

ORIGINAL

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00 APR -6 PM 4:40

RECORDS AND
REPORTING

April 6, 2000

BY HAND DELIVERY

Ms. Blanca Bayó, Director
Division of Records and Reporting
Room 110, Easley Building
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Docket 981444-TP

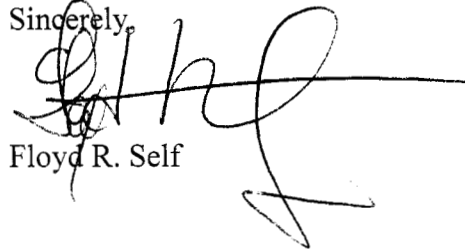
Dear Ms. Bayó:

Enclosed are an original and fifteen copies of a Joint Petition on Mandatory Number Pooling Order in the above referenced docket. Also enclosed is a 3 1/2" diskette with the document on it in WordPerfect 9.0 format.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance with this filing.

Sincerely,



Floyd R. Self

- AFA _____
- APP _____
- CAF _____
- CMU Clear FRS/amb
- CTR _____ Enclosure
- EAG _____ cc: Parties of Record
- LEG 1
- MAS 5
- OPC _____
- RRR _____
- SEC 1
- WAW _____
- OTH 1

RECEIVED & FILED
FPSC-BUREAU OF RECORDS

Done 4/10/00

DOCUMENT NUMBER-DATE

04297 APR-68

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Number Utilization Study: Investigation)
into Number Conservation Measures)
_____)

Docket No. 981444-TP
Filed: April 6, 2000

**JOINT PETITION ON MANDATORY
NUMBER POOLING ORDER**

Pursuant to Sections 120.569 and 120.57, Florida Statutes, and Rules 28-106.201 and 25-22.029, Florida Administrative Code, the undersigned parties (hereinafter "Joint Petitioners") hereby file this Joint Petition on Mandatory Number Pooling ("Joint Petition") with the Florida Public Service Commission (the "Commission") regarding proposed agency action ("PAA") Order No. PSC-00-0543-PAA-TP, issued March 16, 2000 (hereinafter "PAA Order"), and respectfully request an evidentiary hearing on the PAA to impose mandatory number pooling on telecommunications providers who may have been assigned or who may request the assignment of NPA/NXX codes. Pursuant to Section 120.569, Florida Statutes, the Joint Petitioners formally request a hearing under Section 120.57(1), Florida Statutes. Pursuant to section 120.80(13)(b), Florida Statutes, this request for hearing is a limited protest to only those provisions of the PAA Order regarding number pooling that are specifically identified herein. In support of this Joint Petition, the Joint Petitioners state:

I. Parties

1. The agency affected by this Joint Petition is the Florida Public Service Commission, acting through its Docket No. 981444-TP. The Commission's address is 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

2. The name, address, and telephone number of each of the Joint Petitioners, and each Joint Petitioner's representative(s), is attached hereto as Exhibit "A" and incorporated herein.

DOCUMENT NUMBER-DATE

04297 APR-68

FPSC-RECORDS/REPORTING

3. Each of Joint Petitioners (reflected on a separate Exhibit "A" for each entity) is a telecommunications provider authorized to offer telecommunications services in Florida or is an association that represents telecommunications providers authorized to offer telecommunications services in Florida. Each of the telecommunications carriers represented by this Joint Petition has been assigned or may request to be assigned blocks of telephone numbers (NPA/NXX codes) in order to make possible the provision of telecommunications services to end users.

II. Portions of the PAA Order at Issue

4. The Joint Petitioners received notice of the PAA Order on or after the date of its issuance, March 16, 2000, by obtaining copies mailed from the Commission or obtained from the Commission's Internet web site.

5. The PAA Order proposes to require several different measures to conserve telephone numbers and to improve the efficiency of telephone number utilization in Florida. In particular, the PAA Order requires: (i) the reclamation by the North American Numbering Plan Administrator ("NANPA") of all unused NXX codes in the 954, 561 and 904 area codes; (ii) criteria to obtain new numbering resources; (iii) thousand block number management requirements; (iv) verification procedures relating to number allocation and utilization; (v) mandatory number pooling; and (vi) code holder selection of a pooling administrator. This Joint Petition seeks a hearing only of the portions of the PAA Order that relate to number pooling, which are expressed in Sections III ("Mandatory Implementation of Thousand Block Pooling," at pages 5-11), VI ("Thousand-Block Pooling Software Release and Implementation Dates," at pages 15-18), and VII ("Designation of A Code Administrator," at pages 18-19) of the PAA Order and in the corresponding ordering paragraphs.

III. Joint Petitioners Would Be "Substantially Affected" By The PAA

6. The number pooling proposed by the Commission through the PAA Order does not provide sufficient time for testing and implementation, fails to provide reasonable notice of required events, fails to account for all of the steps necessary for the implementation of number pooling, fails to name a pooling administrator, requires the use of pooling software that is inefficient and imposes unnecessary costs on the Joint Petitioners and their customers, fails to allocate the costs and expenses of the pooling administrator, fails to provide for the recovery of the costs expended by the Joint Petitioners and other carriers affected by the pooling requirement, and otherwise fails to comply with the delegation of authority by the Federal Communications Commission in its delegation of authority to this Commission in Order FCC 99-249, issued September 15, 1999, to undertake number pooling trials in this state. These number pooling provisions would impose significant and unnecessary costs on the Joint Petitioners and would affect their ability to request and be assigned numbering resources needed by them to offer telecommunications services to their customers or prospective customers. Accordingly, the substantial interests of each of the Joint Petitioners will be affected if the number pooling provisions of the PAA Order are allowed to become final and effective.

IV. Statement of Disputed Issues of Material Fact

7. The number pooling provisions of the PAA Order being protested herein were proposed by the Commission without the opportunity for substantially affected parties to present evidence or to examine the factual assumptions relied upon by the Commission in ordering these provisions.

8. The issues of material fact in dispute include, but are not limited to, the following:
a. Whether the implementation of number pooling in accordance with the PAA Order is possible within the timelines proposed.

b. Whether the implementation of number pooling in accordance with the PAA Order would impose substantial or unnecessary costs on the Joint Petitioners or on their customers.

c. Whether the implementation of number pooling in accordance with the PAA Order would, all things being equal, extend the lifespan of the three NPAs subject to number pooling by the PAA Order in the manner suggested by Staff at the February 29, 2000, Agenda Conference.

d. Whether the implementation of number pooling in accordance with the PAA Order would impair access to adequate numbering resources.

e. Whether the implementation of number pooling in accordance with the PAA Order would impair the reliability of the Joint Petitioners' networks and degrade or interrupt service to their customers.

f. Whether requiring all code holders to agree on a pooling administrator is practical or consistent with FCC Order 99-249 and FCC Order 00-104.

g. Whether the implementation of number pooling in accordance with the PAA Order complies with the requirements of FCC Order 99-249 and FCC Order 00-104.

h. Whether the implementation of number pooling in accordance with the PAA Order complies with the requirements of Florida law.

V. Statement of Ultimate Facts

9. The Joint Petitioners contend that the implementation of number pooling in accordance with the PAA Order is not possible within the timelines proposed or with the use of the software proposed for implementation in each of the three NPAs at issue in the PAA Order. Furthermore, the PAA plan for pooling may impair the Joint Petitioners' access to numbering resources and cause network problems that would impair service to customers. The Joint Petitioners further contend that the PAA pooling plan would not materially extend the lifespan of the NPAs

affected in any greater degree than other possible measures that would not impose the same risks and costs. The Joint Petitioners believe that alternative software, implemented pursuant to a different time schedule, can be a better number pooling solution at lower cost and with substantially fewer implementation problems and costs than that proposed by the PAA Order. Finally, the PAA Order's requirement that all code holders designate a pooling administrator for the three NPAs would create uncertainty and delay in implementing number pooling, and the process outlined by the Commission does not properly account for the contract negotiation and execution process that is necessary for a number pooling trial. The PAA Order's number pooling provisions should therefore be reversed.

VI. Statement of Rules, Orders, and Statutes

10. The Joint Petitioners are seeking the reversal of only the number pooling provisions of the PAA Order, which are expressed in Sections III ("Mandatory Implementation of Thousand Block Pooling," at pages 5-11), VI ("Thousand-Block Pooling Software Release and Implementation Dates," at pages 15-18), and VII ("Designation of A Code Administrator," at pages 18-19) of the PAA Order and in the corresponding ordering paragraphs.

11. The Joint Petitioners believe that the PAA Order's number pooling provisions are inconsistent with the FCC's grant of authority to the Commission in FCC Order No. 99-249 and may also be inconsistent with some of the requirements of FCC Order No. 00-104, released March 31, 2000.

VII. Statement of Relief

For the reasons stated above, the Joint Petitioners respectfully request pursuant to section 120.80(13)(b), Florida Statutes, that the Commission reverse those provisions of the PAA Order specifically identified herein relating to the implementation of number pooling in the 954, 561, and 904 NPAs, and schedule a hearing pursuant to Section 120.57(1), Florida Statutes, to adopt an

alternative procedure for implementing number pooling in the 954, 561, and 904 NPAs and such other relief as may be appropriate to address the issues raised in this Joint Protest.

Respectfully submitted this 6th day of April, 2000.

[Individual signature pages and identification of Joint Petitioners follows on subsequent pages identified as Exhibit "A" that are attached hereto and incorporated herein.]

Exhibit "A"

The name, address, and telephone number of this Joint Petitioner is:
ALLTEL Communications, Inc. (ALLTEL), a Delaware corporation
authorized to do business in Florida. ALLTEL's address is One Allied
Drive, Little Rock, Arkansas 72202.

The names, address, and telephone numbers of ALLTEL's
representatives in connection with this Joint Petition for purposes of
service in this matter is set forth below the signature for each ALLTEL
representative:

ALLTEL COMMUNICATIONS, INC.

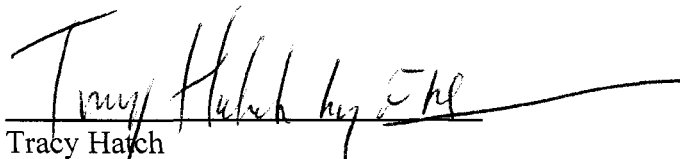


J. JEFFRY WAHLEN
Ausley & McMullen
P. O. Box 391
Tallahassee, FL 32302

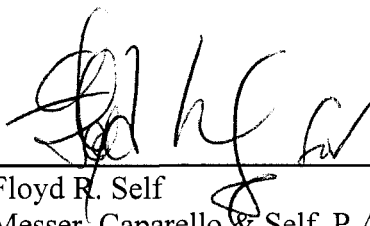
EXHIBIT "A"

The name, address, and telephone number of this Joint Petitioner is: AT&T Communications of the Southern States, Inc., 101 N. Monroe St., Suite 700, Tallahassee, Florida 32301, and AT&T Wireless Services, Inc. P.O. Box 97061, Redmond, Washington 98073-9761 (collectively "AT&T").

The names, address, and telephone numbers of AT&T's representatives in connection with this Joint Petition for purposes of service in this matter is set forth below the signature for each AT&T representative:



Tracy Hatch
Marsha Rule
101 N. Monroe St., Suite 700
Tallahassee, FL 32301
(850) 425-6364



Floyd R. Self
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
P.O. Box 1876
Tallahassee, FL 32302-1876
(850) 222-0720
E-Mail: fself@lawfla.com

Attorneys for AT&T Communications for the Southern States, Inc. and AT&T Wireless Services, Inc.

EXHIBIT "A"

The name, address, and telephone number of this Joint Petitioner is: BellSouth Mobility, Inc., 1100 Peachtree Street, N.E., Suite 910, Atlanta, GA 30309-4599

The names, address, and telephone numbers of BellSouth Mobility, Inc.'s representatives in connection with this Joint Petition for purposes of service in this matter is set forth below the signature for each BellSouth Mobility, Inc. representative:

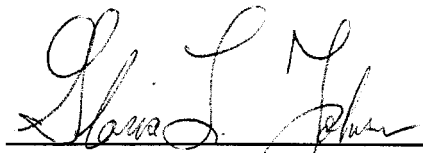
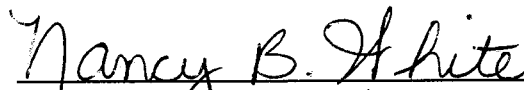
 (by FRS, with express permission)
Gloria L. Johnson, Esq.
General Attorney
1100 Peachtree St., N.E., Suite 910
Atlanta, GA 30309-4599
(404) 249-0925

Exhibit "A"

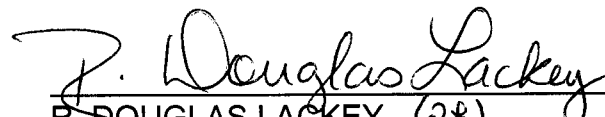
The name, address, and telephone number of this Joint Petitioner is:
BellSouth Telecommunications, Inc. ("BellSouth"), a Georgia corporation
authorized to do business in Florida. BellSouth's address is 675 West
Peachtree Street, Suite 4300, Atlanta, Georgia 30375.

The names, address, and telephone numbers of BellSouth's
representatives in connection with this Joint Petition for purposes of
service in this matter is set forth below the signature for each BellSouth
representative:

BELLSOUTH TELECOMMUNICATIONS, INC.



NANCY B. WHITE (22)
MICHAEL P. GOGGIN
c/o Nancy Sims
150 South Monroe Street, #400
Tallahassee, Florida 32301
(305) 347-5558

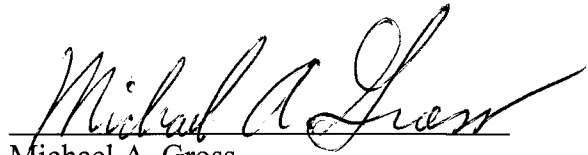


R. DOUGLAS LACKEY (22)
675 West Peachtree Street
Suite 4300, BellSouth Center
Atlanta, Georgia 30375
(404) 335-0747

Exhibit "A"

The name, address, and telephone number of this Joint Petitioner is: Florida Cable Telecommunications Association, Inc., 310 N. Monroe Street, Tallahassee, FL 32301, Tel: 850/681-1990.

The name, address, and telephone number of Florida Cable Telecommunications Association, Inc.'s representative in connection with this Joint Petition for purposes of service in this matter is set forth below:



Michael A. Gross
Vice President, Regulatory Affairs
& Regulatory Counsel
Florida Cable Telecommunications Association
310 N. Monroe Street
Tallahassee, FL 32301
Tel: 850/681-1990
Fax: 850/681-9676
E-mail: mgross@fcta.com

Exhibit "A"

The name, address, and telephone number of this Joint Petitioner is: GTE Service Corporation ("GTE"), a New York corporation authorized to do business in Florida. GTE's address is 201 N. Franklin Street, 16th Floor, MC FLTC0007, Tampa, Florida 33602.

The name, address, and telephone number of GTE's representative in connection with this Joint Petition for purposes of service in this matter are set forth below.

GTE SERVICE CORPORATION



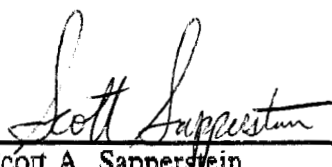

KIMBERLY CASWELL
201 N. Franklin Street, 16th Floor
MC FLTC0007
Tampa, Florida 33602
(813) 483-2617

Exhibit "A"

The name, address, and telephone number of this Joint Petitioner is: Intermedia Communications Inc., 3625 Queen Palm Drive, Tampa, FL, 33619. Intermedia is an NPA-NXX code holder in the State of Florida.

The names, address, and telephone numbers of Intermedia's representatives in connection with this Joint Petition for purposes of service in this matter is set forth below the signature for each Intermedia Communications Inc.

representative:

 by 

Scott A. Sapperstein
Intermedia Communications Inc.
3625 Queen Palm Drive
Tampa, FL 33619
813-829-4093
E-mail: SASapperstein@intermedia.com

Attorney for Intermedia Communications Inc.

Exhibit "A"

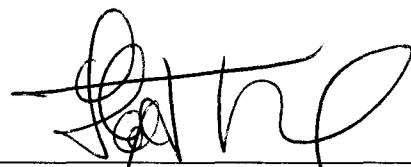
The name, address, and telephone number of this Joint Petitioner is:

MCI WorldCom, Inc., and its operating subsidiaries, ("MCI WorldCom"), 325 John Knox Road, Suite 105, Tallahassee, FL 32303.

The names, address, and telephone numbers of MCI WorldCom's representatives in connection with this Joint Petition for purposes of service in this matter is set forth below the signature for each MCI WorldCom representative:



Donna Canzano McNulty
323 John Knox Road, Suite 105
Tallahassee, FL 32303
(850) 422-1254
E-mail: donna.mcnulty@wcom.com



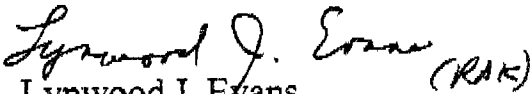
Floyd R. Self
Messer, Caparello & Self, P.A.
215 S. Monroe Street, Suite 701
P.O. Box 1876
Tallahassee, FL 32301-1876
(850) 222-0720
E-mail: fself@lawfla.com


Attorneys for MCI WorldCom, Inc.
and its operating subsidiaries.

Exhibit "A"

The name, address, and telephone number of this Joint Petitioner is:
MediaOne Florida Telecommunications, Inc., 7800 Belfort Parkway,
Jacksonville, FL 32256 ("MediaOne").

The names, address, and telephone numbers of MediaOne's
representatives in connection with this Joint Petition for purposes of
service in this matter is set forth below the signature for each
MediaOne representative:


Lynwood J. Evans
Regional Corporate Counsel
1919 Pennsylvania Avenue N.W.
Washington, DC 20006


Richard A. Karre
Senior Attorney
188 Inverness Drive West
Englewood, CO 80112

Attorneys for MediaOne Florida
Telecommunications, Inc.

ATTACHMENT A

The names, addresses and telephone numbers of these Joint Petitioners are:

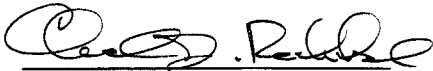
Sprint Spectrum L.P. (d/b/a Sprint PCS)
4900 Main Street
Kansas City, Missouri 64112

Sprint Communications Company Limited Partnership
7301 College Boulevard
Overland park, KS 66210

Sprint-Florida, Incorporated
Box 165000
Altamonte Springs, Florida 32716

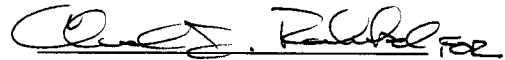
Sprint Communications Company Limited Partnership is an Alternative Local Exchange Company (ALEC) authorized by the Florida Public Service Commission ("Commission") to operate as an Alternative Local Exchange Carrier. Sprint-Florida, Incorporated is a Local Exchange Company (LEC) authorized by the Florida Public Service Commission to provide local exchange service in the State of Florida. Sprint PCS is a Commercial Mobile Radio Service (CMRS) provider licensed by the Federal Communications Commission to provide service in Florida.

The names, addresses and telephone numbers of the respective Sprint representatives in connection with this Joint Petition for purposes of service in this matter is set forth below the signature for each such representative:



Charles J. Rehwinkel
Susan Masterton
P.O. Box 2214
MC: FLTLHO0107
Tallahassee, Florida 32301-2214

AND



Joe Assenzo
4900 Main Street, 11th Floor
Kansas City, Missouri 64112

FOR:

Sprint Communications Company
Limited Partnership
Sprint-Florida, Incorporated

FOR:

Sprint PCS

THEIR ATTORNEYS

"Exhibit A"

The name, address, and telephone number of this Joint Petitioner is:

Time Warner Telecom of Florida, L.P.
233 Bramerton Court
Franklin, Tennessee 37069
(615)376-6404.

The names, address, and telephone numbers of Time Warner Telecom of Florida, L.P.'s representatives for purposes of service in this matter are set forth below:



PETER M. DUNBAR, ESQ.

Florida Bar No. 146594

KAREN M. CAMECHIS, ESQ.

Florida Bar No. 0898104

PENNINGTON, MOORE, WILKINSON,
BELL & DUNBAR, P.A.

Post Office Box 10095 (32302)

215 S. Monroe Street, 2nd Floor

Tallahassee, Florida 32301

(850) 222-3533

(850) 222-2126 (facsimile)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the foregoing in Docket 981444-TP have been served upon the following parties by Hand Delivery (*) and/or U. S. Mail this 6th April, 2000.

Cathy Bedell, Esq.*
Acting General Counsel
Division of Legal Services, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. Walter D'Haeseleer*
Director of Telecommunications
Division of Legal Services, Room 270
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Beth Keating, Esq.*
Division of Legal Services, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Diana Caldwell, Esq.*
Division of Legal Services, Room 370
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. John Cutting*
Division of Telecommunications, Room 270
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. Levant Ileri*
Division of Telecommunications, Room 270
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Ms. Sally Simmons*
Division of Telecommunications, Room 270
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. Jorge Cruz-Bustillo*
Aide to Chairman Garcia
Commissioner's Suite, Room G-335
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. William Berg*
Aide to Commissioner Deason
Commissioner's Suite, Room G-335
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Mr. Wilbur Stiles*
Aide to Commissioner Clark
Commissioner's Suite, Room G-335
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Tallahassee, FL 32399-0850

Ms. JoAnn Chase*
Aide to Commissioner Jaber
Commissioner's Suite, Room G-335
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Ms. Melinda Butler*
Aide to Commissioner Jacobs
Commissioner's Suite, Room G-335
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Charles J. Rehwinkel
Susan Masterton
F. Ben Poag
Sprint-Florida, Incorporated
MC FLTHO0107
P.O. Box 2214
Tallahassee, FL 32399-2214

Ms. Peggy Arvanitas
c/o RE/MAX First Class, Inc/
620 Bypass Drive
Clearwater, FL 33764

Mr. Fredrick Cderqvist
AT&T
Room 2A114
900 Routes 202/206 N
Bedminster, NJ 07921

Marsha Rule, Esq.
Tracy Hatch, Esq.
AT&T
101 N. Monroe St., Suite 700
Tallahassee, FL 32301

BellSouth Mobility, Inc.
1100 Peachtree St., NE #910
Atlanta, GA 30309-4599

Cellular One of Southwest Florida
2100 Electronics Lane
Ft. Myers, FL 33912-1605

Global NAPS, Inc.
10 Merrymount Road
Quincy, FL 02160

GTE Wireless Incorporated
245 Perimeter Center Parkway
Atlanta, GA 30346

Richard Melson, Esq.
Hopping Law Firm
P.O. Box 6526
Tallahassee, FL 32314

ITC^DeltaCom
Regulatory Affairs Manager
700 Boulevard South, Suite 101
Huntsville, AL 35802

Mr. Don Price
MCI Telecommunications
701 Brzos, #600
Austin, TX 78701

Donna Canzano McNulty, Esq.
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325 John Knox Road
Tallahassee, FL 32303

Charles Beck, Esq.
Office of Public Counsel
111 W. Madison St., Room 812
Tallahassee, FL 32399-1400

Kenneth A. Hoffman, Esq.
John R. Ellis, Esq.
Rutledge, Ecenia, Purnell & Hoffman, P.A.
P.O. Box 551
Tallahassee, FL 32302

Omnipoint Communications
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Hallandale, FL 330099

Charles J. Rehwinkel
Susan Masterton
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Tallahassee, FL 32399-2214

Ms. Robin Norton
Technologies Management
P.O. Drawer 200
Winter Park, FL 32790-0200

Mr. David Christian
GTE Florida, Incorporated
106 E. College Avenue, Suite 810
Tallahassee, FL 32301

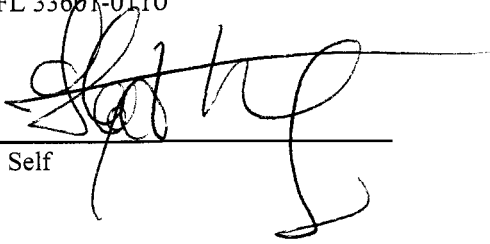
Michael A. Gross
Vice President, Regulatory Affairs
and Regulatory Counsel
Florida Cable Telecommunications Association
310 N. Monroe St.
Tallahassee, FL 32310

ALLTEL Florida, Inc.
206 White Avenue, S.E.
Live Oak, FL 32060-3357

Peter M. Dunbar, Esq.
Pennington, Moore, Wilkinson, Bell &
Dunbar, P.A.
P.O. Box 10095
Tallahassee, FL 32302-2095

Gloria Johnson
Associate General Counsel
BellSouth Cellular Corp.
1100 Peachtree Street, N.E., Suite 910
Atlanta, GA 30309-4599

Kimberly Caswell
GTE Florida Incorporated
P.O. Box 110, FLTC0007
Tampa, FL 33601-0110

A handwritten signature in black ink, appearing to read "Floyd R. Self", is written over a horizontal line. The signature is stylized and cursive.

Floyd R. Self