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ORIGINAL

June 16, 2001

Ms. Blanca S. Bayó
Director, Divsn of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Fla. 32399-0850

RE: Docket No. 010565-TP
PROTEST OF
BELLSOUTH'S PETITION FOR ORLANDO/proceeding TO ESTABLISH EXPEDITED PROCESS
FOR REVIEWING NANPA'S DENIAL OF APPLICATIONS FOR USE OF ADDITIONAL NXX CODES

Enclosed is an original and ten copies of Emmanuel Arvanitas' Protest of
Bellsouth's proceedings for generic docket of NANPA's NXX code denials, which we
ask you to file in the above captioned proceeding.

A copy of this letter is enclosed. Please mark it to indicate that the original
was filed and stamp filed and mail back to me.

Copies have been served to the parties shown on the attached Certificate of
Service.

Sincerely,
Emmanuel Arvanitas

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Done 6/25/01

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In RE: Petition by BellSouth for an expedited)
review of NANPA's denial of central office code)

DOCKET NUMBER 010565-TP
ORDER NUMBER 03-1312-PA1-TL

June 16, 2001

PROTEST OF STAFF RECOMMENDATION/ORDER OF OVERTURN OF BELLSOUTH DENIALS
OF NXX CODES BY NANPA

I, Emmanuel Arvanitas, am a consumer of Florida's numbering resources, having lived here for over 20 years, and under the Florida Administrative Code do hereby protest the order in the above mentioned order.

On March 30, 2001, BellSouth Telecommunications, Inc. (hereby referred to as BellSouth) submitted an application to NANPA to receive numbering resources in the Orlando rate center. The code requests were for VANITY numbers/ DID consecutive numbers for BellSouth customers.

The reason for the denial of 10,000 block number codes was for the low utilization threshold below 60%. As the Commissioners from the Florida PSC should know, the FCC order 00-104 was for the implementation of uniform standards for all carriers to receive numbering resources. FCC 00-104 paragraph 105 uses the rate center as a unit of measurement for all switches in that rate center to have a cumulative utilization threshold of OVER 60% to receive additional numbering resources. To allow the override of NANPA for one carrier, BellSouth is discriminatory, for the reasons I will list below. And any discrimination as to the "efficient allocation of numbers" is not "competitively neutral" in violation of the 1996 Telecom Act- Section 251. And since our Florida Statutes 120.80 say we must be in compliance with the 1996 Telecom Act and incorporate the language of the 1996 Telecom Act in state ordered language in our State of Florida PSC orders. The State of Florida PSC can only overturn the NANPA ruling, as per 47 C.F.R. 52.15 (g)(iii),(iv)"based on its determination of compliance with the reporting and numbering resource application requirements herein."

BellSouth has not met this burden with NANPA let alone the PSC of Florida. The PSC of Florida is malfeasant in it's refusal, because of ignorance or otherwise to do an audit

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to verify compliance.

According to the order ^{PAA-99-0373} from the docket 10393-TP the Voluntary Stipulation was filed and signed by all carriers including BellSouth in 1999. In this Stipulation was an agreed to protocol that the carriers would not open up new NXX's unless there was a bonafide request by a carrier's customer. Upon reviewing BellSouth's own statements by it's representitives in this docket, Orlando rate center has " 14.4 months to exhaust" and switch Pinecastle in the rate center has "29 months to exhaust. " This is far greater than the six month's of inventory of numbers that the stipulation allowed them to keep numbers and not pool. The inference is that with this many BLOCKS OPENED THERE IS A MAGNIFISCENT AMOUNT OF CONTAMINATION OF MORE THAN 10% CONTAMINATION OF 1000 BLOCKS THAT WOULD EXEMPT ANY ADDITIONAL NUMBERS FROM BEING USED IN A NUMBER POOL. The PSC of Florida cannot ignore these facts that allow BellSouth additional numbering resources beyond an FCC order and then allow the ILEC to have contaminated numbers in violation of a previous Florida order. Of course, there will not be enough numbers for pooling once this area code is in exhaust. The ILEC that would have to GIVE UP NUMBERS TO OTHER CARRIERS IN 1000 BLOCKS WOULD BE ABLE TO HOARD NUMBERS.

So, we have inefficient allocation of numbers, which the FCC says in it's order should invalidate any override of denial from the State PUC's. We also have a SELF PROCLAIMATED insufficiency of equipment BellSouth themselves disclosed in PAA order 00-1046. From the docket 981444-TP docket, Bellsouth in July 2000 asked for a variance to NOT POOL in over 50% of their rate centers because of a 29 year old LAESS switch by Lucent which they haven't upgraded. Upon careful review of all the NPA rate center switches BellSouth said had the old switch, I see a DIRECT CORRELATION BETWEEN THE OLD LAESS SWITCHES BEING THE EXACT RATE CENTER SWITCHES THAT BELLSOUTH HAS BEEN DENIED NUMBERING RESOURCES FROM NANPA.

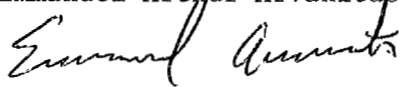
My company I work for went through a great expense in the last two years upgrading our old switches to newer ones that could support more numbers being attached to them. This is along the 25/133 problem that BellSouth received the ability to exclude itself from further porting of 1000 block numbers in a pooling environment. Therefore, to allow BellSouth to be exempt for inefficiency of numbering resources and insufficiency of upgraded equipment as CLEC'S COMPETING AGAINST THEM HAVE DONE IS IN VIOLATION OF THE

1996 Telecommunication's Act Section 251 "competitive neutrality" clause, which denies any carrier any illegal competitive advantage over another carrier in numbering resources.

Therefore, I ask for review of protest and reversal of BellSouth to receive these numbers from customers, as according to 47 C.F.R. 52.15 (g)(iii)(iv) the State of Florida Public Service Commission has not met the criteria for the AUTHORITY to overturn numbering resources of the PUBLIC's numbers in the State of Florida. I consider this gross negligence and malfeasance for you to continue prior to an audit into the numbering practices of BellSouth. Because of willful contamination of numbering resources to exclude them from number pooling to competing carriers, you would slap the State of Florida's face and allow them an override of NANPA's denial, which no other upgraded and efficient CLEC is asking for. This, if it is allowed to go through, warrants a challenge to the Supreme Court.

A Very Unhappy and disgusted Consumer,

Emmanuel Arthur Arvanitas



CERTIFICATE OF SERVICE FOR DOCKET NO. 010565-TP PUBLIC SERVICE COMMISSION? FLORIDA

I, Emmanuel Arvanitas do certifiy that on June 19,2001 I mailed the protest of 010565-tp to all members named below, US Mail.

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