

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Number Utilization Study:
Investigation into Number
Conservation Measures.

DOCKET NO. 981444-TP
ORDER NO. PSC-01-2367-PAA-TP
ISSUED: December 7, 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 APPROVING IMPLEMENTATION OF 941 NUMBER POOLING TRIAL

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

On September 15, 1999, the Federal Communications Commission (FCC) issued FCC Order No. 99-249 granting our Petition for Delegation of Additional Authority to Implement Number Conservation Measures.¹ In its Order, the FCC granted us interim authority to, among other things, institute thousand-block number pooling. Since receiving interim authority in this original delegation order, we have implemented six number pooling trials.

On March 31, 2000, the FCC issued its Number Resource Optimization (NRO) First Report and Order setting three criteria necessary to initiate a number pooling trial. The FCC directed

¹ In the matter of Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures, CC Docket No. 96-98, FCC Order No. 99-249, NSF File No. L-99-23 (Released September 15, 1999)

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state commissions seeking thousands-block number pooling authority to demonstrate that: (1) an NPA in its state is in jeopardy; (2) the NPA in question has a remaining life span of at least a year; and (3) that the NPA is in one of the largest 100 MSAs, or alternatively, the majority of wireline carriers in the NPA are LNP-capable.² The FCC recognized, however, that there may be "special circumstances" in which pooling would be beneficial in NPAs that do not meet all of the above criteria, and stated that it may authorize pooling in such an NPA upon a satisfactory showing by the state commission of such special circumstances.³

Although the 941 NPA has a remaining life span of at least one year, and the majority of wireline carriers are LNP capable, the 941 NPA is presently not in a jeopardy situation. Because of the high population growth in this NPA area, we believed that "special circumstances" existed, and a number pooling trial was essential to conserve numbering resources in this area.

On May 8, 2001, we filed an expedited petition with the FCC requesting authority to implement a number pooling trial in the 941 NPA. By FCC Order DA 01-2479, released October 24, 2001,⁴ the FCC granted the PSC authority to implement a number pooling trial in the 941 NPA, provided it is initiated prior to the commencement of national pooling, which is currently scheduled for March 2002.

We find that a number pooling trial shall be implemented by all local number portability capable wireline carriers in the 941 area code to promote efficient use of telephone numbers and prolong

² First Report and Order, CC Docket No. 99-200, In the Matter of Numbering Resource Optimization, FCC Order No. 00-104, (Released March 31, 2000) at Paragraph 170. 15 FCC 7574 Rcd at 7652

³ Id. at 7652

⁴ Order, CC Docket No. 99-200; Docket No. 96-98; NSD-L-01-0109; NSD-L-01-74; NSD-L-01-87; In the matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Florida Public Service Commission Petition for Expedited Decision Authority to Implement Thousand-Block Number Pooling in the 941 NPA, CC Docket No. 96-98; Iowa Utilities Board Petition for Delegation of Additional Authority; Petition of the Public Service Commission of South Carolina for Delegation of Authority Pertaining to NXX Code Conservation Measures, FCC DA 01-2479 (Released Oct 24, 2001)

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the life of the area code. We also find that the 941 number pooling trial shall be implemented by Monday, February 11, 2002. The first implementation meeting, forecast report date, block protection date, block donation identification date, pooling administrator's assessment of industry inventory surplus/deficiency, block donation date, pool start/allocation date, shall all occur prior to the mandated implementation date of February 11, 2002.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that a number pooling trial shall be implemented by all local number portability capable wireline carriers in the 941 area code to promote efficient use of telephone numbers and prolong the life of the area code. It is further

ORDERED that the 941 number pooling trial shall be implemented by Monday, February 11, 2002. It is further

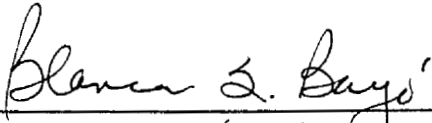
ORDERED that the first implementation meeting, forecast report date, block protection date, block donation identification date, pooling administrator's assessment of industry inventory surplus/deficiency, block donation date, pool start/allocation date, shall all occur prior to the mandated implementation date of February 11, 2002. It is further

ORDERED that any person whose substantial interests are affected by the proposed agency action may file a protest within 21 days of the issuance of this Order. If no timely protest is filed, the Order shall become final upon the issuance of a Consummating Order. If a protest is filed by a person whose substantial interests are affected, if possible, a (any) proceeding shall be conducted pursuant to Section 120.57(2), Florida Statutes, or by other appropriate expedited process. It is further

ORDERED that this docket shall remain open.

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By ORDER of the Florida Public Service Commission this 7th
day of December, 2001.



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

(S E A L)

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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 that is available under Section 120.57, 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 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.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on December 28, 2001.

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In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.