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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: MELBOURNE SERVICE HEARING

BEFORE: CHAIRMAN JULIA L. JOHNSON  
COMMISSIONER J. TERRY DEASON  
COMMISSIONER SUSAN F. CLARK  
COMMISSIONER JOE GARCIA  
COMMISSIONER E. LEON JACOBS, JR.

DATE: Thursday, August 6, 1998

TIME: Commenced at 6:05 p.m.  
Concluded at 6:55 p.m.

PLACE: Brevard County Government Center  
Building C, Commission Room  
2725 Judge Fran Jamieson Way  
Melbourne, Florida 32940

BUREAU OF REPORTING

RECEIVED 8-20-98

## 1 APPEARANCES:

2           **D. WAYNE MILBY**, Senior NPA Relief Planner,  
3 Lockheed Martin IMS Communication Industry Services,  
4 1133-15th Street, N.W., Washington, D.C. 20005,  
5 appearing on behalf of **North American Numbering Plan**.

6           **MARY KEYER**, 675 West Peachtree Street, #4300,  
7 Atlanta, Georgia 30375, appearing on behalf of  
8 **BellSouth Telecommunications, Inc.**

9           **CHARLES REHWINKLE**, Post Office Box 2214  
10 (MCFLTLHOO107), Tallahassee, Florida 32316-2214,  
11 Appearing on behalf of **Sprint-Florida, Inc. (Sprint)**

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

15           **WILLIAM P. COX** and **HANS OTTINOT**, Florida Public  
16 Service Commission, Division of Legal Services, 2540  
17 Shumard Oak Boulevard, Tallahassee, Florida  
18 32399-0870, appearing on behalf of the **Commission**  
19 **Staff**.

20           **CHARLES BECK**, Tallahassee, Florida, **Office of**  
21 **Public Counsel**.

22           **ANN SHELFER**, Tallahassee, Florida, **Commission**  
23 **Staff**.

24           **RICK and SANDY MOSES**, Tallahassee, Florida,  
25 **Commission Staff**.

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I N D E X

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**P R O C E E D I N G S**

(Hearing convened at 6:05 p.m.)

**CHAIRMAN JOHNSON:** Ladies and gentlemen, if you could take your seats so we can begin our hearing. Counsel will please read the notice.

**MR. COX:** August 6, 1998, Notice of Commission Public Service Hearing, Docket Number 980671-TL, regarding request for review of proposed numbering plan relief for 407 area code.

**CHAIRMAN JOHNSON:** We'll take punitives, starting with public counsel.

**MR. BECK:** Thank you, Madam Chairman. My name is Charlie Beck with the Office of Public Counsel, Tallahassee, Florida, appearing to sponsor some of the witnesses tonight.

**MR. WAHLEN:** I'm Jeff Wahlen, Ausley & McMullen law firm, Tallahassee, appearing on behalf of Vista United Telecommunications.

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

**MS. KEYER:** Mary Keyer on behalf of BellSouth Telecommunications, Inc.

**MR. COX:** Will Cox and Hans Ottinot on behalf of the Commission staff.

**CHAIRMAN JOHNSON:** My name is Julia Johnson.

1 I'm the chairman of the Public Service Commission.  
2 I'll be presiding over the hearing this evening. To  
3 my far left is Commissioner Leon Jacobs, seated next  
4 to Commissioner Jacobs is Commissioner Susan Clark, to  
5 my right is Commissioner Terry Deason, and my far  
6 right, Commissioner Joe Garcia.

7 One preliminary announcement. The proceeding  
8 here tonight is being transmitted over the Internet  
9 for those that could not actually attend but wanted to  
10 participate via the Internet, so we did want to make  
11 sure that you understood that process.

12 Let me go ahead and introduce the other staff  
13 members that are here. Will Cox, of course, read the  
14 notice and introduced himself and Mr. Hans Ottinot.  
15 They are the attorneys that will be working on the  
16 case. Ann Shelfer is here, Mr. Rick Moses, Sandy  
17 Moses. Kevin Bloom was the gentleman that greeted you  
18 in the back there and provided you with the special  
19 report. And our court reporter for this evening is  
20 Linda Houellemont, and she will be recording all of  
21 the testimony that will be heard this evening.

22 One of the reasons we record the information  
23 is because the testimony that you provide can be used  
24 as evidence that we can use to base our final decision  
25 upon. For that reason at the appropriate time we will

1 make sure that we swear you in so that, again, we can  
2 use that information as a part of our deliberations  
3 and as a part of our final decision making.

4 This proceeding is a little different. It is  
5 one in which generally the companies meet together  
6 whenever we're dealing with an issue of area codes  
7 being exhausted and we have to come up with some  
8 solutions.

9 Certainly no one wants to see or likes to see  
10 change, but given the exponential growth in the use of  
11 numbers, we are often faced with this situation,  
12 particularly here in Florida with our growth and cell  
13 phones, faxes, second lines for computers, and other  
14 technology devices.

15 This process began several months ago. The  
16 industry groups when they understood that the numbers  
17 were exhausting met to determine whether or not they  
18 could come up with a consensus plan. Oftentimes a  
19 consensus can be reached, and when it is reached, the  
20 information is submitted to the Commission.

21 When there is no objection, no dispute, and  
22 when the Commission can determine that it is in the  
23 public interest, generally the plan goes through as  
24 submitted.

25 In this particular case after the industry

1 reached consensus -- and that consensus was for an  
2 overlay. The overlay that the consensus group agreed  
3 upon would have added the additional area code right  
4 over top of the 407 area code, and once the 407  
5 numbers were used up, we would have to go into  
6 10-digit dialing, because you would have two area  
7 codes affecting the area that's now served by 407.

8           When the announcement was made through the  
9 media and through the company, we received lots of  
10 questions and lots of objections and people wanted to  
11 participate.

12           When we get that kind of response from our  
13 communities, we begin the process anew: Allow the  
14 community an opportunity to participate and provide us  
15 with comments and to give us possible solutions.

16           We have been working very closely and the  
17 industry has worked very closely with the North  
18 American Numbering Plan Administration. We have with  
19 us a representative from that entity, Mr. Wayne Milby.  
20 Mr. Wayne Milby at the appropriate time will give you  
21 a little history about his role as a part of the  
22 administrator, the administration, how we got to where  
23 we got today, and will entertain objective questions.  
24 He can't give opinions as to which plan is best, but  
25 he will help facilitate the process for us here

1 tonight.

2 For those of you who did not receive the  
3 yellow report, it gives a lot of background as to the  
4 hearing and as to why we're here, and it even lists  
5 all of the options that we have been presented with.

6 If you don't want to provide oral testimony,  
7 you can use the sheet and provide us with written  
8 comments. You can either hand those to Mr. Bloom  
9 tonight or if you would like to take it home and think  
10 about it and mail it in, we'll take your comments that  
11 way. We also have our 1 (800) number and our web site  
12 available to take comments and for you to communicate  
13 with the Commission.

14 And if there aren't any more preliminary  
15 matters, at this time I'll go ahead and swear in the  
16 witnesses. Seeing no preliminary matters, if you  
17 would like to testify before us today, if you could  
18 stand and raise your right hand.

19 In this matter before the Florida Public  
20 Service Commission, do you swear or affirm to tell the  
21 truth, the whole truth, and nothing but the truth?

22 **THE WITNESSES:** (Answer affirmatively.)

23 **CHAIRMAN JOHNSON:** Thank you. You may be  
24 seated.

25 I had the privilege of meeting Commissioner



1 Voltz just a while ago. She welcomed all of us here  
2 this evening. Thank you for allowing us to use your  
3 facilities and we look forward to all of your  
4 comments.

5 WITNESS VOLTZ: Speak now?

6 CHAIRMAN JOHNSON: I believe that you are  
7 listed as our first witness.

8 COMMISSIONER GARCIA: Could we have a  
9 description?

10 CHAIRMAN JOHNSON: Yes. Commissioner, would  
11 you prefer us to listen to the Administrator or would  
12 you prefer to provide your comments?

13 WITNESS VOLTZ: Either way. It doesn't  
14 matter to me.

15 CHAIRMAN JOHNSON: Okay. I had understood  
16 you might have been under a time schedule.

17 WITNESS VOLTZ: No, not all. I'll listen.

18 CHAIRMAN JOHNSON: Okay. Mr. Milby?

19 - - - - -

20 D. WAYNE MILBY

21 was called as a witness on behalf of the Citizens of  
22 the State of Florida and, having been duly sworn,  
23 testified as follows:

24 DIRECT STATEMENT

25 MR. MILBY: Chairman Johnson. My name is

1 Wayne Milby. I'm employed by Lockheed Martin IMS as a  
2 senior NPA relief planner for the Eastern Region of  
3 the North American Numbering Plan.

4 Before we go any further, I do need to make  
5 sure that each one of you does have a copy of the  
6 special report and that you also have a copy of one  
7 additional sheet that I'll be using as a view graph.  
8 Does anyone need a copy of this?

9 Lockheed Martin IMS in its role as the North  
10 American Numbering Plan Administrator, or NANPA for  
11 short, is responsible for initiating NPA relief  
12 planning in areas of the United States in sufficient  
13 time to prevent the exhaust of numbering resources.

14 Pursuant to the NPA code relief planning and  
15 notification guidelines, NANPA hosted an industry  
16 meeting in Orlando, Florida, on March the 31st, 1998.  
17 The primary objective of the meeting was to review the  
18 initial planning document and other alternatives from  
19 the industry and come to a consensus on a single  
20 relief plan to be presented to the Florida Public  
21 Service Commission.

22 The industry came to a consensus to recommend  
23 alternative relief plan number 1, an overlay, as a  
24 method of relief for the 407 area code. As a neutral  
25 party NANPA cannot take a position or make any

1 recommendation concerning the type of relief for an  
2 area code. Our role is that of facilitating the  
3 process. It was the recommendation of an alternative  
4 for relief to the appropriate regulatory authority.

5 On April 22nd, 1998, I filed documents with  
6 the Florida Public Service Commission that provided  
7 the status of the industry's efforts, industry meeting  
8 notes, and a description of the overlay alternative  
9 which was recommended by the industry. The documents  
10 also included all of the relief alternatives  
11 considered by the industry.

12 We have some view graphs of those which are  
13 in the Special Report you have a copy of. Alternative  
14 1 -- just a moment until we get that up on the screen.  
15 Alternative 1 is at the top of this view graph, and  
16 this is the alternative recommended by the industry.  
17 It would overlay a new area code on the entire 407  
18 geographic area which is highlighted in yellow on this  
19 view graph, and it would use the existing 407 boundary  
20 lines for the new area code as well as 407.

21 The other alternatives considered by the  
22 industry are as follows: Alternative 2 -- leave that  
23 one up, please -- Alternative 2 at the bottom of this  
24 view graph is a single geographic split. It splits  
25 the existing 407 area code into two geographic areas,

1 with Orange and Seminole counties in area A, or the  
2 area that's highlighted in yellow, and Brevard and  
3 Osceola counties in area B.

4 The next slide. Alternative 3, a single  
5 geographic split, splits the existing 407 area code  
6 into two geographic areas, with Osceola County and  
7 Orange County, less the East Orange rate center, in  
8 area A of the area highlighted in yellow, and Brevard  
9 County, the East Orange rate center, and Seminole  
10 County in area B.

11 Alternative 4 at the bottom of this view  
12 graph is also a geographic split. It splits the  
13 existing 407 area code into two geographic areas, with  
14 the Orlando, Winter Garden, Montverde, Windemere,  
15 Reedy Creek, Lake Buena Vista, West Kissimmee,  
16 Celebration, and Kissimmee rate centers in area A, and  
17 then the remaining geography is in area B.

18 The next slide. Alternative 6 at the top of  
19 the view graph is a single geographic split. It  
20 splits the existing area code into two geographic  
21 areas with the Orlando rate center in area A of the  
22 area highlighted in yellow, and all the surrounding  
23 remaining geography in area B.

24 I think I may have read incorrectly there.  
25 Just in case, let me do that again. Alternative 5,

1 area A, or the area highlighted in yellow, is the  
2 Orlando and Winter Park rate centers in area A, and  
3 the remaining geography in area B.

4 Alternative 6 is a single geographic split  
5 with the Orlando rate center in area A, or the area  
6 highlighted in yellow, and the remaining surrounding  
7 geography in area B.

8 In the next slide, alternative 7 is also a  
9 single geographic split which splits the existing 407  
10 area code into two geographic areas, with Seminole  
11 County and Orange County, less the Windemere, Reedy  
12 Creek, and Lake Buena Vista rate centers, comprising  
13 area A of the area shaded in yellow, and the remaining  
14 geography is in area B.

15 Alternative 8 at the bottom of the view graph  
16 is a single overlay combined with a boundary  
17 realignment to include the Orange City rate center  
18 which is currently in the 904 area code. This  
19 alternative would overlay a new area code on the  
20 entire 407 geographic area, as well as the Orange City  
21 rate center, and that entire rare is highlighted in  
22 yellow on this view graph.

23 And the last slide of maps, alternative 9, is  
24 a single geographic split. It splits the existing 407  
25 area code into two geographic areas, with the Orlando,

1 Winter Park, Winter Green, Montverde, Windemere, Reedy  
2 Creek, Lake Buena Vista, West Kissimmee, Celebration,  
3 and Kissimmee rate centers in area A, and then the  
4 remaining geography is in area B.

5 Alternative 10, at the bottom, is a single  
6 geographic split. It splits the existing 407 area  
7 code into two geographic areas with the Orlando and  
8 East Orange rate centers in area A and the remaining  
9 geographic area in area B.

10 The last slide -- the reason I have been  
11 referring to each of these areas as A and B -- A has  
12 always been in the yellow -- is because of this table  
13 that came from the initial planning document that the  
14 industry worked from, and the projected life of each  
15 alternative under the two different growth assumptions  
16 is depicted in this view graph.

17 Assumption number one is that the code growth  
18 would continue in a straight-line direction at a rate  
19 approximately the same as the current rate of  
20 assignments. Assumption two, the right two columns,  
21 is that growth will continue in a straight-line  
22 direction at a rate approximately the same as the  
23 current rate of assignments until the end of the year  
24 2000, and then the assumption is is that the growth  
25 rate would be reduced by 50 percent to provide an

1 estimate of the potential impacts of any national  
2 number conservation efforts.

3 To illustrate these numbers, in Alternative  
4 1, the overlay, of course there is only one area, so  
5 the life in years is displayed in the middle of the  
6 two columns, area A and area B, of the 4.8 years of  
7 the assumption one is the projected life.

8 Under assumption two, because the growth rate  
9 is assumed to reduce by 50 percent after the year  
10 2000, under that assumption the life of the area code  
11 would last 8.3 years. Now, Alternative 2, just as one  
12 example of the split, assumption one, the area A would  
13 only last 1.9 years, and area B would last 13.1 years  
14 under assumption one.

15 Then under assumption two, area A would last  
16 two and a half years, and area B would last 24.9  
17 years. I don't think there is any need for me to read  
18 all the figures. You have a copy of them.

19 That concludes my presentation of the  
20 alternatives that were considered by the industry for  
21 relief. Thank you.

22 **CHAIRMAN JOHNSON:** Thank you. I think, then,  
23 we're prepared to hear from the customers.

24 **MR. BECK:** The first witness is Commissioner  
25 Helen Voltz.

1 - - - - -  
2 **HELEN VOLTZ,**

3 was called as a witness on behalf of the Citizens of  
4 the State of Florida and, having been duly sworn,  
5 testified as follows:

6 **DIRECT STATEMENT**

7 **WITNESS VOLTZ:** Thank you, and welcome to  
8 Brevard. What I would like to do is read a letter  
9 that we submitted to you all on July 28th, and I'm not  
10 sure with all the mail you probably get whether or not  
11 you have had an opportunity to read it yet, but I'm  
12 just going to go ahead and read it into the record.

13 On behalf of the Brevard County Board of  
14 County Commissioners I would like to take this  
15 opportunity to express the Board's opposition to the  
16 proposed area code overlay for Brevard County. The  
17 Brevard County Board of County Commissioners has voted  
18 to request a single area code for the entire county,  
19 including the area currently served by the area code  
20 407 and 561.

21 While it would be the preference of the Board  
22 of County Commissioners to retain area code 407, if  
23 that is not feasible, then the Board would prefer a  
24 new area code exclusively for Brevard County. This  
25 would forestall 10-digit dialing for a significant



1 period and would allow additional capacity for the  
2 area currently served by the area code 561 outside  
3 Brevard County.

4           It was the Board's concern that the use of an  
5 overlay system would greatly add additional confusion  
6 for residents and necessitate 10-digit dialing, which  
7 the Board perceives to be highly undesirable. And I  
8 guess the issue is that we have so many elderly people  
9 in Brevard County, that right now the majority of them  
10 live, let's say, in Barefoot Bay, and they already  
11 have a different area code, and if we then bring in  
12 another area code on top of that, it's just a little  
13 difficult for those people to go ahead and dial, let  
14 alone remember who lives where and when they moved in  
15 and which area code they are currently having.

16           So if we could -- I know the bottom part of  
17 the Brevard County is not really included in any of  
18 these maps that I have seen. The Barefoot Bay-Micco  
19 area is just kind of cut off. So that is an area code  
20 561.

21           And if it would be possible for Brevard  
22 County to get -- we don't care if it's a totally  
23 different area code number, if we could just get one  
24 all for ourselves, that would allow us plenty enough  
25 time, and it would allow our citizens the opportunity

1 for seven-digit dialing for years to come, and it  
2 would allow the elderly population to be able to dial  
3 properly.

4 **CHAIRMAN JOHNSON:** I should have mentioned  
5 for the benefit of the other individuals testifying,  
6 if you could stay, there may be questions from the  
7 Commissioners or from the attorneys to help explore  
8 and understand the options that you're putting forth.

9 **COMMISSIONER GARCIA:** I wanted to ask,  
10 Commissioner, you obviously have a few of these plans  
11 in front of you, and, you know, just since you're here  
12 on the ground and all the time, could you give us  
13 which one of those you would find most favorable of  
14 the ones that --

15 **WITNESS VOLTZ:** Of all of them?

16 **COMMISSIONER GARCIA:** You don't have to pick  
17 just one. You can give us a few.

18 **WITNESS VOLTZ:** Number 7 would probably be  
19 our preference if we had to -- I think that's still --

20 **COMMISSIONER GARCIA:** Could you give me the  
21 rationale there just so -- probably it follows the  
22 logic of the letter you read --

23 **WITNESS VOLTZ:** You're right, it's probably  
24 the same thing, that having one area code would still  
25 allow for many years' growth and allows for -- because

1 Osceola County is a lot of agricultural land, a lot of  
2 land that's not going to be developed any time soon,  
3 and so therefore it would still allow us plenty of  
4 opportunity and time to continue using seven-digit  
5 dialing.

6 **COMMISSIONER GARCIA:** Let me ask you from the  
7 perspective of being down here, is that political  
8 boundary understandable to residents in this area of  
9 the state?

10 **WITNESS VOLTZ:** Yes.

11 **COMMISSIONER GARCIA:** People have a good idea  
12 of those boundaries when they are calling?

13 **WITNESS VOLTZ:** (Witness nods head  
14 affirmatively.)

15 **COMMISSIONER GARCIA:** And it wouldn't be a  
16 big inconvenience to the Titusville area?

17 **WITNESS VOLTZ:** No, no, not at all. Not at  
18 all. But if there would be any way we could include  
19 the bottom part of the Brevard County, that really is  
20 an important issue for us, because we're already split  
21 up into two area codes now.

22 **CHAIRMAN JOHNSON:** Could you explain that  
23 better? The Barefoot Bay area is not on any of the  
24 maps?

25 **WITNESS VOLTZ:** No.

1                   **CHAIRMAN JOHNSON:** They are in the bottom.

2                   **WITNESS VOLTZ:** They are in 561. So that's  
3 what I'm saying, we're already split into two area  
4 codes at the present time, which Barefoot Bay is like  
5 10,000 elderly residents, and that's a lot of the  
6 elderly people down there, and when they have to call  
7 up here, they don't understand that there are some  
8 places you can just dial, you don't have to use the  
9 area code, but there are some places where you do have  
10 to use the area code, and it's really confusing for a  
11 lot of people.

12                   **CHAIRMAN JOHNSON:** Are we going to have  
13 enough information in the record to address that issue  
14 and pursue that option? Will someone be prepared?  
15 Because we're going to have the hearing tomorrow.

16                   **MR. COX:** Yes, Chairman Johnson. This is  
17 Will Cox on behalf of the Commission staff. We do  
18 have maps attached to Mr. Milby's testimony which do  
19 include that area she's referring to. It shows where  
20 the line comes down and shows the area below it, so I  
21 believe we have what we need to show that part of the  
22 area and to address it.

23                   **CHAIRMAN JOHNSON:** Any testimony as to the  
24 difficulty or the problems that would be associated or  
25 how easily we could do that and what it would do to

1 the exhaust dates, those kinds of things?

2 **MR. COX:** So far we don't, but I think that  
3 would be perfectly relevant to ask the company  
4 witnesses about those issues at the hearing tomorrow.

5 **WITNESS VOLTZ:** This is a pretty small area  
6 down there, and it's not really a high-growth area at  
7 all. What's down there is probably down there, and  
8 it's not likely to expand at any great length at this  
9 point, so our residents would love you all if you  
10 would just consider doing that for us.

11 **CHAIRMAN JOHNSON:** That would be great coming  
12 from Barefoot Bay. They have a lot of issues that we  
13 have been trying to work through.

14 **WITNESS VOLTZ:** I tell you, if we can help  
15 you work with Barefoot Bay, we would love to do it.

16 **COMMISSIONER DEASON:** I have a question.

17 **WITNESS VOLTZ:** Yes, sir.

18 **COMMISSIONER DEASON:** Do you have this sheet  
19 here with the maps in yellow?

20 **WITNESS VOLTZ:** Yes.

21 **COMMISSIONER DEASON:** Could you refer to  
22 Alternative 4, please?

23 **WITNESS VOLTZ:** Yes.

24 **COMMISSIONER DEASON:** Okay. I know that  
25 you're -- you prefer Alternative 7 if you had to pick,

1 but could you tell me if there is anything  
2 particularly wrong or disturbing about Alternative 4,  
3 since you're more familiar with the people and their  
4 habits in this area than we are.

5 **WITNESS VOLTZ:** I would say the potential for  
6 growth in Seminole County, because Orange County is  
7 just expanding beyond control. I have been to  
8 Seminole County and the growth over there is going to  
9 be tremendous.

10 **COMMISSIONER DEASON:** So the fact that there  
11 is going to be growth in Seminole County would hasten  
12 the time that Brevard County would have another area  
13 code split?

14 **WITNESS VOLTZ:** Right.

15 **COMMISSIONER DEASON:** Do you have the diagram  
16 with all of the numbers on it?

17 **WITNESS VOLTZ:** Yes, I do.

18 **COMMISSIONER DEASON:** Okay. The reason I ask  
19 you that question is that your preferred Alternative  
20 7, while it would under assumption one would give 11.8  
21 years for Brevard County and Osceola, you see it would  
22 only allow area A a time period of 2.1 years, which is  
23 quite small.

24 And the reason I ask you about Alternative 4  
25 was that that would still provide 5.3 years for

1 Brevard County and up into Seminole, and would  
2 lengthen the area A from 2.1 to 4.4 years.

3 **WITNESS VOLTZ:** But not much more. It would  
4 cut ours way in half, more than half, and just barely  
5 double theirs.

6 **COMMISSIONER DEASON:** Okay. Thank you.

7 **CHAIRMAN JOHNSON:** Any other questions?

8 Thank you for your testimony.

9 **MR. BECK:** The next witness is Frank Mohme.

10 **COMMISSIONER GARCIA:** By the way, Madam  
11 Chairman, I appreciate the fact that sometimes people  
12 come in with the idea of saving the area code at all  
13 costs and don't look at reasonable alternatives, and I  
14 appreciate the fact you have studied the issues, one  
15 of the issues, being able to use your judgment and  
16 your knowledge in what we do, so thank you.

17 **WITNESS VOLTZ:** You're welcome.

18

- - - - -

19

**FRANK MOHME,**

20 was called as a witness on behalf of the Citizens of  
21 the State of Florida and, having been duly sworn,  
22 testified as follows:

23

**DIRECT STATEMENT**

24

25 **WITNESS MOHME:** My name is Frank Mohme. I  
live on Merritt Island, 1760 Rochelle Parkway. I have

1       been a resident of Brevard County since 1956. I have  
2       been in Florida since 1946. My wife is a native  
3       Floridian.

4               **COMMISSIONER GARCIA:** Mr. Mohme, could you  
5       spell your last name?

6               **WITNESS MOHME:** M-O-H-M-E. If you forget the  
7       H, as the gentleman did, you pronounce it right.  
8       Okay. It looks like we have a little over a year  
9       before we get -- we run out of numbers.

10              I notice that the overlay, if I remember  
11      correctly, that was voted down in the Tampa/St. Pete  
12      area not too many months ago. It appears to be, as  
13      Ms. Voltz said, a real mess unless you really have to.  
14      In other words, you know, I got area code so-and-so,  
15      my neighbor next door has got area code -- the other  
16      one.

17              Now, right in your first paragraph you say  
18      what the problem is. For the most part it's cellular  
19      phones, fax machines, computer modems. Now, let's  
20      think about that a minute. You didn't say -- well,  
21      you said it was population growth, which is also  
22      business growth, but I think the lion's share of the  
23      increase in numbers in the last few years have been  
24      cell phones, fax lines, and computer lines.

25              Now, rather than go with the old two ways of



1 doing things -- that is either draw a boundary line in  
2 the sand and say you got a new area code, and, lord  
3 knows, we went through that not that many years ago  
4 when we broke off as 407 from 305, and we have it all  
5 throughout the country.

6 I'm going to offer a, I guess you could call  
7 it, an innovative way of doing it. Starting now, all  
8 cell phones -- all new cell phones, all new fax lines,  
9 all new computer lines would get the new area code.  
10 Now, that doesn't hurt anybody. I see a bunch of  
11 smirks up there. I think you all have probably  
12 thought about this and somebody beat it down.  
13 Probably those folks sitting right over there.

14 **COMMISSIONER GARCIA:** The reason you see a  
15 smile on our face, and not a smirk, is we -- everyone  
16 on this Commission thinks it's a great idea.

17 **WITNESS MOHME:** I couldn't help but see the  
18 grin on your face.

19 **COMMISSIONER GARCIA:** You know, there is  
20 always someone who figures out a good way to approach  
21 this, and clearly that is the best way, and that  
22 was -- and if you don't mind listening to me for half  
23 a second or half a minute, I will give you the history  
24 of that, because I'm someone who would have liked to  
25 have done that, and all of us have considered this

1 option.

2 When this was first tried and done, and  
3 clearly New York was -- did it, in other words, and  
4 before there was sort of a status symbol associated  
5 with having a cell phone or a beeper, you wanted to  
6 show off that you had it, and that's 10, 12 years ago.

7 But in today's market these forces are  
8 competing against each other head on, and because we  
9 in this Commission and by law are charged, and the FCC  
10 likewise on a national level, are charged with  
11 creating competitive markets, those carriers that were  
12 willing, like cell phone carriers, to have a different  
13 area code, are no longer willing to do that, and it  
14 places them at a competitive disadvantage, because now  
15 you have to dial more digits to contact them than you  
16 would if you have the old one.

17 So but following that line, right now  
18 presently there is an appeal -- I believe it is by the  
19 State of Connecticut, and Julia would probably know  
20 better than I, but I think it's the Connecticut  
21 Commissioners which has appealed that order of the FCC  
22 which determines that giving cell phone providers and  
23 beepers and faxes and Internet providers a different  
24 area code, there is an order by the FCC that says  
25 that's discriminatory, and there is a state presently

1 appealing that, but as a general rule it's been found  
2 by the FCC to be discriminatory, and therefore we are  
3 sort of limited by ordering the companies to do that.

4 **WITNESS MOHME:** If you want to talk about  
5 discrimination, I live in 452, Central Brevard.  
6 Merritt Island is -- it used to be 45, and now all you  
7 can say is the first number is 4. The beach used to  
8 be 78, well, then they got an 86, and God knows what  
9 the rest of the county is, but my cell phone number is  
10 258. Now, that's discriminatory if you want to look  
11 at it; that bears no correlation to anything.

12 You know, discrimination my foot. This is  
13 getting ridiculous. When you can't find anything else  
14 to object to on the grounds of, you use  
15 discrimination, because nobody knows what the  
16 definition of the word is.

17 **COMMISSIONER GARCIA:** I would tend to  
18 include -- we're going to listen to you, and I agree  
19 you're making a very good point, but you have to  
20 realize that in the market if you don't want to dial  
21 10 digits -- you just stated how confusing that would  
22 be and how --

23 **WITNESS MOHME:** I dial 10 digits every time I  
24 dial Orlando. Anytime I dial outside of Brevard  
25 County, and I don't know anybody down in Barefoot Bay.

1 I'm not old enough to know them down there, but I'm  
2 getting there, so I don't have to dial the 10, but it  
3 won't be long.

4 But anytime I dial outside of central Brevard  
5 or Titusville or Melbourne, hey, I'm already doing 10  
6 digits. I only meant to Charlie next door, that was  
7 all.

8 Okay. Continuing on. So that would be the  
9 first order of business. That's going to extend the  
10 problem for X amount of time. Don't know how long.  
11 The next thing to do when that gets close is to go  
12 back and change the area code of all existing cell  
13 phones, all existing fax lines, and all existing  
14 computer lines. Now, these are the ones that are  
15 dedicated. This isn't the case where you have one  
16 line coming into your house and you got a cell phone  
17 and a fax and a computer. So, Lord knows, no one  
18 would ever call you with all three of those going at  
19 one time or sequentially, but that would be the second  
20 phase to do it that way. That leaves the majority of  
21 the subscribers as they are for quite some period of  
22 time.

23 Now, when you have exhausted that, you have  
24 businesses that have rotary phones, and I know the  
25 phone-company people aren't going to like this and the

1 attorneys aren't, but that's their problem.

2           You have a business number. It's 254-6000.  
3 There is 14 lines that are associated with that  
4 254-6000, but that's the only number you have dialed.  
5 It doesn't have to be 6001, 6002, 6003. Let -- just  
6 pull all the ones that's not in the phone book, let  
7 that 254-6000 be the number, but all the others that  
8 are of the 407, pull them, issue them to new  
9 businesses and new residences as they come in. That's  
10 going to extend the problem even more years.

11           Now, in each -- so that's basically my  
12 thoughts on it. Now, a little bit of recapping or  
13 looking over the picture here. In each of the  
14 divisions, not the overlays, what I noticed that  
15 either -- and let me make an assumption. Let me ask a  
16 question. The orange is the one that keeps 407; is  
17 that correct?

18           **CHAIRMAN JOHNSON:** It hasn't been decided.

19           **WITNESS MOHME:** Well, in all probabilities I  
20 have a feeling that 407 would stay in the orange and  
21 everything else would get changed.

22           **COMMISSIONER CLARK:** Mr. Mohme, I would just  
23 say that my experience with what this Commission has  
24 done with area codes, I don't think you can count on  
25 that.

1           **WITNESS MOHME:** I know in Tallahassee it  
2 changed only because of a tremendous public outcry,  
3 because if I recall correctly, it was already  
4 determined --

5           **COMMISSIONER GARCIA:** It changed because  
6 we -- there was -- by the administrator, and it was a  
7 close vote both ways, but it changed because of the  
8 administrator, and let me give you the rationale to  
9 your thinking. I'm not saying that's what we're going  
10 to do, because it's not here. If you will notice  
11 reading down the alternatives on your left-hand  
12 column, area A, none of those are long-term out there.

13           **WITNESS MOHME:** Yeah.

14           **COMMISSIONER GARCIA:** Therefore what you're  
15 basically saying -- and let's use number two, which is  
16 on the front of your sheet and here. If I were to use  
17 Alternative Number 2, the people in area A would be  
18 looking at a new number in a short period of time.

19           Therefore if we were to use the opposite  
20 rationale -- in other words if we would use -- we  
21 would do the opposite. If we would take the people in  
22 area A and give them a new area code, what we would be  
23 doing is forcing them to change their number in less  
24 than two years.

25           **WITNESS MOHME:** That's not too smart.

1                   **COMMISSIONER GARCIA:** That's not too smart,  
2 and it's kind of painful for businesses and others who  
3 have to print stationery. Therefore if you use your  
4 rationale, which I'm willing to say it is a strong  
5 rationale -- at least I include it in my thinking --  
6 what you try to do is the one that's going to change  
7 the quickest gets to keep the number, because that way  
8 they don't change for now, but in the foreseeable  
9 future half of them are either going to keep that  
10 number and go to 10-digit dialing or half of them are  
11 going to lose that remaining number.

12                   So just to give you the thinking on it,  
13 because -- and, sir, you have done a lot of thinking  
14 on that, so we appreciate the fact that you have  
15 educated yourself on this, but that's the rationale  
16 behind it.

17                   So it's not that we say Orlando is a big  
18 place and they got big players there; we got more  
19 people there and they will throw more rocks. It's  
20 simply based on the rationale that the Administrator  
21 uses in deciding this, a rationale that we can use as  
22 a guideline, but does not determine how we have to do  
23 it. I mean we have discretion, but I want you to look  
24 at some of the rationale -- thinking behind it.

25                   **WITNESS MOHME:** Appreciate that.

1           **COMMISSIONER CLARK:** I would only add that in  
2 the Tampa area, I think what we heard from -- we find  
3 out from you all how you use your phones and where you  
4 call the most, and that led us to a slightly different  
5 geographic split over there than was being suggested,  
6 as I recall. So these are very important, and we  
7 haven't made up our minds.

8           **WITNESS MOHME:** No, I think Ms. Voltz' idea  
9 of bringing Micco and Barefoot Bay into the county,  
10 since one commissioner is in two area codes -- it  
11 might be you, Helen.

12           **WITNESS VOLTZ:** No, that's Nancy.

13           **WITNESS MOHME:** But I think that's a  
14 marvelous suggestion, and I think it's one that you  
15 all should take very seriously under advisement. But,  
16 anyway, the final thing I wanted to say, and it bears  
17 on the fact making the assumption, however wrong, that  
18 the orange retains and the white goes, it turns out  
19 that it's one more victory for Michael Eisner and/or  
20 the big boys, and we see this so many times, not the  
21 little guy. Thank you so very much for your time.

22           **CHAIRMAN JOHNSON:** Thank you, sir.

23           **MR. BECK:** Gary Lane.

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**GARY LANE,**



1 was called as a witness on behalf of the Citizens of  
2 the State of Florida and, having been duly sworn,  
3 testified as follows:

4 **DIRECT STATEMENT**

5 **WITNESS LANE:** Madam Chairman, Mr. Cox,  
6 welcome to Brevard and our beaches. Good evening. My  
7 name is Gary Lane. I live and work in Melbourne  
8 Beach, Florida, Brevard County, since 1979. I operate  
9 a small surf travel company business named Worldwide  
10 Surfing Adventures that sends surfers around the globe  
11 to deserted waves and exotic beaches of Costa Rica,  
12 South Africa, and France, to name a few.

13 My firm has invested hundreds of thousands of  
14 dollars into national print media and TV 30-second  
15 spots that contain the 407 area code. My cost to  
16 re-edit the TV spots will run thousands of dollars,  
17 and the loss of magazine publicity due to area code  
18 loss is priceless.

19 Since Florida has witnessed unprecedented  
20 growth in the past and the trend will continue, I  
21 support for Brevard County to embrace the overlay  
22 plan. I have heard reports that we can expect another  
23 area code change in five to seven years, which will  
24 make us change all over again.

25 If we accept the 10-digit overlay plan, we

1 all can be assured of retaining 407 in our business  
2 and personal lifetimes.

3 Brevard boasts to be the technology center of  
4 Florida, so I say let us embrace the 10-digit overlay  
5 plan and get it behind us, so we don't have to face a  
6 change again in the near future.

7 As I understand, Dade County introduced  
8 786/305 overlay July 1st of '98, and I'm confident  
9 that we can do the same for Brevard to arrive in the  
10 new millennia. Dade County said let the new residents  
11 and businesses have the new area codes and all the  
12 established businesses and residents would retain the  
13 305.

14 I support Brevard to maintain the same  
15 position. The information highway in Brevard must be  
16 widened with the 10-digit overlay.

17 **COMMISSIONER GARCIA:** Just in case we don't  
18 go your way, and I'm sure you're a sophisticated  
19 customer of your company, but let me tell you the  
20 alternatives that are available to you if we don't go  
21 the route that you suggest. Which, by the way, I live  
22 in Dade County, so I have lived both, the geographic  
23 and then the overlay. We're living it right now.

24 Let me make a suggestion to you. You can  
25 speak with your local service provider, most probably

1 will be Southern Bell, and they are going to -- they  
2 did when they did the geographic split in South  
3 Florida, they made available numbers to customers at a  
4 reduced rate who wanted to keep that number for  
5 business reasons or whatever. They made available  
6 through caller forwarding, so they would have a period  
7 of time that that lasted, and I think that's an  
8 alternative that just for your business there you  
9 might want to keep in the back of your mind so you  
10 don't get burned by this. But that's something that  
11 you need to consider.

12 **WITNESS LANE:** That's good advice. Thank  
13 you.

14 **CHAIRMAN JOHNSON:** Any other questions for  
15 Mr. Lane? Thank you for your testimony.

16 **MR. BECK:** Kit Fountain.

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**KIT FOUNTAIN,**

19 was called as a witness on behalf of the Citizens of  
20 the State of Florida and, having been duly sworn,  
21 testified as follows:

22

**DIRECT STATEMENT**

23

**WITNESS FOUNTAIN:** Good evening, Ms. Johnson.

24

I'm here representing the business community, the

25

Melbourne/Palm Bay Area Chamber of Commerce, and I

1 would like to read you just a very brief letter that  
2 our CEO and President of the Chamber asked that I  
3 present to you, which is dated August the 5th:

4 "At our July Board of Directors meeting our  
5 directors voted to support the code overlay option for  
6 the Melbourne/Palm Bay area. Though discussions  
7 centered on our first preference of having our very  
8 own area code, it was concluded that the most logical  
9 and cost effective method, solution to this problem  
10 would be the overlay." And that is signed by Lee  
11 Bowman, CCE, President of the Chamber of Commerce.

12 **CHAIRMAN JOHNSON:** Thank you, Ms. Fountain.  
13 Any questions of Ms. Fountain? Thank you for your  
14 testimony.

15 **WITNESS FOUNTAIN:** Thank you for allowing it.

16 **MR. BECK:** Chairman Johnson, Ms. Fountain is  
17 the last witness who signed up ahead of time.

18 **CHAIRMAN JOHNSON:** Okay. Are there any other  
19 members of the audience that did not sign up to  
20 testify that would like to testify this evening?  
21 Seeing none, I would like to thank you all for coming  
22 out and providing us with your testimony.

23 Tomorrow at 10:00 o'clock we will be in the  
24 Orange County Commission chambers to take additional  
25 public testimony, and afterwards we will have the

1 technical part of the hearing where the industry  
2 members will put forth their witnesses.

3 **COMMISSIONER GARCIA:** Madam Chairman, it's  
4 the Orlando City Hall.

5 **CHAIRMAN JOHNSON:** Oh, city hall?

6 **COMMISSIONER GARCIA:** It's city hall.

7 **CHAIRMAN JOHNSON:** Yes, it's Orlando City  
8 Hall. City council chambers, not county chambers.  
9 And that address is 400 South Orange Avenue, Orlando,  
10 Florida.

11 **COMMISSIONER GARCIA:** And you will probably  
12 learn more about area codes than you will ever want to  
13 know if you attend that technical hearing.

14 **CHAIRMAN JOHNSON:** And your other option  
15 would be if you want to listen in via -- and you have  
16 the facilities, the internet will broadcast the public  
17 hearing and I believe the technical portions also.  
18 Again, thank you for coming out. We appreciate your  
19 testimony. This hearing is adjourned.

20 ...oOo...

21 (Thereupon, at 6:55 p.m.,  
22 the hearing concluded.)

23 ...oOo...

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CERTIFICATE OF REPORTER

I, Linda C. Houellemont, being a Registered Professional Reporter, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings, page 1 through 38, inclusive, and that the transcript is a true and accurate transcription of said proceedings.

DATED this 14th day of August, A.D., 1998.

\_\_\_\_\_  
LINDA C. HOUELLEMONT, RPR