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RECORDS AND
REPORTING

June 21, 1999

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

Re: Docket 990373-TP

Dear Ms. Bayo:

At the prehearing conference held on Wednesday, June 16, 1999, the Prehearing Officer permitted parties to file amended positions on the issues until today. Amended positions by the citizens of Florida in this proceeding follow:

Issue: Statement of basic position.

Citizens' position: The citizens support the commission's efforts to keep blocks of thousand numbers either uncontaminated or lightly contaminated prior to implementation of thousand-block number pooling. Thousand-block number pooling will likely be among the most effective ways to mitigate the depletion of scarce numbering resources and slow the unnecessary creation of new area codes.

The commission should open a rulemaking proceeding pending authority from the FCC to take the actions contemplated in this docket. Rulemaking is necessary in order to make the commission's decision apply to ALEC's and others who are not a party to this docket. The commission should take all steps up to but not including final adoption of a rule pending a delegation of authority from the FCC pursuant to 47 U.S.C §251(e)(1). The commission will then be in a position to act quickly once the FCC delegates authority to the commission.

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Issue: Should code holders be required to distribute telephone numbers consecutively, beginning with the lowest assignable telephone number? If not, what alternative interim mechanism for number administration would be appropriate?

Citizens' position: Once obtaining jurisdiction from the FCC, the commission should require companies to meet a specified level of numbering utilization (fill rate) in assigned thousand-number blocks before allowing companies to use numbers from additional thousand-number blocks. The commission should conduct both periodic and surprise audits to ensure compliance.

Issue: Does the commission have the jurisdiction to order carriers to assign telephone numbers sequentially?

Citizens' position: The jurisdiction must be delegated from the FCC, either in response to the PSC's petition to the FCC for a grant of authority to implement number conservation measures or in FCC CC Docket 99-200.

Issue: Does the commission have jurisdiction to impose a consecutive number distribution requirement on BellSouth Mobility?

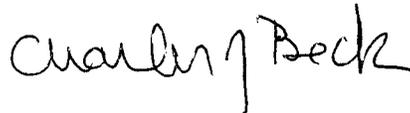
Citizens' position: The jurisdiction must be delegated from the FCC, either in response to the PSC's petition to the FCC for a grant of authority to implement number conservation measures or in FCC CC Docket 99-200.

Issue: Is the commission authorized to impose consecutive number assignment requirements on all NXX code holders in Florida without adopting that requirement through formal rule-making pursuant to chapter 120, Florida Statutes?

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Citizens' position: Rulemaking is required for any agency statement of general applicability that implements, interprets, or prescribes law or policy. That requirement of chapter 120, Florida Statutes, applies here. In addition, rulemaking is appropriate in order to make the commission's decision apply to entities who are not parties to this proceeding.

Sincerely,

A handwritten signature in cursive script that reads "Charles J. Beck".

Charles J. Beck
Deputy Public Counsel

CJB:bsr

cc: all parties of record