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August 6, 2002

Mrs. Elica S. Bayó  
Division of the Commission Clerk and  
Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850


Re: **New Docket:** 0208168-TL  
**Petition for Investigation of Wireless Carriers' Request for BellSouth  
Telecommunications, Inc. to Provide Telecommunications Service  
Outside BellSouth's Exchange**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Investigation and Establishment of Generic Proceeding, which we ask that you file in 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 ID: 0208168-TL  
08205 AUG-08  
FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE - NEW DOCKET**  
Petition for Investigation of Wireless Carriers'  
Request for BellSouth Telecommunications, Inc.  
to Provide Telecommunications Service  
Outside BellSouth's Exchange

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via  
Electronic Mail and U.S. Mail this 6th day of August, 2002 to the following:

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James Meza III  
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**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

Petition for Investigation of Wireless Carriers' ) Docket No.  
Request for BellSouth Telecommunications, Inc. )  
to Provide Telecommunications Service )  
Outside BellSouth's Exchange ) Filed: August 6, 2002

**PETITION FOR INVESTIGATION AND  
ESTABLISHMENT OF GENERIC PROCEEDING**

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to Rules 25-22.036 and 28-106.201 of the Florida Administrative Code and Florida Statutes Chapters 350 and 364, respectfully requests that the Florida Public Service Commission ("Commission") establish a generic proceeding to determine whether the provision of telecommunications service by BellSouth to wireless carriers, as requested by wireless carriers, when said service is not in BellSouth's exchange service, violates BellSouth's General Subscriber Service Tariff ("GSST") for the State of Florida. BellSouth is concerned that such a request could violate BellSouth's GSST, Section A35 because it would result in BellSouth providing virtual designated exchange service outside of BellSouth's exchange. In support of this Petition, BellSouth states the following:

1. BellSouth is an incumbent local exchange company certified by the Commission to provide local exchange telecommunications services in Florida. BellSouth's service of process address is

Nancy B. White  
c/o Nancy H. Sims  
150 South Monroe Street  
Suite 400  
Tallahassee, FL 32301

2. Respondents are expected to include, Sprint Spectrum L.P., d/b/a Sprint PCS (“Sprint PCS”), whose address is 6200 Sprint Parkway, Overland Park, KS 66251 and Nextel Communications, Inc. (“Nextel”), whose address is 2001 Edmund Haley Drive, Room A 4017B, Reston VA 20191.

3. The Commission has jurisdiction over this proceeding pursuant to Chapter 364, Florida Statutes, because it involves the interpretation of BellSouth’s intrastate tariff, which the Commission has approved. In addition, the Commission has jurisdiction over interconnection and intercarrier compensation issues between ILECs and Commercial Mobile Radio Service (“CMRS”) providers. See e.g., Order No. 02-0076-FOF-TP (Jan. 11, 2002) (approving interconnection between BellSouth and Sprint PCS).

4. Section A35 of BellSouth’s GSST, which is entitled “Interconnection Services for Mobile Service Providers,” provides for a service called “virtual designated exchange.” This service allows a carrier to provide a NXX number to a customer in an exchange that is different from the exchange where the Mobile Service Provider’s (“MSP”) interconnection with BellSouth exists.

5. Specifically, Section A35.1.1.R. provides:

**R. Assignment of Numbers and NXX Codes**

1. When a new dedicated NXX is assigned, if the NXX will reside at the MSP’s Point of Presence (POP), at least one number from that NXX must terminate in a milliwatt test line (Technical Reference: ANSI T1.207-1989), to be used for text purposes. When a dedicated NXX is assigned for *BellSouth CMRS* Type 1 service, and *BellSouth CMRS Local Loop Trunks*, then the NXX resides in the Company end office, in which case the Company will terminate a MSP selected number in a milliwatt test line.
2. The MSP will provide the Company with both the name of the desired designated exchange and the V&H coordinates for each dedicated NXX established with a *BellSouth CMRS* type 2A/Type 2A-SS7 interconnection. If the desired designated exchange for the dedicated NXX is different than the exchange where the MSP’s

*BellSouth CMRS* Type 2A/Type 2A-SS7 interconnection exists, it is called a virtual designated exchange. A virtual designated exchange is only allowed when the chosen designated exchange meets the following criteria:

- a. Is a Company exchange
- b. Is in the same LATA as the MSP's point of interconnection
- c. Is billed from the same Regional Accounting Office (RAO) as MSP's interconnection
- d. Is located within the NPA's geographic area
- e. Is in a different local calling area than the exchange where the MSP's interconnection exists

Once ordered, the chosen designated exchange cannot be changed for six months after implementation.

3. The MSP may move an existing dedicated NXX that resides in a Company end office to the MSP's Point of Presence (POP) within the same LATA. A *BellSouth CMRS* Type 2A/Type 2ASS7 interconnection must exist at the POP. Both locations must be served by the same access tandem.

6. As stated above, Section A35.1.1R.2.a. provides that virtual designated exchange service is only allowed when the chosen exchange is a "Company" (meaning BellSouth) exchange.

7. Sprint PCS has requested that BellSouth activate certain NPA/NXXs. Said activation results in the routing of traffic to these NPA/NXXs being established within BellSouth's service area while the rating of such traffic is established in Northeast Florida Telephone Company, Inc.'s ("Northeast Florida Telephone") rate center service area. See attached Affidavit of Robert E. James, attached hereto as Exhibit A. BellSouth believes that other wireless carriers may request similar service from BellSouth.

8. The effect of this request is that traffic is routed to these NPA/NXXs over BellSouth's network for termination rather than over Northeast Florida Telephone's network. Additionally, this arrangement, which establishes a rate center in Northeast

Florida Telephone's service area and a routing center in BellSouth's service area, results in inaccurate rating of landline end user local and toll option calls. See Exhibit A. BellSouth is concerned that the above-arrangement places BellSouth in the position of having to rate calls based on Northeast Florida Telephone's tariff, as if the calls actually originated from or terminated to Northeast Florida Telephone.

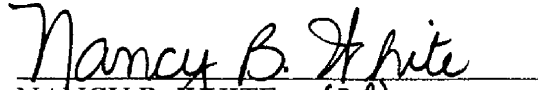
9. BellSouth is also concerned that Sprint PCS' request potentially places BellSouth in violation of its own tariff, specifically Section A35.1.1, because it would require BellSouth to provide virtual designated exchange service outside of BellSouth's exchange.

10. Because there is a good faith disagreement between BellSouth and Sprint PCS as to whether Sprint PCS' request would violate BellSouth's tariff and because Sprint PCS alleged that the failure to implement the request would cause numbering resource difficulties, BellSouth has implemented the request pending the Commission's determination of the issues raised in this request for a generic proceeding. Further, because this issue is not specifically limited to Sprint PCS and BellSouth and may effect other carriers in Florida, including independent telephone companies, BellSouth requests that the Commission establish a generic docket.

WHEREFORE, for the foregoing reasons, BellSouth respectfully requests that the Commission determine whether the provision of telecommunications service that results in the routing of certain NPA/NXXs within BellSouth's service area while the rating of such traffic is established outside of BellSouth's service area violates BellSouth's intrastate tariff or is otherwise in violation of Florida law.

Respectfully submitted this 6th day of August, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_  
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457700

BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

Petition for Declaratory Statement before ) Docket No.:  
the Florida Public Service Commission by )  
BellSouth Telecommunications, Inc. )  
Regarding Sprint PCS' Service Request )

AFFIDAVIT OF ROBERT E. JAMES

1. I, Robert E. James, do solemnly swear that I am over the age of eighteen, competent to testify, and have personal knowledge of the facts set forth herein:
2. My name is Robert E. James. I am employed by BellSouth Telecommunications, Inc. (BST) as Staff Manager - Wireless Interconnection in Interconnection Services. My business address is NW1B, 3535 Colonnade Parkway, Birmingham, Alabama, 35243.

**SUMMARY**

3. BST provides interconnection to all Commercial Mobile Radio Service (CMRS) providers licensed to provide service in BellSouth's service areas within its nine (9) state region. Interconnection is provided in full compliance with Section 251 and Section 252 of The Telecommunications Act of 1996 (The Act).
4. Sprint PCS (Sprint) has secured NPA/NXX codes from NeuSTAR, the North American Numbering Plan Administrator, which is appointed by the Federal Communication Commission (FCC). In the process of securing these NPA/NXXs, Sprint established a rating center of McClenney, Florida (McClenney) and a routing destination, for termination of traffic, of Jacksonville, Florida (Jacksonville).
5. McClenney is a local service exchange of Northeast Florida Telephone Company, Inc. (NFTC). Jacksonville is a local service exchange of BST.
6. NPA/NXX code activation guidelines established by NeuSTAR stipulate in Central Office Code (NXX) Assignment Guideline, INC 95-0407-008 at 4.1 that an initial code assignment will be based on identification of a new switching entity, physical point of interconnection (POI), or unique rate center consistent with regulatory restriction.
7. By securing this NPA/NXX in this configuration, Sprint has effectively required BST to provide the equivalent of its tariffed Virtual Designated Exchange Service (VDE). BST offers VDE in its General Exchange Service Tariff (GSST) at Section