

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by BellSouth Telecommunications, Inc. for order directing North American Numbering Plan Administration (NANPA) to duplicate certain Central Office Codes (NXX codes) in new 386 NPA in connection with 904/386 NPA split ordered by Florida Public Service Commission for northeast portion of Florida.

DOCKET NO. 010614-TL

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

DOCKET NO. 990517-TL
ORDER NO. PSC-01-1484-PCO-TL
ISSUED: July 16, 2001

The following Commissioners participated in the disposition of this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
LILA A. JABER
BRAULIO L. BAEZ
MICHAEL A. PALECKI

ORDER GRANTING BELLSOUTH'S PETITION
TO DUPLICATE NXX CODES FOR A LIMITED TIME

BY THE COMMISSION:

We are vested with jurisdiction over this matter pursuant to Sections 364.01 and 364.16(4), Florida Statutes, 47 U.S.C. §151, and 47 C.F.R. §52.15(g)(3)(iv).

By Order No. PSC-00-1937-PAA-TL, issued October 20, 2000, in Docket No. 990517-TL, we approved a geographic split relief plan for the 904 area code and established a permissive dialing plan between the new area code, 386, and the 904 area code, effective

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February 15, 2001. This dialing plan becomes mandatory November 5, 2001. Subsequent to our Order, the North American Numbering Plan Administration (NANPA) issued 386 as the new area code for relief of the 904 area code.

On January 21, 2001, BellSouth Telecommunications, Inc. (BellSouth) requested that NANPA duplicate 17 of its existing "oddball codes" in the 386 area code. The term "oddball codes" is not specifically defined by Federal Communications Commission (FCC) rules or Central Office Code (NXX) Guidelines. However, NANPA and many industry members use the term to refer to NXX codes that are considered throughout the industry as special use codes.

NANPA approved the duplication of 12 of BellSouth's codes on February 1, 2001. NANPA denied the other five codes because they were not industry recognized oddball codes; instead, they were used by BellSouth for internal customer needs. NANPA also denied the request because BellSouth did not submit the Part 1 NXX application form along with the required utilization and months-to-exhaust data per Section 3.2 of the Central Office Code Administrative Guidelines, which provides in part:

Central office codes (NXX) are a finite resource that should be used in the most effective and efficient manner possible. All applicants will be required to provide a completed Part 1 form and, for additional codes, quantitative support to demonstrate compliance with these guidelines.

Pursuant to 47 C.F.R. § 52.15(g)(3)(iv), carriers may dispute a NANPA decision to deny NXX access codes:

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.

Thus, on April 26, 2001, BellSouth filed a petition with this Commission requesting us to direct NANPA to duplicate the five

denied NXX codes in the 386 area code because these NXXs were already used in the 904 area code. Before the 904 area code split, BellSouth used some NXXs that were business specific. After the 904 split, BellSouth wanted to retain these codes to cover the same geographic area as before the split. BellSouth argues that oddball codes are simply central office codes or NXXs that are used for special purposes.

NANPA filed a response to BellSouth's petition On May 30, 2001, in which it identified the following universal oddball codes:

Oddball Code	Special Use
211	Community information and referral service
311	Non-emergency police and other governmental services
411	Local directory assistance
511	Travel information services
611	Repair service
711	Telecommunications Relay Service (TRS)
811	Business office
911	Emergency
555	Directory assistance
700	Intra-LATA preferred interexchange carriers (PIC)
950	Feature Group B access
958	Local plant test
959	Local plant test
976	Information delivery service

NANPA argued that oddball codes are used on a regional or national basis. Unlike ordinary NXX codes, oddball codes are not associated with specific rate centers since they can be national or regional in scope. For example, the 911 code is dedicated for emergency calling services available nationwide in every area code.

Yet, BellSouth claims that five of these codes, 780, 203, 204, 440, and 930, are "regional oddball codes" in Florida. 780 is the NXX code for BellSouth Official Service and is listed in all Florida directories. 203 is the NXX code for ZipCONNECT service

and Primary Rate ISDN (PRI). ZipCONNECT is a tariff offering that allows a subscriber with multiple locations to advertise one number for its service and route calls to different locations depending upon criteria such as the time of day or the calling party's location. PRI is a single number routing option tariff that is available to subscribers with extended reach service that enables the subscriber to publish a single telephone number for use within the entire BellSouth region. 204 is the NXX code for AIN Toolkit Service, which is a tariff offering that allows subscribers, who are typically Internet service providers or enhanced service providers, to access certain call information and call processing capabilities in order to create customized telephone services for their end users. Finally, 440 and 930 are NXX codes for the Uniform Access Number, which is a tariff that provides customers with a uniform Business Line Telephone Number for client access to the customers' service.

According to BellSouth, it needs these five oddball codes to provide and offer various telecommunications services to existing and future customers, to avoid customer confusion, and to comply with FCC regulations. While we understand BellSouth's position, we find that these five codes are not national in scope and they are not available to all carriers in the 386 area code.

We have reviewed the importance of oddball codes, how they are used by other carriers, and in what form. We examined not only BellSouth's telephone books, but also other incumbents' telephone books. We have determined that the 780 code is used in most areas by customers with disabilities, as well as by customers ordering wireless or paging services from BellSouth. BellSouth uses the 557 code for home and small business services for the cities of Flomaton and Century. BellSouth also lists an 800 telephone number for BellSouth Business purposes, and for customers who are calling from a cellular phone or outside BellSouth's territory. Other Incumbent Local Exchange Companies (ILECs) and Alternative Local Exchange Companies (ALECs) simply provide 800 telephone numbers to provide similar services as BellSouth does for its customers through the company internal codes.

We agree with NANPA that the five BellSouth codes for which NANPA denied duplication are not industry recognized oddball codes. They are company specific codes that should not be duplicated in

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the 386 area code. Moreover, duplication of these codes would tie up over 50,000 numbers. However, we find that BellSouth shall be given sufficient time to make the necessary changes to utilize numbering resources more efficiently. Therefore, the 203, 204, 440, 780, and 930 NXX codes within the 386 area code shall be duplicated until March 31, 2003, at which time the five codes will be disconnected. We find that this will give BellSouth time to complete all translation work, notice customers, and print new phone books. If BellSouth believes that this time period is not adequate, it shall petition us to extend this date for any of the NXXs.

Accordingly, we approve BellSouth's request to duplicate the five oddball codes within the 386 area code, but only until March 31, 2003, at which time the codes will be disconnected. BellSouth must come up with alternate means to serve customers needs before this deadline. If BellSouth finds it needs additional time to make the transition, it must seek relief so that we can sufficiently review and rule on its request prior to March 31, 2003.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that BellSouth Telecommunications, Inc.'s Petition for an Order Directing the NANPA to Duplicate Certain NXX Codes is hereby granted on a temporary basis. It is further

ORDERED that the duplication of the 203, 204, 440, 780, and 930 NXX codes within the 386 area code shall be approved until March 31, 2003, at which time these codes will be disconnected. It is further

ORDERED that these dockets shall be closed.

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By ORDER of the Florida Public Service Commission this 16th
day of July, 2001.

A handwritten signature in cursive script, reading "Blanca S. Bayó", is written over a horizontal line.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
and Administrative Services

(S E A L)

MAH

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,

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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 the Commission Clerk and Administrative Services, 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.