

FLORIDA PUBLIC SERVICE COMMISSION
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Tallahassee, Florida 32399-0850

MEMORANDUM

September 16, 1998

RECORDS AND REPORTING

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RECEIVED-FPSC

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)

FROM: DIVISION OF COMMUNICATIONS (ILERI) *ri RNT*
DIVISION OF LEGAL SERVICES (MCKINNEY) *gem and for ads*

RE: DOCKET NO. 971058-TP - REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR 305 AREA CODE

AGENDA: SEPTEMBER 22, 1998 - REGULAR AGENDA - POST HEARING
DECISION

CRITICAL DATES: EMERGENCY REQUEST - DECISION NEEDED BEFORE
OCTOBER 1, 1998

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\971058A.RCM

CASE BACKGROUND

On July 15, 1997, BellSouth Telecommunications, Inc. (BellSouth), the numbering administrator for the 305 area code at that time, notified the Commission that the 305 area code would exhaust its remaining available NXXs sooner than expected. The Commission opened this docket to address the appropriate relief method for the area code. The Commission conducted service hearings in Miami and Key West on October 1 and 3, 1997, and a technical hearing in Tallahassee on October 13, 1997. On January 6, 1998, the Commission issued Order No. PSC-98-0040-FOF-TL approving a concentrated growth overlay to provide numbering plan relief for the 305 area code. The new area code selected to relieve 305 is 786 (SUN). The Commission established a 10-digit permissive dialing period beginning on March 1, 1998 and ending on July 1, 1998.

On May 29, 1998, BellSouth filed a motion for extension of the permissive dialing period for the 305 area code. BellSouth stated that some alarm companies had not completed the necessary work to reprogram some of their alarm monitoring systems, and thus they would be unable to meet the July 1, 1998 deadline for mandatory 10-

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digit dialing. Shortly thereafter, on June 3, 1998, SecurityLink from Ameritech, Inc. (SecurityLink), filed an Emergency Request for Temporary Variance from Order No. PSC 98-0040-FOF-TL, requesting an extension of the permissive ten-digit dialing for six months (i.e., January 1, 1999).

At its June 16, 1998, Agenda Conference, the Commission considered BellSouth's motion. The Commission did not specifically consider SecurityLink's emergency petition for a variance, although SecurityLink was present at the Agenda Conference and did indicate to the Commission that it wanted an extension of the permissive dialing period for six additional months. The Commission voted to extend the permissive dialing period for three months, until October 1, 1998, for alarm companies only, so that they would have additional time to complete the necessary reprogramming. The Commission's decision was memorialized in Order No. PSC-98-0812-FOF-TL, issued June 19, 1998.

On September 10, 1998, SecurityLink filed an Emergency Request for Extension of Permissive Dialing from Order No. PSC-98-0040-FOF-TL and Order No. PSC-98-0812-FOF-TL requesting an extension of the permissive ten-digit dialing for an additional thirty (30) days (i.e., until November 1, 1998) for alarm companies only. BellSouth was contacted regarding SecurityLink's petition for extension of time and has indicated that there is no objection to the relief requested. If any responses to the motion are filed, staff will address them at the Agenda Conference.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant SecurityLink's Emergency Request for Extension of Permissive Dialing period until November 1, 1998?

RECOMMENDATION: Yes. The Commission should grant SecurityLink's request for extension of permissive dialing period pursuant to Section 120.569(2)(1), Florida Statutes, until November 1, 1998 for alarm companies only. SecurityLink should be required to notify all of its customers, who have not been converted as of September 22, 1998, of the necessity of making the conversion. Specifically, SecurityLink should send customers notice indicating the company's failure to make the needed conversions in a timely manner, the new November 1, 1998 deadline, and the ramifications of missing the

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November 1, 1998 deadline. This notice should be provided to staff for its review and approval by September 25, 1998. After staff's approval, this notice should be mailed to all customers by October 1, 1998.

STAFF ANALYSIS: In its emergency request, SecurityLink asserts that it has taken all necessary and reasonable steps to complete the conversion of its customers' alarm systems to 10-digit dialing by the October 1, 1998 deadline, but it has been unable to do so. SecurityLink states that its customer base is comprised substantially of customers of ten to twelve companies that were acquired by SecurityLink. The customers' alarm systems have different technologies, which require a site visit to make the necessary conversion. Since the majority of the site visits are residential, SecurityLink personnel must make an appointment to gain entry. SecurityLink has discovered that approximately 10-15% of the site visits require a total replacement of the equipment before the conversion can be made.

SecurityLink states that it will be unable to complete the conversion process before October 1, 1998. Therefore, if an extension of time is not granted, approximately 7,000 customers will be without alarm monitoring service. The inability to provide service to those customers could expose SecurityLink's customers to potential life-threatening situations. SecurityLink also states that a denial of its request would create a substantial hardship on SecurityLink and its customers, and could expose those customers to significant and unintended harm.

Because of the potential threat to the safety of the alarm companies' customers, the Commission granted BellSouth's motion and issued Immediate Final Order No. PSC-98-0812-FOF-TL to extend the permissive dialing period for alarm companies for three months. The same public safety concerns are still applicable. If SecurityLink's emergency request is not granted, approximately 7,000 customers whose alarm systems dial a local seven-digit phone number will be without monitoring services as of October 1, 1998, which may result in liability issues. Customers should not be placed at risk because SecurityLink has been unable to complete the necessary conversion process.

On September 15, 1998, staff met with representatives from SecurityLink and BellSouth to determine if any alternative existed that would enable the permissive dialing period to expire as

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ordered on October 1, 1998. No workable solutions were found. Staff believes, considering the resources at SecurityLink's disposal, that a thirty (30) day extension would be sufficient.

We note that many alarm companies worked very hard to successfully complete the conversion of their customers' alarm systems within the required time. SecurityLink's failure to meet the original and extended deadlines is a matter of public safety and could place the company at a disadvantage vis-a-vis its competitors. In order to protect the public safety, staff recommends that the request for extension be granted, but with one condition. SecurityLink should be required to notify all of its customers, who have not been converted as of September 22, 1998, of the necessity of making the conversion, the company's failure to make the needed conversions in a timely manner, the new November 1, 1998 deadline, and the ramifications of missing the November 1, 1998 deadline. SecurityLink should provide the notification letter to staff for its review and approval by September 25, 1998, and SecurityLink should be required to mail all notification letters by October 1, 1998.

ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, the docket should be closed.

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, the docket should be closed.