



COUNTY OF CHARLOTTE

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April 23, 1999

VIA COURIER HAND DELIVERY

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

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

Dear Ms. Bayo:

Enclosed are the original and ^{fifteen (15)}~~seven (7)~~ copies of Charlotte County's Brief in the above-referenced consolidated docket.

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to me at your convenience. Thank you for your assistance in this matter.

Sincerely,

Martha Young Burton
Assistant County Attorney

- AFA _____
- APP _____
- CAF _____
- CMU 1 MYB/am
- CTR _____ Enclosures
- EAG _____
- LEG 1 cc: Renee Francis Lee, County Attorney
- MAS 3
- OPC _____
- RRR _____
- SEC 1
- WAW _____
- OTH _____

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for Review of
Proposed Numbering Plan
Relief for the 941 Area Code

DOCKET NO. 990223-TL

FILED: April 23, 1999

CHARLOTTE COUNTY'S POSTHEARING STATEMENT

Charlotte County ("Charlotte") hereby files its posthearing statement in the above-referenced consolidated docket, which includes three related 941 area code cases (Fort Meade area, Englewood area, and 941 area code).

I. Statement of Basic Position

Charlotte County strongly opposes the proposed geographic split plan for the 941 area code relief and believes that special circumstances exist that warrant dividing the 941 NPA into three NPAs. Further, the proposed geographic split plan for the 941 area code relief divides Englewood, located in both Charlotte and Sarasota Counties, and would unfairly burden the local community. The Florida Public Service Commission ("Commission") should consider southwest Florida's unique characteristics, demographics, and needs, as suggested by NPA Guidelines (Exh. 3, p.11), and keep Charlotte, Sarasota, and Manatee Counties in the same area code, without the use of an overlay.

II. Issues

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?

Position:

No. The proposed split will be extremely detrimental to the citizens, businesses, and government of Charlotte County, especially the Englewood community. The Commission should split the 941 NPA into three balanced NPAs, allowing longer exhaust periods. Charlotte, Sarasota, and Manatee Counties should remain together, without the use of an overlay.

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

Position:

The Commission should consider current and planned population centers, demographics, and calling patterns of 941 NPA communities. The Commission should also continue its number conservation efforts to lengthen exhaust periods, including its "establishment of a statewide emergency area code relief plan" requiring the sequential distribution of telephone numbers by code holders.

III. Argument

A. Introduction

The proposed geographic split relief plan for the 941 NPA would unnecessarily split the Englewood community, located in both Charlotte and Sarasota Counties, and would also divide Charlotte from its shared interests in Sarasota and Manatee Counties. Although the proposed geographic split plan for the 941 area code relief represents an industry consensus achieved through the process administered by Lockheed Martin acting as the North American Numbering Plan Administrator ("NANPA") (Tr. 116) and conveniently

follows the LATA boundaries between Sprint and GTE, there are special circumstances in this case that warrant the assigning of a third area code, resulting in a three-way geographic split of the present 941 NPA. In addition, the sizable population of elderly residents in the 941 NPA would find an overlay system difficult and confusing.

B. Discussion of Issue 1

Charlotte's main goal in the Englewood area docket was to protect the Englewood community, which straddles both Charlotte and Sarasota Counties, from being split in half. The overwhelming majority of witnesses who addressed Englewood's concerns were undisputed in their descriptions of shared governmental programs, emergency and law enforcement services, educational facilities, and infrastructure. (Tr. 30, 76, 82, 89, 293, 311, 327, 430) In Englewood, citizens of both Charlotte and Sarasota Counties share public schools, hurricane and medical emergency services, water and fire districts, evacuation routes, and even a Chamber of Commerce. (Tr. 25, 45, 77, 293, 311) With the consolidation of the Englewood area docket with the 941 area code relief docket, Charlotte's concern grew to encompass preventing the County itself from being split in two.

Charlotte's present population and future growth areas are located toward the Gulf in Englewood and Cape Haze, around the Myakka River, and around Charlotte Harbor and the Peace River. (Tr. 429) The Englewood community extends northward across the line into Sarasota County, and the Murdock area of Port Charlotte serves as a shopping and business center for North Port, across the line in Sarasota County. (Tr. 430) Charlotte County has only one incorporated municipality, Punta Gorda, where the County Courthouse is located.

(Tr. 429) But the County Administration Center is located in the Murdock area, at the northern edge of the County. So splitting the 941 area code along either the Sprint - GTE LATA boundary, the Myakka River, or the Peace River would also split Charlotte County's most populated area, the center of its community, in half. (Tr. 283 [Horton]) This description of Charlotte County is important, since NANPA usually tries to research an area's population growth and trends. (Tr. 120 [Kenworthy])

The importance of keeping Charlotte, Sarasota, and Manatee Counties together was supported by many witnesses. (Tr. 31, 39, 61, 66, 84, 94, 174, 290, 293, 315). All three counties are gulfside and coastal, depending in large part on tourism for local revenues. (Tr. 31, 286) Charlotte and Sarasota Counties share an international marketing campaign (Tr. 168), and Sarasota and Manatee Counties share mutual transportation and planning organizations. (Tr. 72) Several witnesses said there is more interaction between the three coastal counties of Charlotte, Sarasota, and Manatee than with Polk County. (Tr. 42, 56, 59, 92, 175, 384) Charlotte requests that these three counties keep the 941 area code, recognizing that NANPA considers the issue of fairness as well as customer density in making such a determination. (Tr. 143) Charlotte suggests combining DeSoto and/or Hardee Counties if necessary to even out the respective exhaust times. (Tr. 286 [Horton])

Charlotte believes that special circumstances exist in the 941 NPA which support a geographic split into three NPAs, rather than two. Only three years ago, in 1996, Charlotte's area code changed from 813 to 941. (Tr. 319) Assigning a second new area code to the 941

NPA would result in longer projected life times and would extend exhaust times farther out into the future, closer to the eight-to-ten year time frame in the NPA Guidelines. (Exh. 3, p. 4) Many witnesses voiced their preference for whatever method provided a longer exhaust time. (Tr. 37, 67, 76, 78, 281, 302, 315, 333, 347) This is especially important considering that NANPA expects the code conservation measures which should be in place by the end of next year (2000) to result in a 50% reduction in projected exhausts. (Tr. 156) Another fact supporting special consideration for the 941 NPA is that less than ten percent (10%) of the relief plans in the eastern region have similar early exhaust problems. (Tr. 131 [Kenworthy])

Sprint's only concern with a three-way split is whether the plan is operationally feasible. (Tr. 50) In addition, Sprint will support a three-code 941 relief plan if the Commission determines it to be in the best interest of the people. (Tr. 228) GTE prefers an overlay but would agree to a three-way geographic split if it maximizes relief periods for the areas involved. (Tr. 261)

Many witnesses (including the chairmen of all three Charlotte, Sarasota, and Manatee County Commissions) spoke against the use of an overlay system, that would require ten-digit dialing. (Tr. 55 [Stephens], 277 [Horton], 315 [Staub], 59, 69, 73, 80, 178, 294, 303, 338) Charlotte has the third oldest population in the State, with 33% of its citizens in the "elderly" category. (Tr. 431) Ten-digit dialing would be difficult and confusing for these citizens, who would have a hard time figuring out which calls are long distance. An overlay

would also be costly and time consuming in emergency situations, and would hamper Charlotte's ongoing efforts to create a sense of community. (Tr. 292 [Sallade], 325 [Feagans]) Several speakers also voiced concerns about children trying to remember all ten numbers. (Tr. 74, 80)

C. Discussion of Issue 2

The main implementation issue that the Commission should address is the use of conservation methods to lengthen exhaust times. This includes issuing NXX numbers in blocks of 1,000 rather than 10,000, rate center consolidation, and number pooling. (Tr. 158) For areas that undergo number changes, a longer permissive dialing period would help residents, businesses, government, and especially the tourism industry that is so important to southwest Florida. (Tr. 176) Another aid for customers is to avoid new NPA numbers that are too similar to 941, for example, 241. (Tr. 426)

Although Charlotte desires to stay in the same area code with Sarasota and Manatee Counties, any split that follows county lines could be adjusted so that the local exchanges of Punta Gorda, North Fort Myers, and Boca Grande can stay together. Sprint already indicated no objection to this revised version of Alternative 3 from Exhibit 2. (Tr. 211)


D. Conclusion

The issues in this case are of great magnitude and have significance beyond the 941 NPA. The Commission's decision will have far-reaching effects on Charlotte County, and also all of southwest Florida.

Charlotte supports the Commission's number conservation efforts and agrees with several of the witnesses that a system-wide change is necessary in the way that area codes and numbers are assigned. It is possible that, as several witnesses stated, eventually all NPAs will go to ten-digit dialing (or more) (Tr. 198, 233), but Charlotte does not believe that southwest Florida, with its large geographic size and high percentage of elderly citizens, is the type of area best suited for the use of an overlay plan, nor does southwest Florida have the large, dense, cosmopolitan type of area where overlays may work the best.

The NANPA witness said there is always an invitation for additional alternatives, which is why the Commission has the ultimate decision. (Tr. 126) A three-way geographic split with balanced lives and the immediate implementation of number conservation methods will afford the citizens of southwest Florida more reasonable NPA exhaust periods, thus reflecting the intent of the Industry Numbering Committee in drafting the NPA Guidelines. And the NANPA witness has indicated that a three-way split is certainly possible in the 941 area code relief case. (Tr. 140)

Respectfully submitted this 23rd day of April, 1999.


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CERTIFICATE OF SERVICE
DOCKET NO. 990223-TL

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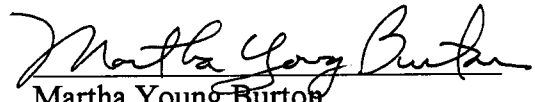
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