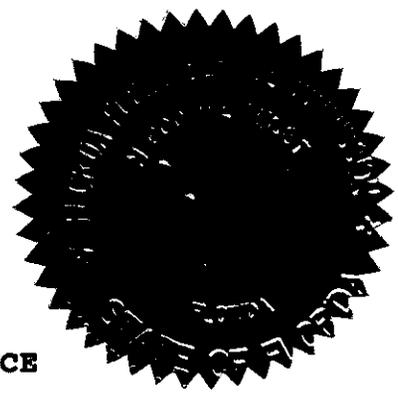


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of	:	DOCKET NO. 980671-TL
	:	
Request for review of	:	
proposed numbering	:	
plan relief for the	:	
407 area code.	:	



PROCEEDINGS: PREHEARING CONFERENCE

BEFORE: COMMISSIONER E. LEON JACOBS, JR.
Prehearing Officer

DATE: Wednesday, July 22, 1998

TIME: Commenced at 9:35 a.m.
Concluded at 9:55 a.m.

PLACE: Betty Easley Conference Center
Room 152
4075 Esplanade Way
Tallahassee, Florida

REPORTED BY: JOY KELLY, CSR, RPR
Chief, Bureau of Reporting

DOCUMENT NUMBER - DATE
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1 **APPEARANCES:**

2 **MARSHA E. RULE**, 101 North Monroe, Suite 700,
3 Tallahassee, Florida 32301-1509, appearing on behalf
4 of **AT&T Communications of the Southern States, Inc.**
5 **(AT&T)**.

6 **E. GARY EARLY**, Akerman, Senterfitt & Eidson,
7 P.A., 216 South Monroe Street, Suite 200, Tallahassee,
8 Florida, appearing on behalf of **BellSouth Mobility,**
9 **Inc.**

10 **MARY K. KEYER**, 675 West Peachtree Street,
11 Suite 4300, Atlanta, Georgia 30375, appearing on
12 behalf of **BellSouth Telecommunications, Inc.**

13 **RICHARD D. MELSON**, Hopping Green Sams and
14 Smith, P.A., Post Office Box 6526, 123 South Calhoun
15 Street, Tallahassee, Florida 32314, appearing on
16 behalf of **MCI Telecommunications Corporation and**
17 **MCImetro Access Transmission Services, Inc. (MCI)**

18 **CHARLES REHWINKLE**, Post Office Box 2214
19 (MCFLTLH00107), Tallahassee, Florida 32316-2214,
20 appearing on behalf of **Sprint-Florida, Inc. (Sprint)**

21 **J. JEFFREY WAHLEN**, Ausley & McMullen, Post
22 Office Box 391, Tallahassee, Florida 32302, appearing
23 on behalf of **Vista-United Telecommunications (Vista)**.

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1 **APPEARANCES CONTINUED:**

2 **WILLIAM P. COX, and HANS OTTINOT, Florida**
3 **Public Service Commission, Division of Legal**
4 **Services, 2540 Shumard Oak Boulevard, Tallahassee,**
5 **Florida 32399-0870, appearing on behalf of the**
6 **Commission Staff.**

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P R O C E E D I N G S

(Hearing convened at 9:35 a.m.)

COMMISSIONER JACOBS: Ready to go? Counsel read the notice.

MR. COX: Pursuant to notice filed June 18th, 1998, this time and place have been set for a prehearing conference in Docket No. 980671-TL request for review of 407 area code.

COMMISSIONER JACOBS: Take appearances. Counsel.

MS. KEYER: Mary Keyer, BellSouth.

MS. RULE: Marsha Rule, representing AT&T.

MR. WAHLEN: Jeff Wahlen, Ausley & McMullen, P. O. Box 391, Tallahassee, Florida, Vista-United Telecommunications.

MR. REHWINKEL: Charles Rehwinkel, appearing on behalf of Sprint-Florida, Incorporated.

MR. MELSON: Richard Melson for MCI, and I'd like to make an appearance for Dulaney O'Roark, who will actually be handling the matter at the final hearing.

MR. EARLY: Gary Early, representing BellSouth Mobility, Inc.

MR. COX: Will Cox and Hans Ottinot for Commission Staff.

1 **COMMISSIONER JACOBS:** Very good. We'll just
2 proceed through the Prehearing Order in sequence. Are
3 there a couple preliminary matters?

4 **MR. COX:** Yes, there are several preliminary
5 matters this morning. One, just for clarification
6 sake, to start off with is Mr. Wayne Milby, who is
7 representing the North American Numbering Plan
8 Administration in this proceeding, is not present
9 today. His attorney -- does not have one, so there's
10 no attorney present for Mr. Milby today. He will be
11 appearing at the hearings. He will be offering his
12 testimony. And we're hoping before then to maybe get
13 the stipulation of the parties to agree that his
14 testimony be inserted into the record. And he will be
15 available for cross examination at the hearing. And
16 that's noted on Page 5 of the Prehearing Order in the
17 footnote.

18 There are two motions --

19 **COMMISSIONER JACOBS:** Anybody have any
20 concerns about that? Okay.

21 **MR. COX:** There were two motions filed in
22 this proceeding we need to deal with today. They are
23 both motions to accept late-filed prehearing
24 statements. One was filed by Sprint and one was filed
25 by BellSouth Mobility.

1 Staff has no objections, and we don't
2 believe this inadvertent late filing prejudices anyone
3 in this proceeding, but we're willing to hear any
4 objections from the parties.

5 **COMMISSIONER JACOBS:** Are there any
6 objections to the motions? I'll just hear both of
7 them. If there are objections, I'll go and grant them
8 both. I'm particularly impressed for Mr. Rehwinkel to
9 come back off vacation to file a motion. (Laughter)

10 **MR. COX:** We have one last item of
11 clarification, and that was just so we have some
12 uniformity on how particular terminology is used
13 throughout this proceeding, and the rest of the way
14 out through the hearing, it's the terminology "one
15 plus ten digit dialing." And Staff would ask, just
16 for uniformity sake, that we cite that as "1 plus
17 space 10 dash digit." And if there are no objections,
18 we'd clarify that throughout the Prehearing Order and
19 the party's positions.

20 **COMMISSIONER JACOBS:** Is there some
21 relevance to how it is stated?

22 **MR. COX:** I'm not sure there is. We just
23 thought that it would be better to be more consistent
24 and more readable.

25 **COMMISSIONER JACOBS:** I agree.

1 **MR. WAHLEN:** You're talking about spelling
2 out the word "plus."

3 **MR. COX:** No, no, no. "1+", which is the
4 plus symbol, and then "space 10-digit." I'm not sure
5 there is a right or wrong way, but we thought that
6 made the most sense and it would be readable, to be
7 consistent throughout.

8 **MR. WAHLEN:** You just tell us how you want
9 us to do it.

10 **MR. COX:** Okay. We'll do it that way, from
11 Staff's perspective, if that's fine with everyone.

12 **MR. EARLY:** So there will be a hyphen in
13 between 10 and the digit.

14 **MR. COX:** Yes.

15 **COMMISSIONER JACOBS:** The reason I asked was
16 it may have been the documents from Bellcore, they
17 make the distinction between 1-plus and 1-minus
18 dialing and that sort of thing, so I thought for that
19 reason it would be -- that would add some relevance to
20 make a distinction between how we denote it. But
21 we've solved that problem all right. Okay. Are there
22 any other preliminary matters?

23 **MR. COX:** I don't believe Staff has any
24 more. I know that AT&T has a request to make and I'm
25 not sure if any of the other parties have any other

1 matters to address, but Staff has no more.

2 **COMMISSIONER JACOBS:** All right. If there
3 are no others, we'll just move through the Prehearing
4 Order.

5 Let's look first at the order of witnesses,
6 ask if there's anything preceding it.

7 **MR. WAHLEN:** Order of witnesses I would
8 request that Robert Merrick of Vista be moved last to
9 the end of the list. For all kinds of reasons, Vista
10 is last alphabetically and his testimony is thinner
11 than everyone else's.

12 **COMMISSIONER JACOBS:** If there are no
13 concerns, I don't have a problem.

14 **MR. COX:** Staff that no objection.

15 **COMMISSIONER JACOBS:** There's no one who
16 will have any need to testify at a time certain who
17 will need to get out of town early, so we don't have
18 any problem with that. Okay. Great.

19 Basic positions. I haven't received any
20 amendments but we can go through and make any
21 amendments that anyone would like.

22 Hearing none, we'll move on. Issues and
23 positions. We just go issue-by-issue and see if
24 anyone has any amendments?

25 **MR. COX:** That will be fine.

1 **COMMISSIONER JACOBS:** Let's do Issue 1?

2 **MS. RULE:** AT&T has a typographical change
3 that it will provide to Staff.

4 **MR. EARLY:** Commissioner Jacobs, I did have
5 a question with regard to the basic position on BMI.
6 It indicates -- on the last line it speaks to the area
7 code 305 in South Florida. Shouldn't that be area
8 code 407?

9 **MR. COX:** I think it was copied just the way
10 it was received.

11 **MR. EARLY:** Then it should be then. So that
12 should be area code 407 in Central Florida.

13 **MR. COX:** Which position?

14 **MR. EARLY:** BMI, the second one.

15 **COMMISSIONER JACOBS:** I suspect that they
16 made that mistake probably because they intervened
17 down there and just -- I would hate to think that but
18 I'm afraid that's probably true.

19 **MR. EARLY:** That may be.

20 **COMMISSIONER JACOBS:** We'll bring that to
21 the attention --

22 **MR. EARLY:** Sure.

23 **COMMISSIONER JACOBS:** Okay. Issue 1 again.
24 We'll note the typographical revision for AT&T. Okay,
25 we're all okay with the wording of the issue. Okay.

1 Issue 2. One of the questions -- and I only
2 have one area code before this, but I know one of the
3 questions that came up in the customer hearings was
4 the particular EAS and ECS dialing, dialing
5 configurations, and whether or not -- what would
6 happen in each individual split. What would be the
7 configurations therein?

8 Does this issue anticipate looking at
9 whatever option, or is it just overlay? It looks like
10 it's only looking at the overlay to determine what
11 would be the dialing configurations if that were
12 accepted.

13 **MR. COX:** Our understanding is it would look
14 at whatever alternative was on the table.

15 We have -- at a workshop we've already had
16 in the proceeding we did look at some of the EAS and
17 ECS routes, and we did consider some of the
18 alternative geographic split plans. So I think it's
19 fairly on the table.

20 **COMMISSIONER JACOBS:** Okay.

21 **MR. COX:** It's up to the parties and
22 witnesses to present, I guess, you know, address those
23 types of issue.

24 **COMMISSIONER JACOBS:** Customers concerns
25 regarding what can be developed within this issue.

1 **MR. COX:** That's correct.

2 **COMMISSIONER JACOBS:** Okay. That's my only
3 concern. Okay. Any other concerns on Issue 2?

4 **MR. WAHLEN:** I don't know if this is a
5 concern, but in Vista's position we've used the term
6 "10-digit dialing." Are you all going to go through
7 and seek and destroy all of that and change it to 1+
8 10-digit dialing"?

9 **MR. COX:** I don't think so. I think we just
10 want the uniform one, actually said 1+ 10-digit.
11 Because I think in Sprint's it does the same thing.
12 In Sprint's it says a 10-digit dialing pattern and it
13 says 1+ 10. We're just going to get the spaces
14 uniform through the document.

15 **COMMISSIONER JACOBS:** Okay. That takes care
16 of the issues.

17 **MS. RULE:** I'm confused, and maybe I just
18 misunderstood your comment. But 10-digit dialing is
19 not the same as 1+ 10. I don't think you can
20 substitute 1+ 10 wherever it says "10."

21 **MR. WAHLEN:** He just said they weren't going
22 to do that, so that's all right.

23 **MS. RULE:** Okay. But I was wondering if
24 maybe your position was interchangeable? I'm happy
25 with my position so I don't need to change it. I just

1 want to make sure I understand everybody else's.

2 MR. WAHLEN: We can say 1+ 10-digit dialing
3 in Vista's position and that's fine with me.

4 MR. COX: I think what she's saying is that
5 for a local call it's going to be 10-digit dialing,
6 and then for toll calls it'll be 1-plus 10-digit
7 dialing. She just wanted to make that clear that we
8 could not change the 10-digit dialing because it's
9 talking about the local dialing pattern.

10 MS. RULE: I wanted to make sure I
11 understood the positions.

12 MR. WAHLEN: Vista's can stay the way it is
13 then.

14 COMMISSIONER JACOBS: Okay. All right. No
15 other revisions?

16 MR. COX: We have the request from AT&T she
17 wanted to make with you; AT&T's attorney, Marsha Rule.

18 MS. RULE: I was going to wait until the
19 end, but now, in any event, the request was because we
20 don't have a witness in this proceeding, we'd like
21 AT&T to be excused from attending the hearing but we
22 would like the opportunity to file a brief afterwards.

23 COMMISSIONER JACOBS: Okay.

24 MR. COX: We have no objections, I believe
25 Mr. Ottinot has informed me we had a similar request

1 in the 813 proceeding and we did allow that.

2 **COMMISSIONER JACOBS:** I do recall that. No
3 objection from the parties, I think that's fine.

4 **MR. MELSON:** Commissioner Jacobs, Rick
5 Melson for MCI.

6 There's a customer hearing scheduled, I
7 believe, on Thursday and Friday. Do you expect that
8 all of the -- will all of the parties be expected to
9 attend the customer hearing or are we expected to
10 attend only the technical hearing on Friday? Do you
11 have a preference?

12 **COMMISSIONER JACOBS:** No. In the 813 the
13 only representative at the customer hearing was the --
14 I'm sorry --

15 **MR. COX:** GTE.

16 **COMMISSIONER JACOBS:** GTE -- I'm trying to
17 think of their formal name, they did not have a role
18 in numbering.

19 **MR. COX:** Right. As the numbering
20 administrator.

21 **COMMISSIONER JACOBS:** The only part was the
22 numbering administrator and I don't think -- you were
23 there? You were there. Please forgive me. But at
24 the technical hearing, we, of course, had other
25 parties. I think we can proceed in that same manner

1 here.

2 MR. COX: It was a similar situation in 904
3 area code where BellSouth, as the numbering
4 administrator, was there and we didn't require the
5 parties to be there.

6 MR. MELSON: If we could, if it need be, be
7 officially excused from the customer hearing we'd
8 appreciate that, because that accommodates some other
9 commitments that the attorneys have.

10 COMMISSIONER JACOBS: Okay. I think that's
11 fine.

12 MR. MELSON: Thank you.

13 COMMISSIONER JACOBS: Let the record reflect
14 that.

15 MR. EARLY: Is that for the customer hearing
16 and the technical hearing?

17 COMMISSIONER CLARK: No, I think he was only
18 speaking to the customer hearing.

19 MR. EARLY: Are all parties required to be
20 at the technical hearing?

21 MR. COX: AT&T is requesting to be excused.
22 You could request to be excused.

23 COMMISSIONER JACOBS: I think if you enter,
24 you ought to request to be excused just for the
25 record.

1 **MR. EARLY:** Then on behalf of BellSouth
2 Mobility, Inc. we are in AT&T's situation as well. We
3 don't have a witness or exhibits and we would ask to
4 be excused as well.

5 **COMMISSIONER JACOBS:** Okay. I will grant
6 that.

7 **MR. COX:** Just for clarification, we wanted
8 to make it known that we do expect BellSouth and
9 Lockheed Martin, who are acting sort of in a dual role
10 as the numbering administration in this transition
11 stage, be at the public hearings, as well as the
12 technical hearing.

13 **MR. WAHLEN:** For whatever it's worth,
14 Commissioner Jacobs, Vista intends to attend the
15 public hearings. In some cases customers come to
16 those things with concerns other than the area code,
17 and we want to be there in case any of those concerns
18 are raised. We don't intend to make a presentation,
19 but we do intend to be available in case there are any
20 questions that come up that customers need taken care
21 of off line.

22 **MR. REHWINKEL:** Same for Sprint.

23 **COMMISSIONER JACOBS:** Okay. I experienced
24 that at the 813 hearing as well.

25 **MR. COX:** Staff would greatly appreciate it

1 if the LECs could be there at the --

2 **COMMISSIONER JACOBS:** Very well.

3 **MR. MELSON:** Commissioner Jacobs, one
4 additional question. Will you be expecting opening
5 statements at the technical hearing?

6 **COMMISSIONER JACOBS:** At the 813 hearing the
7 company -- it was a customer hearing, I think at the
8 technical hearing as well. They got up and did a
9 presentation on their proposal, the LEC -- the
10 numbering administrator. That in my opinion would be
11 fine. And so if any other party would like to choose
12 to put on a presentation regarding an opening
13 statement regarding their positions, because the
14 numbering administrator would do it -- I don't see
15 that would be a problem as well; I think it would be
16 equal time kind of a situation. By the same token, if
17 you choose not to, that certainly will help.

18 **MR. MELSON:** Thank you.

19 **MR. COX:** I think it would be good just to
20 be clear if we formalize that. Normally we formalize
21 it in the Prehearing Order whether there are opening
22 statements or not.

23 **MR. WAHLEN:** Can I make a suggestion? I was
24 going to suggest that the technical hearing is going
25 to take place right on the heels of the public

1 hearing. If you anticipate that the numbering plan
2 administrator is going to make a presentation during
3 the public hearing, it seems to me to be a little bit
4 redundant to repeat that at the beginning of the
5 technical hearing.

6 My recommendation, unless someone is burning
7 to do it, would be to let that suffice and not have an
8 opening statement from the parties at the technical
9 hearing. Just let each of the witnesses summarize
10 their testimony in the traditional fashion and let the
11 hearing proceed along those lines. I think that will
12 give the customers who are in attendance a flavor of
13 what the parties are going to do.

14 **COMMISSIONER JACOBS:** The concern I have,
15 and I don't have it in front of me, is the customer
16 hearing going to be with all of the commissioners,
17 full panel?

18 **MR. COX:** Yes.

19 **COMMISSIONER JACOBS:** I think we'll would be
20 okay. In the 813 we didn't. We had a smaller hearing
21 for the customer hearing, and a full panel for the
22 hearing, so it was useful. That being the case with
23 the 407, I can see that. And if the parties who are
24 not going to be at the customer hearing are okay with
25 that, then that's fine with me. Because that means

1 you would have the benefit of that presentation.

2 **MR. COX:** Just for clarification, do you
3 expect Mr. Milby not to deliver a summary at the
4 technical hearing?

5 **COMMISSIONER JACOBS:** The recommendation as
6 I understand it, if any party would like to do a
7 presentation, they do it at the customer hearing and
8 not at the technical hearing. Is that correct?

9 **MR. WAHLEN:** I think maybe we ought to do a
10 summary of his testimony at the technical hearing.

11 **MR. COX:** Just the normal process.

12 **MR. WAHLEN:** The regular drill.

13 **COMMISSIONER JACOBS:** Okay. So the
14 procedure we'll follow is that any party wishing to do
15 an opening presentation would do so at the customer
16 hearing.

17 Okay. Next on the list is exhibits. Any
18 questions there? Will we have copies or something
19 that demonstrates all of the particular alternatives?
20 Some large demonstration of that?

21 **MR. COX:** As of the present time all of the
22 alternatives we have are contained in the original
23 petition that Lockheed Martin filed in this proceeding
24 to start this whole thing off, and includes the
25 alternatives that the industry considered at their

1 industry meetings before they proposed the overlay in
2 that petition. So there are geographic split
3 alternatives that have have been proposed that we know
4 of.

5 Staff conducted a workshop to see if there
6 were any other plans on the table, and we didn't get
7 any feedback on any specific plans that someone
8 planned on offering. Of course, you never know what
9 the customers are going to suggest.

10 COMMISSIONER JACOBS: The reason I bring it
11 up is that we had a lot of confusion at the customer
12 hearing for the 813. And with the absence of some
13 kind of graphic representation of what the proposals
14 were, it complicated, I thought -- it complicated
15 the --

16 MR. COX: At the 904 proceeding we passed
17 out something at the customer hearing, put all the
18 plans on the table. A document that Consumer Affairs
19 even prepared for the customers. And we'll make sure
20 we have something like that so that all of the plans
21 are before the customers that attend the public
22 hearings.

23 COMMISSIONER JACOBS: Okay. Very good.
24 Very good. Okay. If there are no other questions
25 about the exhibit list, any stipulations?

1 MR. COX: Excuse me?

2 COMMISSIONER JACOBS: No stipulations at
3 this time?

4 MR. COX: Not at this time that I'm aware
5 of.

6 COMMISSIONER JACOBS: And we've dealt with
7 both of the motions to accept late-filed. They are
8 granted.

9 Any other matters?

10 MR. COX: Staff has no other matters.

11 COMMISSIONER JACOBS: That was fun.

12 Well, I guess we'll see whoever we see in
13 Orlando.

14 (Thereupon, the hearing concluded at
15 9:55 a.m.)

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1 STATE OF FLORIDA)
2 COUNTY OF LEON)

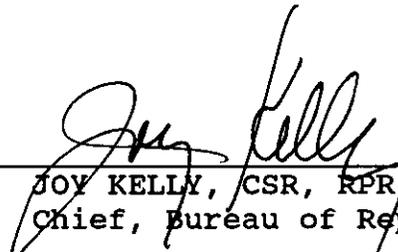
CERTIFICATE OF REPORTER

3 I, JOY KELLY, CSR, RPR, Chief, Bureau of
4 Reporting, Official Commission Reporter,

5 DO HEREBY CERTIFY that the Prehearing
6 Conference in Docket No. 980671-TL was heard by the
7 Prehearing Officer at the time and place herein
8 stated; it is further

9 CERTIFIED that I stenographically reported
10 the said proceedings; that the same has been
11 transcribed by me; and that this transcript,
12 consisting of 20 pages, constitutes a true
13 transcription of my notes of said proceedings.

14 DATED this 22nd day of July, 1998.

15 
16 JOY KELLY, CSR, RPR
17 Chief, Bureau of Reporting
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