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Ms. Blanca S. Bayo, Director
Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

April 23, 1999

Re: Docket No. 990223-TL
Request for Review of Proposed Numbering Plan Relief for the 941 Area Code

Dear Ms. Bayo:

Please find enclosed an original and fifteen copies of GTE Florida Incorporated's Posthearing Statement for filing in the above matter. Service has been made as indicated on the Certificate of Service. If there are any questions regarding this filing, please contact me at 813-483-2617.

Sincerely,

Kimberly Caswell

- AFA _____
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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into telephone exchange boundary issues in South Polk County (Ft. Meade Area))	Docket No. 981941-TL
)	
In re: Investigation into Boundary Issues in South Sarasota and North Charlotte Counties (Englewood Area))	Docket No. 990184-TL
)	
In re: Request for Review of Proposed Numbering Plan Relief for the 941 Area Code)	Docket No. 990223-TL Filed: April 23, 1999
)	

GTE FLORIDA INCORPORATED'S POSTHEARING STATEMENT

GTE Florida Incorporated (GTEFL) hereby files its Posthearing Statement in these consolidated Dockets.

GTEFL's Basic Position

In cases such as this one, where area code relief is necessary, it is usually very difficult to accommodate the often-competing interests of all of the groups that will be affected by the relief measure. As such, the fairest approach is for the Commission to choose the option that will best meet the needs of the most consumers. GTEFL believes that the proposed Alternative 3 most closely meets this criterion. Among the geographic splits options, this one would affect the fewest number of subscribers and optimize the period of time before relief would again be necessary. Alternative 3 would also keep Manatee, Sarasota, and Charlotte Counties together (along with Polk County) in one area code. NANPA guidelines prescribe that this four-county area would keep the existing 941 area code and the remaining counties at issue would get a new area code. Under Alternative 3, both the area that retains 941 and the area that gets the new code will retain

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their area codes for about the same length of time (projected at slightly over 7 years) before another change will likely be necessary.

Finally, GTEFL has asked the Commission to direct that the permissive dialing period begin on a Monday. This will allow GTEFL to make the necessary order entry and billing system modifications over the weekend, thus reducing the likelihood of billing and carrier selection errors.

GTEFL's Specific Positions

Issue 1: Should the Commission approve the proposed geographic split plan for the 941 area code relief, and if not, what relief plan should the Commission approve?

**** The Commission should approve the plan that will be in the best interests of the majority of affected subscribers. Based on this standard, GTEFL believes the most suitable option is Alternative 3. ****

GTEFL does not oppose approval of the geographic split option recommended by consensus vote of the industry. That alternative (Staff's Alternative 1) would implement a geographic split coincident with the boundary between the Fort Myers and Tampa LATAs. However, based on testimony at the hearings, this does not appear to be the most popular solution from consumers' perspective.

In area code relief cases, it is impossible to satisfy the often-competing interests of all subscribers in the affected areas. Given this limitation, GTEFL recommends that the Commission adopt the solution that will best meet the interests of the most people, and that is most consistent with the objective standards established by the North American Numbering Plan Administrator (NANPA). Using this standard, GTEFL believes that

Alternative 3 is the best solution. (See also Wright, Tr. 48-49; Burton, Tr. 210-11; May, Tr. 308-09; Fellin, Tr. 386-87; Krajack, Tr. 442.)

Although individual witnesses supported various solutions depending on their particular interests, perhaps the point of most striking consensus was the view that Manatee, Sarasota, and Charlotte Counties should remain together in one area code. Both the public and the Counties' expert witnesses offered testimony about the substantial community of interest among the three Counties. (See, e.g., Direct Testimony (DT) of Horton, Sallade, Lauzon, and Wishard, all of Charlotte County; Englewood Area Planning Advisory Board Resolution; Direct Testimony of Shannon-Staub, Feagans, Couch, Ewing, all of Sarasota County; Brown, Tr. 23; Hazeltine, Tr. 25; Phillips, Tr. 35-37; Lane, Tr. 42-43; Leach, Tr. 46-47; Garbade, Tr. 52-53.)

Aside from the desire to keep Manatee, Sarasota, and Charlotte Counties together, perhaps the second-most significant preference of the consumers testifying was for relief that would allow them to retain their area code for as long as possible. (See, e.g., Popescu, Tr. 60; Garbade, Tr. 53-54; May, Tr. 308-09; Maker, Tr. 383-84; Timothy, Tr. 445; Buckley, Tr. 458; Neville, Tr. 486; Conly, Tr. 547.)

In this regard, there was quite a bit of support for an overlay, especially at the Ft. Myers hearing. (See, e.g., Wroten, Tr. 420; Kelmar, Tr. 449; Buckley, Tr. 458; Nolte, Tr. 482; Neville, Tr. 486; Dwyer, Tr. 497-98; Conly, Tr. 547; Schultz, Tr. 564; Davis, Tr. 567; Biggar, Tr. 579.) An overlay would not require any consumer to change his area code. As a general matter, GTEFL favors overlay plans, which it believes cause the least amount of disruption and expense for consumers. However, overlays are not yet as familiar as

geographic splits, so they are not usually the most popular option among consumers. In this case, although most consumers wished to avoid frequent changes of area codes, many still favored a split over an overlay.

If a split is to be adopted, Staff's proposed Alternative 3 best accommodates the need for a single code in Manatee, Sarasota, and Charlotte counties, while remaining consistent with consumers' wishes (as well as NANPA guidelines) to avoid too-frequent area code changes. Alternative 3 is the only one of the Staff's pure geographic split options that includes all of Charlotte County. Under Alternative 3, Polk, as well as Manatee, Sarasota, and Charlotte Counties, would remain in the 941 area code. (Under a stipulation among the parties to these dockets, Fort Meade will remain with Polk County under any geographic split ordered.) This is consistent with NANPA guidelines prescribing that the existing code should remain with the area of the greatest forecasted growth and with the greater number of NXX codes. (Foley Direct Testimony at 10-11.)

In addition, Alternative 3 will best satisfy subscribers' expressed desire to keep their area codes for as long as possible (within the geographic split context). The projected exhaust dates for the 941 area and the new NPA are 4.1 and 7.3 years, respectively. (Ex. 10, last page.) The 941 area has held that code for about three years (the change from 813 to 941 occurred in 1996). So consumers in that area will have retained the 941 code for about 8 years (when the split becomes mandatory in 2000) until they may be asked to change again, based on current forecasts. The new area code will last over 7 years. That is, under Alternative 3, customers in both the new and old NPA areas will have held their respective area codes for 7-8 years before they may need to change again. (Scobie, Tr.

271.) Of the split alternatives proposed by Staff, this one comes the closest to equalizing the duration of the code use in both the new and old NPA areas, while optimizing the time for code retention. It is thus the fairest solution. Of the two-way geographic split options, it also comes closest to meeting NANPA's recommendation that "customers who undergo number changes shall not be required to change again for a period of 8-10 years." (NPA Code Relief Planning and Notification Guidelines, ATIS, Ex. PK-1, at para. 5.0(f).)

Other than the Staff's Alternative 3, the only geographic split option that would allow Manatee, Sarasota, and Charlotte Counties to remain together was the Counties' 3-way-split proposal. Specifically, Manatee, Sarasota, and Charlotte Counties would remain in one area code (probably 941), while the rest of the counties at issue would be divided into two more areas, with each area receiving its own, new area code. (See, e.g., Direct Testimony of all Charlotte County witnesses.; Hazeltine, tr. 25.) The Counties' motivation for this proposal is to try to prolong the time until the next split is necessary. (See, e.g., Horton Direct Testimony at 3-4.)

While GTEFL does not necessarily oppose the concept of a 3-way split, it is probably not the best approach in this case. Three-way splits are unusual; NANPA does not approve them as a matter of course. Ms. Kenworthy, the witness for Lockheed Martin as NANPA, was only able to name 7 instances of 3-way splits. (Late-filed Ex. 4.) The reason for the extraordinary nature of this relief is plain. While a two-way split requires only one additional code, a three-way split requires two. Because codes are allocated on a nationwide basis, and because other states are facing the same code shortages as is

Florida, NANPA can be expected to balk at giving two additional codes to Florida at this time.

Ms. Kenworthy could not be certain what NANPA's response to a request for two additional codes would be. She could only invite the Commission to make the request, which would not be processed like a routine request for just one code, but would instead be passed to a Senior NPA Relief Planner. The Relief Planner would then submit an application to NANPA's NPA Administrator, a division of NANPA. (Kenworthy, Tr. 140-41.)

If nothing else, the 3-way split is not a viable relief option in this case because of the additional time involved in seeking authorization for it, and the chance that it will be denied. NANPA has placed the 941 code in extraordinary jeopardy status. (Foley DT at 18.) The industry has implemented code rationing and other measures to try to avoid exhaust before the end of this year. But with an Order in this case scheduled for June, the time frame for testing and implementation is already unduly compressed. Ideally, the industry should have six months from the date of the decision on an area code split until the beginning of permissive dialing. An absolute minimum of 90 days is required, due to LERG notification and publishing requirements. (Scobie DT at 4-5.) Given the Order date in this proceeding and the testing and implementation measures that need to occur after that, there is no room for any slippage in the schedule. There is no certainly no time for the Commission to make a post-Order petition to NANPA for an additional area code and to wait for a response that may, in any event, be negative. The Commission cannot take this kind of risk. The relief determined in the June Order must be final and definite so that the companies can begin implementation efforts immediately and avoid network problems

to the extent possible.

A 3-way split would, in addition, raise the potential for more cross-boundary community of interest problems like the one Manatee, Sarasota, and Charlotte have themselves raised. That is, with a 3-way split, the likelihood increases that particular areas will perceive themselves as being disassociated from their natural communities of interest if they are placed in a different area code.

Finally, the rationale driving the Counties' 3-way split proposal--to prolong exhaust periods--may become weaker in the not-too-distant future as number conservation measures increase the time consumers may retain their area codes. This Commission, as well as the industry, are very interested in such measures, and the Counties can be assured that they will be implemented here as soon as they are feasible.

Issue 2: What implementation issues, if any, should be addressed by the Commission?

**** The Commission should order the permissive dialing period to begin on a Monday, in order to allow for weekend billing system modifications. In addition, the Commission should avoid designating a new area code that is confusingly similar to the existing 941 code. ****

Dialing Patterns: If a geographic split is implemented, some local calls should be dialed on a ten-digit basis. Due to the local/EAS/ECS calling areas, there is no dividing line which will not split some local calling area. (Scobie DT at 5.) However, under Alternative 3, only six routes that are now 7-digit-dialed would become 10-digit-dialed after the split--and all of the six routes are associated with GTEFL's optional local calling plan. With Charlotte County included in Alternative 3, there are no 7-digit to 10-digit conversions on

any EAS or ECS routes. This is another significant plus for Alternative 3, as consumers generally do not favor a move to mandatory 10-digit dialing. Staff's other pure geographic split options (Alternatives 1 and 2) would require 10-digit-dialing on more routes, including EAS and ECS routes.

Mr. Scobie's Exhibit CMS-1 (attached to his Direct Testimony) shows the dialing patterns for the 5 options Staff had proposed before testimony was filed. (The companies were not able to not submit any dialing pattern analyses for other parties' proposals that were submitted at or just before the hearing.)

New Area Code: Before the hearing in this case, media reports suggested that the 241 code would be assigned to the new (non-941) area in the event of a 2-way split. GTEFL is concerned that 241 is too similar to 941, and would thus lead to customer confusion and an unusually high volume of misdialed calls. The current guidelines should be used, with NANPA recommending a code and the industry reviewing it prior to publication to ensure there are no conflicts between the new and existing codes. (Scobie DT at 4.)

Monday Permissive Dialing Implementation: GTEFL asks the Commission to direct that the permissive dialing period begin on a Monday. In this way, order entry and billing system modifications can be completed over the weekend. (Scobie DT at 5.) In GTEFL's experience, the potential for carrier change, directory assistance and billing problems is much greater if GTEFL is forced to complete all necessary modifications during the week. (Scobie, Tr. 270.)

Respectfully submitted on April 23, 1999.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that copies of GTE Florida Incorporated's Posthearing Statement in Docket No. 990223-TL were sent via overnight delivery(*) on April 22, 1999 or U. S. mail(**) on April 23, 1999 to the parties on the attached list.


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