

June 4, 2001

**DOCKET NOS: 010782-TL AND 010783-TL**  
**DOCKET NO: \_\_\_\_\_**

Ms. Blanca Bayo, Director  
Division of Records and Reporting  
Room 110, Easley Building  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, Florida 32399-0850

**Re: RESPONSE AND PROTEST TO BELLSOUTH  
TELECOMMUNICATIONS' PETITION FOR GENERIC PROCEEDINGS  
TO ESTABLISH EXPEDITED PROCESS FOR REVIEWING NORTH  
AMERICAN NUMBERING PLAN ADMINISTRATION (NANPA)  
FUTURE DENIALS OF APPLICATIONS FOR USE OF ADDITIONAL  
NXX CODES BY BELLSOUTH TELECOMMUNICATIONS, INC. IN  
DOCKET NO. 010782-TL,**

**AND**

**RESPONSE AND PROTEST TO BELLSOUTH  
TELECOMMUNICATIONS' PETITION FOR REVIEW OF POOLING  
ADMINISTRATOR'S DENIAL FOR ADDITIONAL NUMBERING  
RESOURCES BY NEUSTAR IN DOCKET NO. 010783-TL,**

**AND**

**PETITION FOR A FORMAL HEARING PROCEEDING PURSUANT TO  
RULE 25-22.029, FLORIDA ADMINISTRATIVE CODE.**

Dear Ms. Bayo:

Enclosed for filing on behalf of the Florida citizens, their communication needs and services, and The Alternative Local Exchange Companies (ALECs) is an original and fifteen copies of their formal Response and Protest to BellSouth's Petitions for Generic Proceedings to Establish Expedited Process for Reviewing North American Number Plan Administration (NANPA) Future Denials of Applications for Use of Additional NXX Codes in **Docket No. 010782-TL**, and Response and Protest to BellSouth's Petition for Review of Pooling Administrator's Denial for Additional Numbering Resources by NeuStar in **Docket No. 010783-TL**, and Petition for a Formal Hearing Proceeding Pursuant to Rule

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

25-22.029, Florida Administrative Code in Docket No. \_\_\_\_\_, which we ask that you assign a new docket number.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "FILED" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,



Jonathan W. Kylleskwy, III  
1 North Main Street  
Coudersport, PA 16915  
Tel: 888-743-2233  
Fax: 724-743-9592

JWK/jjj  
Enclosure

cc: FCC Chairman Michael K. Powell\*  
FCC Commissioner Gloria Tristani\*  
FCC Commissioner Kathleen Q. Abernathy\*  
FCC Commissioner Michael J. Copps\*  
FPSC Chairman Leon E. Jacobs  
NANPA  
NeuStar, Inc.

\* FCC Docket No. 99-200

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: RESPONSE AND PROTEST TO BELLSOUTH  
TELECOMMUNICATIONS' PETITION FOR  
GENERIC PROCEEDINGS TO ESTABLISH  
EXPEDITED PROCESS FOR REVIEWING NORTH  
AMERICAN NUMBERING PLAN  
ADMINISTRATION (NANPA) FUTURE DENIALS  
OF APPLICATIONS FOR USE OF ADDITIONAL  
NXX CODES BY BELLSOUTH  
TELECOMMUNICATIONS, INC.

DOCKET NO. 010782-TL

DOCKET NO: 010783-TL

DOCKET NO: \_\_\_\_\_

AND

RESPONSE AND PROTEST TO BELLSOUTH  
TELECOMMUNICATIONS' PETITION FOR  
REVIEW OF POOLING ADMINISTRATOR'S  
DENIAL FOR ADDITIONAL NUMBERING  
RESOURCES BY NEUSTAR

FILED: June 4, 2001

AND

PETITION FOR A FORMAL HEARING  
PROCEEDING PURSUANT TO RULE 25-22.029,  
FLORIDA ADMINISTRATIVE CODE.

**RESPONSE AND PROTEST TO BELLSOUTH TELECOMMUNICATIONS'  
PETITION FOR GENERIC PROCEEDINGS TO ESTABLISH EXPEDITED  
PROCESS FOR REVIEWING NORTH AMERICAN NUMBERING PLAN  
ADMINISTRATION (NANPA) FUTURE DENIALS OF APPLICATIONS FOR  
USE OF ADDITIONAL NXX CODES BY BELLSOUTH  
TELECOMMUNICATIONS, INC. IN DOCKET NO. 010782-TL,**

**AND**

**RESPONSE AND PROTEST TO BELLSOUTH TELECOMMUNICATIONS'  
PETITION FOR REVIEW OF POOLING ADMINISTRATOR'S DENIAL FOR  
ADDITIONAL NUMBERING RESOURCES BY NEUSTAR IN DOCKET NO.  
010783-TL,**

**AND**

**PETITION FOR A FORMAL HEARING PROCEEDING PURSUANT TO RULE  
25-22.029, FLORIDA ADMINISTRATIVE CODE.**

On behalf of the Florida citizens, their communication needs and services, and The Alternative Local Exchange Companies (ALECs) file this formal (1) Response and Protest to BellSouth's Petitions for Generic Proceedings to Establish Expedited Process for Reviewing North American Number Plan Administration (NANPA) Future Denials of Applications for Use of Additional NXX Codes in **Docket No. 010782-TL**, (2) Response and Protest to BellSouth's Petition for Review of Pooling Administrator's Denial for Additional Numbering Resources by NeuStar in **Docket No. 010783-TL**, and (3) Petition for a Formal Hearing Proceeding Pursuant to Rule 25-22.029, Florida Administrative Code in Docket No. \_\_\_\_\_ (To be assigned by the Florida Public Service Commission).

1. On May 25, 2001, BellSouth Telecommunications, Inc. (or BellSouth) filed a Petition for Generic Proceeding to Establish Expedited Process for Reviewing NANPA's Denial of Applications for Use of Additional NXX Codes.
2. BellSouth filed a similar petition for a switch in Orlando in Docket No. 010309-TL. The ALECs recently challenged the Commission's decision.
3. The NANPA was given authority from the FCC to withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resources application requirements established in FCC 00-104.
4. The FCC also stated that a carrier may challenge NANPA's decision with a state regulatory *only based on NANPA's determination of compliance with the reporting and numbering resource application requirements herein.*
5. Thus, NANPA declined to issue new numbering resources to BellSouth because *it has not met the criteria necessary to obtain these numbering resources. These are the Months-to-Exhaust (MTE) and utilization threshold criteria.*
6. We believe that full enforcement of the FCC's uniformity rules must be followed by any state commission, NANPA, NeuStar, and carriers to ensure that numbering resources are used efficiently and effectively, and fair and impartial manner. This Commission's role is to promote competition in its entirety.

Because our interests are substantially affected, we file the combined petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code."

With that, and the fact that the FPSC is vested with jurisdiction pursuant to Sections 364.01 and 364.16(4), Florida Statutes, and 47 U.S.C. §151, and 47 C.F.R. §52.15(g)(3)(iv), we respectfully ask that the FPSC does not grant any more code requests to BellSouth and any other carrier UNTIL the FPSC has finalized its formal hearing proceeding, pursuant to Rule 25-22.029, Florida Administrative Code. If the FPSC denies the ALECs' request, The ALECs would file an expedited emergency petition to the FCC for solution.

Respectfully submitted this fourth day of June, 2001.

On behalf of The Alternative Local Exchange Companies,

A handwritten signature in black ink, appearing to read 'JW Kylleskwy III', written in a cursive style.

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1 North Main Street  
Coudersport, PA 16915  
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Fax: 724-743-9592