

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of proposed numbering plan relief for the 305/786 area code - Dade County and Monroe County/Keys Region.

DOCKET NO. 990455-TL

In re: Request for review of proposed numbering plan relief for the 561 area code.

DOCKET NO. 990456-TL

In re: Request for review of proposed numbering plan relief for the 954 area code.

DOCKET NO. 990457-TL

In re: Request for review of proposed numbering plan relief for the 904 area code.

DOCKET NO. 990517-TL
ORDER NO. PSC-00-0961-PHO-TL
ISSUED: May 17, 2000

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code, a Prehearing Conference was held on May 11, 2000, in Tallahassee, Florida, before Chairman Joe Garcia, as Prehearing Officer.

APPEARANCES:

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Pennsylvania Avenue, NW, Washington, D.C. 20006-1888
On behalf of NeuStar, Inc., North American Numbering Plan
Administrator

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On behalf of Sprint-Florida, Inc. and Sprint Communications
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On behalf of The City of Deltona

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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On behalf of Volusia County

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On behalf of ALLTEL Florida, Inc. and Northeast Florida Telephone Company

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On behalf of AT&T Communications of the Southern States, Inc. and AT&T Wireless Services, Inc. and MCI WorldCom, Inc., and its operating subsidiaries

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On behalf of MCI WorldCom, Inc.

MARSHA RULE, Esquire, AT&T Communications of the Southern States, 101 North Monroe Street, Suite 700, Tallahassee, Florida 32301
On behalf of AT&T Communications of the Southern States and At&T Wireless Services, Inc.

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On behalf of BellSouth Telecommunications, Inc.

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On behalf of Omnipoint Communications MB Operations, LLC d/b/a Omnipoint Communications

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On behalf of Commission Staff

PREHEARING ORDER

I. **CONDUCT OF PROCEEDINGS**

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Pursuant to Rule 28-106.211, Florida Administrative Code, this Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

II. CASE BACKGROUND

In March 1999, the North American Numbering Plan Administration (NANPA) notified the Commission that the remaining NXX codes for the Monroe County/Keys region of the 305 area code (numbering plan area (NPA)) (305 Keys region) were exhausted and declared an extraordinary jeopardy situation. Docket No. 990455-TL was opened to address this matter. Thereafter, on April 23, 1999, under the direction of NANPA, the telecommunications industry NXX code holders in the 305 Keys region returned some NXX codes to NANPA and reached a consensus to institute a freeze on the distribution of the remaining NXX codes in the 305 Keys region until either further extraordinary jeopardy measures could be put in place, or the Florida Public Service Commission could approve an NPA relief plan for the 305 Keys region. Subsequently, further jeopardy measures were implemented to preserve the remaining NXX codes. A lottery system was instituted for this region, which includes the rationing of one NXX code per month. Since NPA relief for this area may include or affect the portion of the 305 area code overlaid by the 786 area code (the Dade County area), this Commission will address NPA relief for the entire 305 area code, including both the Dade County and Keys regions in this proceeding.

In March 1999, this Commission was informed that the 561 and 954 area codes were in extraordinary jeopardy. Thereafter, in April 1999, we were notified that the 904 area code was also in extraordinary jeopardy. Therefore, we opened Dockets Nos. 990456-TL, 990457-TL, and 990517-TL to investigate the proposed numbering relief plans. Under the direction of NANPA, the telecommunications industry NXX code holders in the 561, 954, and 904 NPAs adopted Final Jeopardy Procedures and reached a consensus to institute rationing of the distribution of the remaining NXX codes in these NPAs to six codes per month, beginning May 1999 for 561 and 954, and July 1999 for the 904 area code. These rationing procedures will continue until NPA relief plans for each of these NPAs are approved.

In view of the related subject matter of these dockets and in the interest of administrative efficiency, these dockets have been consolidated for hearing purposes only.

III. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

A. Any information provided pursuant to a discovery request for which proprietary confidential business information status is requested shall be treated by the Commission and the parties as confidential. The information shall be exempt from Section 119.07(1), Florida Statutes, pending a formal ruling on such request by the Commission, or upon the return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been used in the proceeding, it shall be returned expeditiously to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of the proceeding, it shall be returned to the person providing the information within the time periods set forth in Section 364.183, Florida Statutes.

B. It is the policy of the Florida Public Service Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 364.183, Florida Statutes, to protect proprietary confidential business information from disclosure outside the proceeding.

1. Any party intending to utilize confidential documents at hearing for which no ruling has been made, must be prepared to present their justifications at hearing, so that a ruling can be made at hearing.

2. In the event it becomes necessary to use confidential information during the hearing, the following procedures will be observed:

- a) Any party wishing to use any proprietary confidential business information, as that term is defined in Section 364.183, Florida Statutes, shall notify the Prehearing Officer and all parties of record by the time of the Prehearing Conference, or if not known at that time, no later than seven (7) days prior to the beginning of the hearing. The notice shall include a procedure to assure that the confidential nature of the information is preserved as required by statute.
- b) Failure of any party to comply with 1) above shall be grounds to deny the party the opportunity to

present evidence which is proprietary confidential business information.

- c) When confidential information is used in the hearing, parties must have copies for the Commissioners, necessary staff, and the Court Reporter, in envelopes clearly marked with the nature of the contents. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- d) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise the confidential information. Therefore, confidential information should be presented by written exhibit when reasonably possible to do so.
- e) At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the Court Reporter shall be retained in the Division of Records and Reporting's confidential files.

IV. POST-HEARING PROCEDURES

Each party shall file a post-hearing statement of issues and positions. A summary of each position of no more than 50 words, set off with asterisks, shall be included in that statement. For Issue 1, however, the 50 word limit may be exceeded. If a party's position has not changed since the issuance of the prehearing order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, Florida Administrative Code, a party's proposed findings of fact and conclusions of law, if any,

statement of issues and positions, and brief, shall together total no more than 40 pages, and shall be filed at the same time.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties has been prefiled. All testimony which has been prefiled in this case will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to appropriate objections. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. After all parties and Staff have had the opportunity to object and cross-examine, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

VI. ORDER OF WITNESSES

Direct

<u>Witness</u>	<u>Proffered By</u>	<u>Issues</u>
Thomas C. Foley	NANPA	All
Wayne Gardner	Deltona	All

Direct

<u>Witness</u>	<u>Proffered By</u>	<u>Issues</u>
Robert M. Weiss (Note: Service to parties made on 11/24/99, but not filed in Docket until April 21, 2000)	Volusia	All
Scott Ludwikowski	Sprint	All
Harriet Eudy	ALLTEL	All
Deborah L. Nobles	Northeast	All
Richard Guepe	AT&T	All
Suzanne Brooks (Adopting Direct Testimony of Kelly Faul)	MCI WorldCom	1a, 1b, 3 & 4
Stan Greer (Adopting Direct Testimony of Daniel Baeza)	BellSouth	All
Lennie Fulwood	Staff	1b, 2a, 2b

Rebuttal

<u>Witness</u>	<u>Proffered By</u>	<u>Issues</u>
Wayne Gardner	Deltona	All
John E. Evans	Volusia	All
Richard Guepe	AT&T	All
Suzanne Brooks	MCI WorldCom	1a, 1b, 3 & 4
Gregory J. Darnell	MCI WorldCom	2a, 2b
Sandra Khazraee	Sprint	All

Rebuttal

<u>Witness</u>	<u>Proffered By</u>	<u>Issues</u>
Stan Greer	BellSouth	All
Harriet Eudy	ALLTEL	All
Deborah L. Nobles	Northeast	All

VII. BASIC POSITIONS

NANPA: NANPA's basic position in these proceedings is that, in accordance with industry guidelines, NANPA's role is to facilitate the Florida telecommunications industry to reach consensus to recommend a single relief plan for the 305/786, 561, 954 and 904 NPAs to the Florida PSC. In furtherance of that goal in accordance with industry guidelines, NANPA complied and filed petitions with the PSC requesting approval of the industry's recommended relief plans for each of the area codes. As a neutral third party administrator, NANPA has no independent view regarding the selected NPA relief plan.

SPRINT: Sprint supports the industry consensus alternatives for all NPAs. As demonstrated in the testimony of Sandra Khazraee, Sprint does not support alternatives 4, 6 and 16B (904 NPA).

DELTONA: An additional overlay or additional area code in the City of Deltona, or in Volusia County as a whole, would be unacceptable and not in the public interest. This would bring as many as four (4) area codes within Volusia County, and ultimately as many as five area codes in only a few more years. A change within the entire geographic area of Volusia County to a single area code would be in the best interests of the residents and of the economy of the area.

VOLUSIA: There is strong support by the County of Volusia government and the residents and business people of Volusia for the establishment and implementation of a single new NPA for Volusia County (and additional areas deemed appropriate by the FPSC). The government, residents and business people oppose the overlay of another NPA on the 904 NPA. Additionally, the greatly fragmented circumstance in Southwest Volusia, which is now divided by municipal, LEC, LATA, NPA and concentrated overlay NPA boundaries, all of which are in conflict, needs resolution by the establishment of one new NPA serving all of Volusia County. The County requests that the single NPA be assigned as 386 (FUN).

ALLTEL: ALLTEL supports Alternative 1, which is an all services distributed overlay and was the consensus recommendation of the industry. If the Commission declines to adopt Alternative 1, ALLTEL recommends Alternative 5, which is a geographic split with Duval and Nassau Counties as Area A and the remaining counties in the 904 NPA as Area B.

NORTHEAST: Northeast supports Alternative 1, which is an all services distributed overlay and was the consensus recommendation of the industry. If the Commission declines to adopt Alternative 1, Northeast recommends Alternative 6, modified to include Baker County in Area A.

AT&T: The Commission should adopt the consensus relief plan for each of the NPAs that are subject to area code relief in these consolidated dockets.

MCI WORLDCOM: MCI WorldCom generally supports geographic splits as the most pro-competitive method of area code relief since it does not require 10 digit local dialing and a split does not introduce potential infirmities to the development of an effectively competitive market. Thus, in the 561 NPA, MCI WorldCom supports a geographic split. However, there are circumstances where a geographic split may not be appropriate, such as where rate centers or exchanges would be split, a county would be split, or very unequal projected relief lives would

result. Accordingly, MCI WorldCom is recommending the consensus relief plans for the 305/786 and 954 NPAs, which proposed overlay relief plans. MCI WorldCom has not intervened in the 904 NPA relief docket.

BELLSOUTH:

BellSouth supports the consensus recommendations for relief in each of the NPA's in these consolidated dockets that resulted from meetings of the telecommunications industry in Florida. The consensus recommendation in the 904, 561 and 954 NPAs was to relieve the impending exhaust via an overlay, and in the 305/786 NPA, to extend the existing overlay to the Keys area. The overlay approach would not require customer number changes (and the resulting expense and inconvenience to customers). In addition, an overlay would result in simpler dialing patterns than the other alternatives and could be implemented more quickly and easily.

OMNIPPOINT:

Omnipoint is a personal communications service ("PCS") provider licensed by the Federal Communications Commission to operate in the State of Florida. Omnipoint began offering PCS in the South Florida area in March of 1998, and currently provides facilities-based wireless communications services in Monroe, Dade, Broward and Palm Beach Counties. Omnipoint is a current NXX codeholder in the 305, 954 and 561 area codes.

Omnipoint generally supports the use of an overlay for area code relief, including wireless only overlays. With an overlay, no existing customers, wireline or wireless, are required to change their area code or telephone number. For wireless carriers, which are not limited to assigning telephone numbers from within the customer's "home" rate center, the existing inventory of numbers can be efficiently utilized to meet new customer demand until the resources are depleted. From a networking perspective, overlays are easier to implement because there is no need to reprogram existing NXX switch translations.

Omnipoint also maintains that the availability of number resources will be optimized by consolidation of wireline rate centers which will reduce the demands on existing area codes by new entrants and will maximize the efficient utilization of existing numbering resources among existing carriers. Wireless carriers typically obtain numbering resources in approximately one out of ten rate centers and use this supply to serve customers throughout their serving area. Rate center consolidation would implement a similar method of number efficiency and conservation for wireline carriers.

STAFF: Non-testifying staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein. Testifying staff's positions are offered to provide alternative plans for consideration.

VIII. ISSUES AND POSITIONS

ISSUE 1a: Should the Commission approve the industry's consensus relief plans for the following area codes:

- A) 305/786
- B) 561
- C) 954
- D) 904

POSITIONS:

NANPA: Takes no position on the issue.

SPRINT: 1a A) -D) - Yes.

DELTONA: No, it is the City's position that an additional area code in Volusia County, a County that already has two (2) area codes and a portion of which is in an overlay status in the 407/321 area code, would be unacceptable and not in the public interest. An

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additional overlay would bring as many as four (4) area codes within our County, and with the knowledge and understanding that the 407/321 overlay lifetime is limited, this could mean that Volusia County in a matter of a few years could, ultimately, have five 95) area codes. For a County as small as Volusia County, with a population base as small as that of Volusia County, this would constitute more area codes than in any major metropolitan area. The City continues to support the position, also espoused by Volusia County, that the entire geographic area of Volusia County should have one single area code, and that there should not be an additional area code 904 overlay within the City of Deltona or within the County of Volusia.

VOLUSIA: No. The industry's consensus for relief plan ignores the service needs and desires and economic development efforts of Volusia achieved through a single NPA.

ALLTEL: 1a A)-C): ALLTEL is not a party in the 305, 561 and 954 cases, so it has no position.

1a D): Yes.

NORTHEAST: 1a A)-C): NEFTC is not a party in the 305, 561 and 954 cases, so it has no position.

1a D): Yes.

AT&T: The Commission should approve the consensus relief plan (identified as Alternative #1 for each NPA in the Staff exhibit) for an overlay for each of the respective NPAs.

MCI WORLDCOM: 1a A) In the 305/786 NPAs, the Commission should approve the consensus relief plan (Identified as Alternative #1 in the Staff exhibit) for an expanded overlay.

1a B) In the 561 NPA, the Commission should reject the consensus relief plan (Identified as Alternative #1 in the Staff exhibit) for an overlay

and instead adopt one of the geographic splits (Alternatives #2, #3, or #4).

1a C) In the 954 NPA, the Commission should approve the consensus relief plan (Identified as Alternative #1 in the Staff exhibit) for an overlay.

1a D) In the 904 NPA, no position because MCI WorldCom has not intervened in this docket.

BELLSOUTH:

1a A) Yes. In the 305/786 NPA, the Commission should order that the existing overlay be extended to the Keys area.

1a B) Yes. The Commission should order an overlay for the 561 NPA.

1a C) Yes. The Commission should order an overlay for the 954 NPA.

1a D) Yes. The Commission should order an overlay for the 904 NPA.

OMNIPOINT:

Subject to consideration of all evidence presented at the final hearing, Omnipoint preliminarily supports the industry's consensus relief plan for the 954 area code.

STAFF:

Staff takes no position at this time.

ISSUE 1b:

If the Commission does not approve the industry's consensus relief plan, what alternative plans should be approved for the following area codes:

- A) 305/786
- B) 561
- C) 954
- D) 904

POSITIONS:

NANPA:

Takes no position on the issue.

- SPRINT: 1b A)-C) - No position at this time.
- 1b D) - Sprint has no position on the alternative plans for the 904 NPA, except that, as proposed, Alternatives 4, 6 and 16B should not be adopted for the reasons stated in witness Khazraee's testimony.
- DELTONA: The entire geographic area of Volusia County should have one single area code.
- VOLUSIA: Any alternative that provides Volusia with a single new NPA.
- ALLTEL: 1b A)-C) - ALLTEL is not a party in the 305, 561, and 954 cases, so it has no position.
- 1b D) - If the Commission declines to adopt Alternative 1, ALLTEL recommends Alternative 5, which is a geographic split with Duval and Nassau Counties as Area A and the remaining counties in the 904 NPA as Area B.
- NORTHEAST: 1b A)-C) - NEFTC is not a party in the 305, 561, and 954 cases, so it has no position.
- 1b D) - If the Commission declines to adopt Alternative 1, Northeast recommends Alternative 6, modified to include Baker County in Area A.
- AT&T: The industry consensus relief plan for each NPA represents the best means of relief, and each should be adopted. In the event the Commission rejects the consensus relief plan, the Commission should adopt the following: A) In the 305/786 NPAs, there is no other reasonable alternative; B) In the 561 NPA, we recommend Alternative 2 with Area A retaining 561; C) In the 954 NPA, there is no other reasonable alternative; D) In the 904 NPA, our first recommended alternative would be the concentrated growth overlay identified as Alternative #2. If that were not adopted, we would recommend Alternatives #3 or #5, with Area A in either alternative retaining the 904 code.

MCI WORLDCOM: 1b A) In the 305/786 NPAs, there is no other reasonable alternative.

1b B) In the 561 NPA, any one of the geographic splits (Alternatives #2, #3, or #4) would be appropriate.

1b C) In the 954 NPA, there is no other reasonable alternative.

1b D) In the 904 NPA, no position because MCI WorldCom has not intervened in this docket.

BELLSOUTH: BellSouth believes that the industry's consensus relief plans for each of the four NPAs at issue will impose the least cost and inconvenience on customers and carriers alike. Accordingly, BellSouth does not believe that the Commission should approve any of the other alternatives. BellSouth does not have sufficient information on all of the remaining alternatives to determine which of them would be a next best alternative if the Commission were to decide to reject the consensus relief plans. BellSouth reserves the right to supplement its position on this issue when additional information becomes available.

OMNIPOINT: 1b A) 305/786 - Subject to consideration of all evidence presented at the final hearing, Omnipoint preliminarily supports a relief plan for the 305/786 area codes which would implement an overlay, place priority on achieving a maximum exhaust period for Dade County over Monroe County, and include implementation of rate center consolidation.

1b B) 561 - Subject to consideration of all evidence presented at the final hearing, Omnipoint preliminarily supports the relief plan outlined as Alternative 11 in Exhibit No. LF-3 attached to the prefiled direct testimony of staff witness Lennie Fulwood for the 561 area code.

1b C) 954 - Subject to consideration of all evidence presented at the final hearing, Omnipoint

preliminarily supports the relief plan outlined as Alternative 3 in Exhibit No. LF-4 attached to the prefiled direct testimony of staff witness Lennie Fulwood for the 954 area code, in the event the Commission does not approve the industry consensus relief plan.

1b D) 904 - No position.

STAFF: Possible alternatives to the industry's consensus relief plan, beyond those offered by the industry, are set forth in Exhibits LF-2 through LF-5. All alternatives proposed in these dockets have their own advantages and disadvantages. The evidence of record will dictate the best alternative. (FULWOOD)

ISSUE 2a: What number conservation measure(s), if any, should be implemented for the following area codes:

- A) 305/786
- B) 561
- C) 954
- D) 904

POSITIONS:

NANPA: Takes no position on the issue.

SPRINT: 2a A)-D): The Commission should consider implementing thousands block number pooling trials consistent with the revised plan submitted by the Joint Petitioners on April 11, 2000 in Docket No. 981444-TP.

DELTONA: It is the position of the City that number conservation measures should be adopted by the FPSC to avoid the future necessity for number overlay in the City of Deltona. The FPSC should direct that smaller blocks than the present 10,000 of numbers be allowed to be reserved. The industry should be allowed to reserve up to a thirty (30) day inventory of numbers. Furthermore, local number portability is needed and should be required.

VOLUSIA: No position.

ALLTEL: 2a A)-C) - ALLTEL is not a party in the 305, 561 and 954 cases, so it has no position.

2a D) - Number pooling may provide an opportunity for extending the life of the 904 area code. To implement number pooling in the 904 area code, software release 3.0 should be used and should be limited to Local Number Portability (LNP) capable central offices.

NORTHEAST: 2a A)-C) - NEFTC is not a party in the 305, 561 and 954 cases, so it has no position.

2a D) - NEFTC supports the number conservation measures recently adopted by the Florida Public Service Commission in Docket No. 981444-TP. Number pooling appears to provide an opportunity for extending the life of the 904 area code by a few years. To implement number pooling in the 904 area code, software release 3.0 should be used and should be limited to Local Number Portability (LNP) capable central offices.

AT&T: The Commission should rely upon the number conservation measures developed and implemented in Docket No. 981444-TP, consistent with the policies and rules recently set forth in FCC Order No. 00-104, released March 31, 2000. Such measures should immediately include adoption of the Revised Plan for number pooling submitted in Docket No. 981444-TP on April 13, 2000 (as amended) and implementation of the non-protested provisions of FPSC Order No. PSC-00-0543-PAA-TP, issued March 16, 2000. Also in Docket No. 981444-TP, the Commission should continue to work on number pooling plans for the other NPAs in Florida, rate center consolidation, and those other measures delegated by the FCC.

MCI WORLDCOM: The Commission should address all number conservation measures in Docket No. 981444-TP, consistent with the policies and rules recently set forth in FCC Order No. 00-104, released March 31,

2000. Such measures should immediately include adoption of the Revised Plan for number pooling submitted in Docket No. 981444-TP on April 13, 2000 (as amended) and implementation of the non-protested provisions of FPSC Order No. PSC-00-0543-PAA-TP, issued March 16, 2000. Also in Docket No. 981444-TP, the Commission should continue to work on number pooling plans for the other NPAs in Florida, rate center consolidation, and those other measures delegated by the FCC consistent with FCC Order 00-104.

BELLSOUTH: BellSouth supports the proposal recently submitted by the Florida Code Holders for number pooling in the 954, 561 and 904 area codes. In addition, BellSouth supports the number conservation measures (except for the number pooling measures) adopted by the Commission pursuant to its March 16 PAA in Docket 981444-TP. BellSouth believes that rate center consolidation (RCC) may prove to be an effective number conservation measure in appropriate circumstances and would voluntarily agree to implement it in such circumstances provided it can be accomplished in a revenue and cost neutral manner. BellSouth believes that RCC would effect a change in its rates and that the Commission therefore lacks the authority to order it. BellSouth believes that the Commission should consider the recommendations of the task force set up by the Commission Staff to examine number conservation measures before adopting any additional measures.

OMNIPPOINT: 2a A) 305/786 - Omnipoint supports implementation of rate center consolidation for the Dade and Monroe County areas.

2a B) 561 - Omnipoint supports implementation of rate center consolidation for the Palm Beach County and surrounding areas comprising the 561 area code.

2a C) 954 - Omnipoint supports implementation of rate center consolidation for the Broward County area comprising the 954 area code.

2a D) 904 - No position.

STAFF: Any number conservation measure which will increase the efficiency of how the numbers are used would be acceptable. (FULWOOD)

ISSUE 2b: If conservation measures are to be implemented, when should they be implemented?

- A) 305/786
- B) 561
- C) 954
- D) 904

POSITIONS:

NANPA: Takes no position on the issue.

SPRINT: The Commission should consider implementing thousands block number pooling trials on a time frame consistent with the revised plan submitted by the Joint Petitioners on April 11, 2000 in Docket No. 981444-TP.

DELTONA: As quickly as reasonably possible.

VOLUSIA: No position.

ALLTEL: 2b A)-C) - ALLTEL is not a party in the 305, 561 and 954 cases, so it has no position.

2b D) - The Commission should allow a reasonable time for the implementation of any number consideration measures, and they should only be applied prospectively.

NORTHEAST: 2b A)-C) - NEFTC is not a party in the 305, 561 and 954 cases, so it has no position.

2b D) - The Commission should allow a reasonable time for the implementation of any number conservation measures, and they should only be applied prospectively.

AT&T: Number pooling should be implemented pursuant to the implementation schedule and requirements contained within the Revised Plan (as amended) for number pooling submitted on April 13, 2000, in Docket No. 981444-TP. The non-protested provisions of the FPSC Order No. PSC-00-0543-PAA-TP should continue to be implemented now. The remaining number conservation measures should be worked on through the process previously agreed to for Docket No. 981444-TP.

MCI WORLDCOM: Number pooling should be implemented pursuant to the implementation schedule and requirements contained within the Revised Plan (as amended) for number pooling submitted on April 13, 2000, in Docket No. 981444-TP. The non-protested provisions of the FPSC Order No. PSC-00-0543-PAA-TP should continue to be implemented now. The remaining number conservation measures should be worked on through the process previously agreed to for Docket No. 981444-TP.

BELLSOUTH: BellSouth supports the proposal recently submitted by the Florida Code Holders for number pooling in the 954, 561 and 904 area codes. In addition, BellSouth supports the number conservation measures (except for the number pooling measures) adopted by the Commission pursuant to its March 16 PAA in docket 981444-TP. BellSouth believes that rate center consolidation (RCC) may prove to be an effective number conservation measure in appropriate circumstances and would voluntarily agree to implement it in such circumstances provided it can be accomplished in a revenue and cost neutral manner. BellSouth believes that RCC would effect a change in its rates and the Commission therefore lacks the authority to order it. BellSouth believes that the Commission should consider the recommendations of the task force set up by the Commission staff to examine number conservation measures before adopting any additional measures.

OMNIPPOINT: 2b A) 305/786: Subject to consideration of all evidence presented at the final hearing,

Omnipoint's current position is that the time frame for implementation of rate center consolidation remains at issue and subject to a recommendation by the industry rate center consolidation working group established in Docket No. 981444-TP.

2b B) 561: Subject to consideration of all evidence presented at the final hearing, Omnipoint's current position is that the time frame for implementation of rate center consolidation remains at issue and subject to a recommendation by the industry rate center consolidation working group established in Docket No. 981444-TP.

2b C) 954: Subject to consideration of all evidence presented at the final hearing, Omnipoint's current position is that the time frame for implementation of rate center consolidation remains at issue and subject to a recommendation by the industry rate center consolidation working group established in Docket No. 981444-TP.

2b D) 904: No position.

STAFF: It depends on the type of conservation measure(s) approved, but as soon as possible. (FULWOOD)

ISSUE 3: What should be the dialing pattern for local, toll, EAS, and ECS calls for the following area codes:

- A) 305/786
- B) 561
- C) 954
- D) 904

POSITIONS:

NANPA: Takes no position on the issue.

SPRINT: If the industry recommendation (Alternative 1) is adopted, 10 digit dialing would be required for local, EAS and ECS calls and 1 plus 10 digit dialing would be required for toll calls. For geographic splits, dialing patterns should be

unaffected except for interNPA calls which should be dialed on a 10- or 11- digit basis as appropriate.

DELTONA:

It is the City's position that there should be extended community calling throughout Volusia County, even across the Orlando LATA-line which is at the northernmost region of the City of Deltona. Presently, Deltona is split on an area code line. The City believes that because of the large number of residents that work inside of the Daytona LATA, and live inside the Orlando LATA, all of which is inside of one City -- the City of Deltona, that measures need to be taken so that people may call across this lata line or call anywhere within Volusia County geographical limits, at either a flat .25 cent rate or at a local rate. It is, also, the City's belief that the local calling that southeast Volusia County presently has, crossing the County line into Sanford and Lake Mary, needs to be continued, and that southeastern Deltona, which presently has Sanford exchange phone numbers, should continue their local calling area which allows local calls to Orlando. We would like to see their local calling area expanded to include northern Deltona which is in the 904 area code and still within the Orlando LATA. These areas border each other, and, in some instances, are across the street from each other in the City of Deltona. The City does not feel that it is correct that one area in the city must pay long distance phone charges to call across the street. It is the position of the City of Deltona that all of Volusia County should be united into a single area code to make it simpler for calling patterns, and to make it simpler for people to recognize an area code number for Volusia County.

VOLUSIA:

Local - 7 digit; Toll - 11 digit; EAS - 7 digit; ECS - 7 digit.

ALLTEL:

3 A)-C) - ALLTEL is not a party in the 305, 561 and 954 cases, so it has no position.

3 D) - If the industry recommendation (Alternative 1) is adopted, 10 digit dialing would be required for local, EAS and ECS calls and 1 plus 10 digit dialing would be required for toll calls.

NORTHEAST: 3 A)-C) - NEFTC is not a party in the 305, 561 and 954 cases, so it has no position.

3 D) - If the industry recommendation is adopted, 10 digit dialing would be required for local, EAS and ECS calls, and 1 plus 10 digit dialing would be required for toll calls.

AT&T: For each relief plan utilizing an overlay, 10 digit dialing should be required for all landline local calls, EAS calls, and ECS calls, with 1+ 10 digit dialing being required for all landline toll calls. These actions would be consistent with prior Commission decisions and the FCC's requirements.

MCI WORLDCOM: Dialing patterns for local, toll, EAS, and ECS calls generally should be the same today as they are after relief is implemented, with two exceptions. In the case of an overlay, all calls must be placed using the area code, even if the area codes of the originating and terminating calls are the same. In the case of a geographic split, the area code must also be dialed when calls are placed across NPA boundaries.

BELLSOUTH: Under the consensus relief plans, all local calls would require 10 digit dialing. Competitive ECS and toll calling would require 1+10 digit dialing.

OMNIPPOINT: 3 A) 305/786: Omnipoint supports 10-digit dialing for local/EAS/ECS calls consistent with implementation of an overlay.

3 B) 561: Omnipoint supports 10-digit dialing for local/EAS/ECS calls consistent with implementation of an overlay.

3 C) 954: Omnipoint supports 10-digit dialing for local/EAS/ECS calls consistent with implementation of an overlay.

3 D) 904: No position.

STAFF: Staff takes no position at this time.

ISSUE 4: What is the appropriate relief plan implementation schedule for the following area codes:

- A) 305/786
- B) 561
- C) 954
- D) 904

POSITIONS:

NANPA: Takes no position on the issue.

SPRINT: The Commission should establish an implementation schedule consistent with the overlay ordered in Docket No.980671-TL (407 NPA) or the geographic split ordered in Docket No. 990223-TL. In no event should area code relief occur after the last NXX code in the existing area code is assigned.

DELTONA: The City of Deltona would favor an implementation schedule where any and all changes within the areas of 407, 904, and the rest of Volusia County are implemented all at the same time.

VOLUSIA: No position.

ALLTEL: 4 A) -C) - ALLTEL is not a party in the 305, 561 and 954 cases, so it has no position.

4 D) - Once the FPSC approves the recommended relief plan, NANPA can assign the new NPA within 14 days. The transitional dialing period, which permits customers to dial service on ten digits, should begin 90 days after the NPA is assigned and should continue for 180 days.

NORTHEAST: 4 A)-C) - NEFTC is not a party in the 305, 561 and 954 cases, so it has no position.

4 D) - Once the FPSC approves the recommended relief plan, NANPA can assign the new NPA within 14 days. The transitional dialing period, which permits customers to dial service on ten digits, should begin 90 days after the NPA is assigned and should continue for 180 days.

AT&T: Each relief plan should be implemented as stated in the industry recommendation, but in no event later than the anticipated exhaust date for each NPA. If the Revised Plan for number pooling is adopted, number pooling in the 561, 954, and 904 NPAs combined with the recall of unused and reserved codes may serve to extend the current projected exhaust dates for these three NPAs. In such a situation, the start of the area code relief implementation schedule for these three NPAs may be postponed if there is a credible, reasonable basis to extend such that the new schedule would use the same implementation schedule beginning only at a later date.

MCI WORLDCOM: Each relief plan should be implemented as stated in the industry recommendation, including a staggered implementation of three months between each NPA relief plan. These implementation schedules should be prioritized by exhaust dates, but in no event should the implementation schedule be set in a manner where the NPA would be exhausted before the relief plan is fully implemented.

BELLSOUTH: Due to the number of area code reliefs being considered in the consolidated hearing and the uncertainty of the potential impact of any number conservation measure implemented in the various area codes, BellSouth recommends that the FPSC coordinate with the Industry and NANPA when establishing the permissive and mandatory dialing periods. There are limitations on how many NPAs can be converted at once. BellSouth believes it may be beneficial to establish an implementation meeting in the future to set the specific

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permissive and mandatory dialing periods once the imminent exhaust is determined.

OMNIPOINT: No position.

STAFF: Takes no position at this time.

IX. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Thomas C. Foley	NANPA	TCF-1	Petition of the North American Numbering Plan administrator on Behalf of the Florida Telecommunications Industry for Approval of Relief Plan for the 305/786 Area Codes
Thomas C. Foley	NANPA	TCF-2	Petition of the North American Numbering Plan administrator on Behalf of the Florida Telecommunications Industry for Approval of Relief Plan for the 561 and 954 Area Codes

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<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Thomas C. Foley	NANPA	TCF-3	Petition of the North American Numbering Plan administrator on Behalf of the Florida Telecommunications Industry for Approval of Relief Plan for the 904 Area Code
Wayne Gardner	Deltona	(not numbered; to be filed prior to hearing)	Local Telephone Director; Resolution of City Commission.
Robert M. Weiss	Volusia	(not numbered; to be filed prior to hearing)	Map of Southeast Volusia boundaries.
John E. Evans	Volusia	(not numbered; to be filed prior to hearing)	County Resolution No. 2000-63.
Harriet Eudy	ALLTEL	HEE-1	Composite Exhibit attached to Direct Testimony.
Gregory J. Darnell	MCI Worldcom	GJD-1	Summary of academic and professional qualifications.

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<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
Stan L. Greer	BellSouth	SLG-1	A table to illustrate changes in dialing patterns on BellSouth Local Routes under the various NPA relief alternatives.
Lennie Fulwood	Staff	LF-1	Standard assumptions used in the calculation of Exhaust dates.
	Staff	LF-2	Composite Exhibit of Area Code Relief Plan Alternatives for the 305/786 Area Code.
	Staff	LF-3	Composite Exhibit of Area Code Relief Plan Alternatives for the 561 Area Code.
	Staff	LF-4	Composite Exhibit of Area Code Relief Plan Alternatives for the 954 Area Code.

<u>Witness</u>	<u>Proffered By</u>	<u>I.D. No.</u>	<u>Description</u>
	Staff	LF-5	Composite Exhibit of Area Code Relief Plan Alternatives for the 904 Area Code.

Parties and staff reserve the right to identify additional exhibits for the purpose of cross-examination.

X. RULINGS

A. On April 21, 2000, Omnipoint filed a Motion for Extension of Time to File Prehearing Statement. Omnipoint seeks additional time to review Commission staff's testimony prior to filing its prehearing statement. Omnipoint filed its Prehearing Statement on April 27, 2000. No responses in opposition to the Motion were filed. The requested extension will not cause any undue burden or prejudice to any party in this proceeding. I, therefore, grant the Motion.

B. On April 26, 2000, Sprint filed a Motion to Accept Late-Filed Prehearing Statement. No responses in opposition to the motion were filed. This requested extension will not cause any undue burden or prejudice to any party in this proceeding. I, therefore, grant the Motion.

C. In addition, counsel for AT&T Communications of the Southern States, Inc., AT&T Wireless Services, Inc., and MCI WorldCom, Inc., and its operating subsidiaries, made a motion at the prehearing conference to have the pre-filed testimony and exhibits, deposition transcripts and exhibits, stipulated exhibits, and the official recognition list submitted in this proceeding moved into the record by stipulation of the parties, that cross-examination of all witness be waived, and that the witnesses be excused from attendance at the hearing. There was no opposition to the motion. The motion is, therefore, granted. The witnesses shall be excused from attendance at the hearing scheduled for May 18, 2000. The hearing will be convened on May 18, 2000, for the sole purpose of entering the proffered evidence into the record.

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D. Counsel for Sprint also raised a concern at the prehearing conference regarding the scope of the testimony of Deltona's witness Gardner. Certain information contained in his testimony addresses Deltona's preference for toll free calling from the county seat throughout the rest of the county. This issue does appear to exceed the scope of this proceeding. Therefore, we shall not consider this issue in this proceeding. I shall, however, direct Commission staff to work with the City of Deltona and the companies to determine whether there is a solution to this concern raised by witness Gardner.

It is therefore,

ORDERED by Commissioner Joe Garcia, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission. It is further

ORDERED that the Motion for Extension of Time to File Prehearing Statement filed by Omnipoint Communications MB Operations, LLC d/b/a Omnipoint Communications is granted. It is further

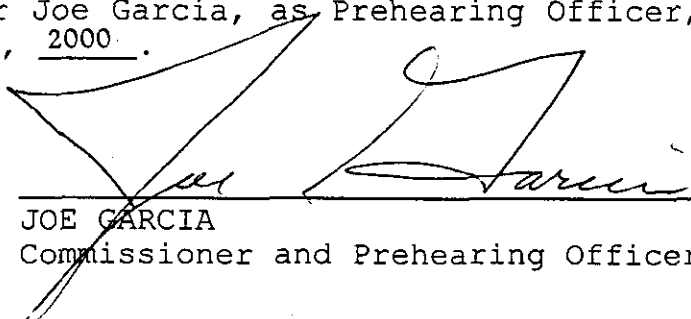
ORDERED that the Motion to Accept Late-Filed Prehearing Statement filed by Sprint-Florida, Inc. and Sprint Communications Company Limited Partnership, and Sprint PCS is granted. It is further

ORDERED that all pre-filed testimony and exhibits, the deposition transcripts and exhibits, stipulated exhibits, and the official recognition list for these Dockets shall be moved into the record at the hearing by stipulation of the parties, that cross-examination of all witness is waived, and that the witnesses are excused from attendance at the hearing. It is further

ORDERED that toll free calling in Volusia County shall not be addressed in this proceeding.

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By ORDER of Commissioner Joe Garcia, as Prehearing Officer,
this 17th day of May, 2000.



JOE GARCIA
Commissioner and Prehearing Officer

(S E A L)

BK

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.