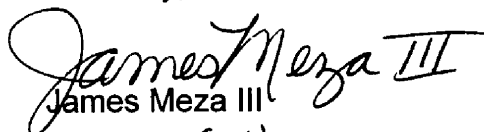
Re: **Docket No. 610565-TL**
Petition For Expedited Review of Area Code Denials

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Expedited Review of NXX Code Denial, which we ask that you file the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


James Meza III
(2)

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

DOCUMENT NUMBER-DATE

05006 APR 20 01

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth) Docket No.: _____
Code Denials by the North American Numbering)
Administration)
_____) Filed:

PETITION FOR EXPEDITED REVIEW OF NXX CODE DENIAL

NOW COMES BellSouth Telecommunications, Inc. (“BellSouth”), pursuant to 47 C.F.R. § 52.15(g)(iv), petitions the Florida Public Service Commission (“FPSC”) to review the North American Plan Administration’s (“NANPA”) denial of BellSouth’s application for use of central office code numbering resources or NXX codes in the Orlando exchange or rate center. In support of this petition, BellSouth states:

PARTIES

1. BellSouth is a corporation organized and formed under the laws of the State of Georgia and an incumbent local exchange company (“ILEC”) regulated by the Commission and authorized to provide local exchange telecommunications and intraLATA toll telecommunications in the State of Florida.
2. NANPA is an independent non-governmental entity who is responsible for administering and managing the North American Numbering Plan (“NANP”). See 47 C.F.R. § 52.13(a),(b).

JURISDICTION

3. The Commission has jurisdiction of this matter pursuant to 47 C.F.R. § 52.15(g)(iv). This provision provides that a “carrier may challenge the NANPA’s decision to the appropriate state regulatory commission.” *Id.*

BACKGROUND AND REQUEST FOR RELIEF

4. On March 31, 2000, the Federal Communications Commission (FCC) issued Order No. 00-104 (“FCC 00-104” or the “Order”) in the Numbering Resource Optimization docket (Docket No. 99-200).

5. The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of telephone numbers and to avoid further exhaustion of telephone numbers under the NANP.

6. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC 00-104 at § 105. The FCC further required that to qualify for access to new numbering resources, applicants must establish that existing numbering inventory within the applicant’s rate center will be exhausted within six months of the application. Prior to the ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant’s existing number inventory within the applicant’s serving switch to exhaust within a specific months-to-exhaust (“MTE”) of the code application in order for a code to be assigned or the numbers available were unable to meet a specific customer’s request.

7. The FCC stated its reason for the shift to a “rate center” basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow “carriers to obtain numbering resources in response to specific customer demands.” FCC Order at ¶ 105.

8. As a result of FCC 00-104, the FCC adopted 47 C.F.R. § 52.15 (g)(iii) and (iv) which provide:

All service providers shall maintain no more than a six-month inventory of telephone numbers in each rate center or service area in which it provides telecommunications service.

The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resources application requirements established in this part. The NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state regulatory commission may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein. 47 C.F.R. § 52.15 (g)(iii), (iv).

9. Since the beginning of the year, BellSouth has submitted five Central Office Code (NXX) Assignment Requests to NANPA for the assignment of NXX resources necessary to meet the demands of its customers in the Florida. (Hollywood, Ft. Lauderdale, Orange Park, and Orlando exchanges)

10. BellSouth completed the applications in accordance with NANPA's Central Office Code Assignment Guidelines and filled out the necessary Months-to-Exhaust Certification Worksheet required by NANPA.

11. For all of the exchanges except Orlando, BellSouth has been able to identify a mechanism such as number pooling that will currently provide some ability to meet customers needs. As for the Orlando exchange, BellSouth states the following:

ORLANDO

12. The Orlando exchange consists of six (6) central offices and seven (7) switches, Azalea Park (ORLDFLAPDS0), Colonial (ORLDFLCLDS0), Magnolia

(ORLDFLMADS1 and ORLDFLMA42E), Pinecastle (ORLDFLPCDS0), Pinehills (ORLDFLPHDS0), and Sand Lake (ORLDFLSADS0).

13. On March 30, 2001, BellSouth made the reservation request to NANPA (See Attachment 1) for the Orlando Pinecastle ORLDFLPCDSO switch to allow BellSouth to provide 2,500 and 500 consecutive DID numbers to specific customers.

14. At the time of the code request, the Orlando Rate Center MTE was 14.4 months, while the switch MTE for Pinecastle – ORLDFLPCDSO was 29 MTE.

15. On April 10, 2001, the NANPA denied BellSouth's code request for the Orlando - Pinecastle switch. (See Attachment 2) The basis for the denial was that BellSouth had not met the rate center based MTE criteria now set forth in the Central Office Code Guidelines Section 4.2.1, notwithstanding the fact that BellSouth does not have the numbering resources needed to satisfy its customer's demands in the switch.

16. BellSouth's requested numbering resources would not materially impact exhaustion of available numbers in the 407/321 area code.

17. As discussed above, both the FCC Order and NANPA's Central Office Code Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. *See* 47 C.F.R. § 52.15(g)(3)(iv); § 13.0 of the NANPA Central Office Code (NXX) Guidelines.

18. Under earlier MTE procedures used by NANPA, waivers or exceptions were granted when customer hardships could be demonstrated or when the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under existing procedures, NANPA looks at the number of MTE for the entire rate center without any exceptions. The current process is arbitrary and results in

(1) decisions contrary to the public interest and welfare of consumers in the State of Florida; and (2) decisions that do not necessarily promote the efficient use of telephone numbers.

19. Unfortunately, BellSouth's inability to obtain numbering resources in the above offices, which were necessary to meet customers' requests in multi-switch rate centers, will not be the last time BellSouth experiences this problem. BellSouth has a total of 101 rate centers in Florida with 30 of these being multi-switch rate centers. Some of the switches within these multi-switch rate centers are already within or near the six MTE. BellSouth believes that it will be unable to meet the six MTE threshold at the rate center level in all of these multi-switch rate centers, causing serious problems with fulfilling its Carrier of Last Resort Obligations.

20. BellSouth requests that the Commission's reverse the NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

(a) The NANPA's denial of numbering resources to BellSouth interferes with BellSouth's ability to serve its customers within the State of Florida.

(b) The MTE at the rate center level requirement is discriminatory against the incumbent LEC, since the ILEC is typically the only local service provider with multiple switches in a rate center. The ILEC has deployed multiple switches in a rate center in order to meet customer demand for telephone service and the new FCC rules for obtaining numbering resources both penalize and discriminate against the ILEC for having done so. BellSouth believes that it is patently unfair to require that the ILEC only get six (6) MTE in all the switches it has deployed in a rate center, when the ALECs that have recently entered the local service market have to meet the MTE requirement in only

the single switch that they have deployed to serve their customers in a single rate center or even multiple rate centers.

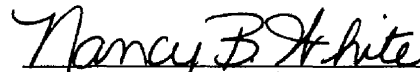
(d) As a result of NANPA's denial of BellSouth's request for additional numbering resources, BellSouth will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, BellSouth requests:

1. The Commission review the decision of the NANPA to deny BellSouth's request for additional numbering resources; and
2. The Commission direct the NANPA to provide the requested code for the Orlando exchange discussed above.

Respectfully submitted this 20th day of April, 2001.

BELLSOUTH TELECOMMUNICATIONS, INC.



Nancy B. White (22)

James Meza III
150 West Flagler Street
Suite 1910
Miami, Florida 33130
(305) 347-5558



R. Douglas Lackey
675 West Peachtree Street, Suite 4300
Atlanta, Georgia
(404) 335-0747

Central Office Code (NXX) Assignment Request - Part 1
Revised September 11, 2000

Type of Application: New Change¹ Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant: [REDACTED]
Company/Entity Name: BELLSOUTH
Headquarters Address: 675 W. PEACHTREE STREET NE
City, State, Zip: Atlanta, Georgia 30375
Contact Name: [REDACTED]
Contact Address: 675 W. Peachtree Street NE [REDACTED]
City, State, Zip: Atlanta, Georgia 30375
Phone: [REDACTED] FAX: [REDACTED] E-Mail: [REDACTED]
Code Administrator:²
Name: Terah Adger
Address: 1800 Sutter Street - Suite 570
City, State, Zip: Concord, California 94520-2581
Phone: 925-363-8705 FAX: 925-363-8714

1.2 NPA: 407 LATA: 4580 OCN:³ 9417 Parent Company's OCN(s) 9417
Switching Identification (Switching Entity/POI)⁴ ORLDFLPCDSO
Locality/City/Wire Center Pine Castle Rate Center:⁵ ORLANDO
Homing Tandem Operating Co.: BST Tandem Homing CLLITM: ORLDFLMA04T

1.3 Dates: Date of Application: 3-30-01 Requested Effective Date:⁶ _____

1.4 Type of company/entity requesting the code:

- a) LEC (LEC, IC, CMRS, Other)
- b) b) Type of service POTS (e.g., Cellular - Type 2)
- c) Code Assignment Preference (Optional) _____
- d) Codes that are undesirable, if any 666.800.900
- e) Type of change: _____

1.5 Type of Request (Initial, growth, etc.): Growth (Pending DID Request)
If an initial code, attach (1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pool Indicator _____ (YES)¹⁰

1.6 NPA Jeopardy Criteria Apply: Yes _____ No

1.7 Code request for new service (Explain): _____

1.8 Part 2 is attached _____ Part 2 is not attached for ROBS & BRIDS^{11 12}

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (<http://www.atis.org/atis/cic/inc/incdocs.htm>) as of the date of this application.¹³

[REDACTED]
Signature of Code Applicant¹⁴

Code Administrator
Title

3-30-01
Date

**CO CODE ASSIGNMENT
MONTHS TO EXHAUST CERTIFICATION WORKSHEET - TN Level 1**
(Worksheet to be used for Requests for Additional Codes for Growth)

Date: 3-30-01 Company Name: BellSouth
 Rate Center: ORLANDO
 NPA(s)-NXXs included in growth calculation: see attached

Signature of Authorized Representative of Code Applicant: [Redacted]
 Title: Code Administrator Telephone No.: 404 927-8670 FAX No.: 404 927-8670

A. Telephone Numbers (TNs) Available for Assignment (See Glossary): 111,053

Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
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B. Previous 6-month growth history⁴ 7852 9095 4855 4774 5522 7952

C. Forecast - Next months 1-125 11567 10867 10867 10867 10867 10867 10867 11867 10867 10867 10867 10867

D. Average Monthly Forecast (Sum of months 1-6 Part C above divided by 6): 7700

E. Months to Exhaust⁶ = $\frac{\text{Telephone Numbers (TNs) Available for Assignment (A)}}{\text{Average Monthly Forecast (D)}}$ = 14.4

F. Utilization Level⁷ = $\frac{\text{Telephone Numbers (TNs) Assigned}}{\text{Total Numbering Resources in Applicant's Inventory}} \times 100$ = 97.4 %

planation:

Ex

1 A copy of this worksheet is required to be submitted to the Code Administrator, for audit purposes, it must be in the applicant's files.
 2 Report on all resources for the requested geographic area, including newly acquired codes.
 3 Definitions of terms may be found in the Glossary section of the Central Office Code (NXX) Assignment Guidelines.
 4 Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
 5 Forecast of TNs needed in each following month, starting with the most recent month as Month #1. In a jeopardy situation, only 6 months growth projection is required.
 6 To be assigned an additional CO Code (NXX) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (ii))
 7 Newly acquired numbers (see glossary) may be excluded from the utilization calculation (FCC 00-104, § 52.15 (g) (3) (ii)).

NO. 569 F004/011

01 14:19

DESTINATION CODE TABLE BY SWITCH (DSW)

SWITCH: ORLDLAPDS0 SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01
NPA: ___ PENDING CHANGE: N

NPA	TDM	COC									
321	___	235	___	___	___	___	___	___	___	___	___
407	___	207	208	249	273	275	277	281	282	306	380
407	___	381	382	384	482	658	736	737	823	882	___
___	___	___	___	___	___	___	___	___	___	DD	█
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___

CMMD: ___

(C) 2000 TELCORDIA TECHNOLOGIES, INC.

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ROUTING DATABASE SYSTEM

CURRENT DATE: 03/29/01

DESTINATION CODE TABLE BY SWITCH (DSW)

PAGE: 1

LAST PAGE

SWITCH: ORLDFLCLDS0 SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01
NPA: ___ PENDING CHANGE: N

NPA	TDM	COC									
407	___	228	893	894	895	896	897	898	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___

CMMD: _____

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DESTINATION CODE TABLE BY SWITCH (DSW)

SWITCH: ORLDFLMA42E SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01
NPA: ___ PENDING CHANGE: N

NPA	TDM	COC									
407	___	<i>Pcc</i> 231	<i>Pcc</i> 233	236	237	244	418	419	420	422	423
407	___	424	425	841	843	849	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___

CMMD: _____

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ROUTING DATABASE SYSTEM

CURRENT DATE: 03/29/01

PAGE: 1

DESTINATION CODE TABLE BY SWITCH (DSW)

LAST PAGE

SWITCH: ORLDFLMADS1 SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01
 NPA: ___ PENDING CHANGE: N

NPA	TDM	COC	<i>RCC</i>	<i>RCC</i>	<i>RCC</i>	DID	DID	<i>RCC</i>			
321	___	201	<i>Y236</i>	<i>Y485</i>	<i>Y675</i>	841	843	<i>Y844</i>	___	___	___
407	___	<i>RCC</i> 202	<i>RCC</i> 220	245	246	<i>RCC</i> 288	316	317	318	<i>RCC</i> Y338	<i>RCC</i> 400
407	___	<i>RCC</i> 401	426	428	DID 471	481	<i>RCC</i> 524	<i>RCC</i> 525	<i>RCC</i> 526	<i>RCC</i> 527	<i>RCC</i> 528
407	___	<i>RCC</i> 553	540	<i>RCC</i> 590	642	648	649	650	<i>RCC</i> 675	<i>RCC</i> 743	<i>RCC</i> 765
407	___	<i>RCC</i> 769	<i>RCC</i> 776	<i>RCC</i> 793	<i>RCC</i> 807	835	836	839	872	<i>RCC</i> 887	<i>RCC</i> 907
407	___	<i>RCC</i> 912	<i>RCC</i> Y918	<i>RCC</i> 974	<i>RCC</i> 987	999	___	___	___	___	___

CMMD: _____

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ROUTING DATABASE SYSTEM

CURRENT DATE: 03/29/01

DESTINATION CODE TABLE BY SWITCH (DSW)

PAGE: 1

LAST PAGE

SWITCH: ORLDFLPCDS0 SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01
NPA: ___ PENDING CHANGE: N

NPA	TDM	COC			DID	DID					
407	___	240	251	438	458	762	812	816	825	826	850
407	___	851	852	854	855	856	857	858	859	888	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___

CMMD: _____

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ROUTING DATABASE SYSTEM

CURRENT DATE: 03/29/01

DESTINATION CODE TABLE BY SWITCH (DSW)

PAGE: 1

LAST PAGE

SWITCH: ORLDPLPHDSO SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01
NPA: ___ PENDING CHANGE: N

NPA	TDM	COC									
407	___	290	291	292	293	294	295	296	297	298	299
407	___	445	521	522	523	532	578	822	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___

CMMD: _____

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ROUTING DATABASE SYSTEM

CURRENT DATE: 03/29/01

PAGE: 1

DESTINATION CODE TABLE BY SWITCH (DSW)

LAST PAGE

SWITCH: ORLDFLSADS0 SHA IND: ___ TDM TYPE: ___ IN EFFECT AS OF: 03/29/01

NPA: ___ PENDING CHANGE: N

NPA	TDM	COC									
407	___	224	226	248	345	351	352	354	355	356	363
407	___	370	371	503	DID 685	DID 817	903	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___	___

CMMD: ___

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Code Request Tracking Number: 407-105900

Denied

Administrator's Response/Confirmation

Date of Application: March 30, 2001 Date of Receipt: March 30, 2001
Date of Response: April 10, 2001 Effective Date: _____
Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL

Code Administrator Contact Information:

Terah Adger Phone: 4049278670
Signature of Code Administrator
Terah Adger Fax: 4045242918
Name (print)

NPA: 407 Code Assigned: _____ Date of NXX Code Assignment: _____

- a. Switch Identification (Switching Entity/POD): ORLDFLPCDS0 Rate Center: ORLANDO
- b. The Code Administrator is _____, is not responsible for inputting Part 2 information into RDBS and BRIDS.
- c. Routing and Rating information complete: Yes _____ No
Additional RDBS and BRIDS information necessary as follows:
No
- d. To be published in the LERG and TMP by _____
Additional RDBS and BRIDS information needs to be received by the code administrator no later than _____

Code Reserved: _____ Date of Reservation: _____

Your code will be honored until _____
Switch Identification (Switching Entity / POD): _____

Form incomplete
Additional information required in the following section(s):
Months to exhaust exceeds 6 months

Form complete, code request denied

Explanation: _____
Assignment activity suspended by the administrator
Explanation: _____
Further Action: _____

NPA in jeopardy: Yes _____ No
If yes, refer to Section 7 of the assignment guidelines.

Change/Disconnect List: _____

Remarks:
OCN #9417 **ACCORDING TO THE CENTRAL OFFICE CODE ASSIGNMENT GUIDELINES, (COCALY) SECTION 4.2.1, CODE HOLDERS REQUESTING GROWTH CODES MUST DEMONSTRATE THAT EXISTING CODES WITHIN THE RATE CENTER WILL EXHAUST WITHIN 6 MRS. IF YOU ARE IN DISAGREEMENT, PLEASE REFER TO THE (COCALY) FOR THE APPEALS PROCESS.**