

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

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In the Matter of : DOCKET NO. 990455-TP
:
REQUEST FOR REVIEW OF PROPOSED :
NUMBERING PLAN RELIEF FOR THE :
305/786 AREA CODE - DADE COUNTY :
AND MONROE COUNTY/KEYS REGION. :

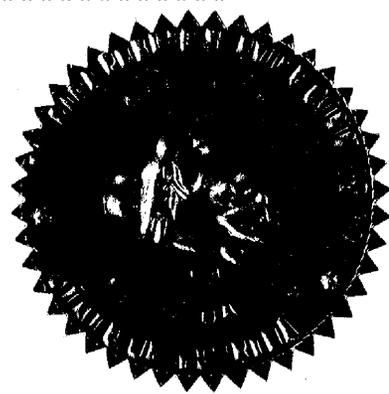
In the Matter of : DOCKET NO. 990456-TP
:
REQUEST FOR REVIEW OF PROPOSED :
NUMBERING PLAN RELIEF FOR THE :
561 AREA CODE. :

In the Matter of : DOCKET NO. 990457-TP
:
REQUEST FOR REVIEW OF PROPOSED :
NUMBERING PLAN RELIEF FOR THE :
954 AREA CODE. :

In the Matter of : DOCKET NO. 990517-TP
:
REQUEST FOR REVIEW OF PROPOSED :
NUMBERING PLAN RELIEF FOR THE :
904 AREA CODE. :

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DOCUMENT NUMBER-DATE

12720 OCT-58

1 BEFORE: CHAIRMAN J. TERRY DEASON
2 COMMISSIONER E. LEON JACOBS, JR.

3
4 DATE: Friday, September 29, 2000

5
6 TIME: Commenced at 9:30 a.m.
7 Concluded at 12:25 p.m.

8
9 PLACE: Betty Easley Conference Center
10 Room 148
11 4075 Esplanade Way
12 Tallahassee, Florida

13 REPORTED BY: JANE FAUROT, RPR
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1 PARTICIPATING:

2 BETH KEATING, TIM VACCARO and LEE FORDHAM, FPSC
3 Division of Legal Services.

4 WALTER D'HAESELEER, CHERYL BULECZA-BANKS, LEVENT
5 ILERI, and SALLY SIMMONS, FPSC Division of Competitive
6 Services.

7 SENATOR RON KLEIN

8 ANN McFALL, FRANK GUMMEY, ROBERT WEISS,
9 representing Volusia County, et al.

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P R O C E E D I N G S

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2 CHAIRMAN DEASON: Call the special agenda
3 conference to order. Staff, this was an item which was
4 originally scheduled for September 5th, we deferred it, we
5 set it for a special agenda. Is there any reason to read
6 a notice or are we covered?

7 MS. KEATING: I believe we are already covered.

8 CHAIRMAN DEASON: Very well. We are considering
9 four different dockets, four different area codes. I want
10 to give staff a brief opportunity to make any opening
11 introductory comments that it wishes. It is my desire, so
12 every one is aware, that we are going to address area code
13 561 first for all issues affecting that area code. Not
14 the generic conservation issues, but all the issues
15 specific to 561.

16 Senator Klein is with us today. I know that he
17 wants to make some brief remarks. I am going to give him
18 that opportunity. But I want to make it clear on the
19 record that we are not here to reopen the record. We are
20 not taking new evidence. The record is closed. Senator
21 Klein is fully aware of that. He wishes to reiterate some
22 points and things that are already within the record, and
23 I'm going to give him that flexibility to do that. And
24 accompanying him today is Mr. Jack Shreve.

25 Are there any other preliminary matters that we

1 need to address?

2 MS. KEATING: None that we are aware of.

3 CHAIRMAN DEASON: Okay. Staff, if we could,
4 since we are going to do it area code by area code, if
5 there is anything of a generic nature that you want to
6 cover, go ahead and do that, then address anything
7 specific to 561, and then we will hear from the Senator
8 and we will address 561, and then we will follow that
9 routine for the other area codes, as well.

10 MR. ILERI: Commissioners, at this point we
11 don't have anything to say regarding the area codes relief
12 plans. And the only thing that we have is Issue Number 2,
13 which was in terms of the alternatives delegated from the
14 FCC, and the FCC's new order in Order Number 00-104. In
15 our prior experiences in other area code relief plans, we
16 are implementing some number conservation measures in all
17 of the area codes in this.

18 CHAIRMAN DEASON: Okay. Senator.

19 SENATOR KLEIN: Thank you very much, Mr.
20 Chairman and Commissioner. Good morning. My name is Ron
21 Klein, I'm a State Senator from District 28, which
22 represents parts of Palm Beach County and a little bit of
23 Broward County. I am here today to just embellish on a
24 couple of issues that I believe are in the record and just
25 share with you the results of a meeting that we had in

1 West Palm Beach a couple of days ago.

2 I would first like to thank you and your staff
3 for making the staff available to travel down to West Palm
4 Beach. We had a meeting that a number of people had
5 requested. We had about nine legislative offices and
6 legislators represented in the meeting. The Palm Beach
7 County Commission was represented, Indian River, St. Lucie
8 County, Mayor of St. Lucie, and representatives of the
9 public including chambers of commerce and some business
10 leaders.

11 Very simply, the reason we had the meeting was
12 because of basically a universal position that the staff
13 recommendation of ten-digit dialing and an overlay as
14 recommended in Number 11, as Number 11 alternative is
15 opposed, and it is opposed universally.

16 The 561 area code has been in place for a number
17 of years in the area. These same communities, these
18 counties have been through quite a bit of change over the
19 last number of years. I know when I moved to Florida in
20 1986 we had 305 for the whole South Florida area. Palm
21 Beach County where I live was then switched to 407, which
22 was then switched to 561.

23 And because of the great influence that
24 technology in a very positive way has had on all our
25 communities we have a tremendous need for new telephone

1 lines. And I think that is a good thing for Florida and
2 it is a good thing for our communities.

3 We stand here today to tell you that we don't
4 want to be in the way of the advancement of any type of
5 necessary change that needs to accommodate the telephone
6 line issue, but we think that the ten-digit dialing and
7 the overlay is not necessary because there is an
8 alternative solution which is supported by all four
9 counties and supported by all the people at the
10 meeting. And I can, again, speak on behalf of the members
11 of the legislative delegations that were in attendance, as
12 well.

13 The issue as we see it is that in the proposal
14 Number 4, which is on your record as an alternative, that
15 is something that allows for Palm Beach County to continue
16 to use the 561 area code and for Martin, Indian River, and
17 St. Lucie Counties to receive a new area code. Which
18 would, according to your staff's estimates, would be good
19 for approximately 24 years. So the people in those
20 counties, although they recognize the need, they generally
21 feel that that is a good solution. Because if they have
22 to make a change, at least it won't be for another two
23 years or whatever it may be. It will accommodate their
24 needs for the projected growth as they see it in their
25 counties. So that is why that is a good solution.

1 In Palm Beach County, which continues to grow,
2 it is probably one of the only large counties in Florida
3 that doesn't have its own area code. But, in any event,
4 what we are suggesting is that Palm Beach County retain
5 the 561 area code freeing up the exchanges and the lines
6 from the other three counties together with conservation
7 measures that you will be considering today, we believe
8 that this will accommodate Palm Beach County's needs for
9 many years to come.

10 In particular, your staff talks about a couple
11 of issues that they have concerns about and why Number 4
12 is not a good thing. Number one, they say the area code
13 change would be required for the new three counties or the
14 three counties with the new area code, and that is
15 considered to be a negative. Well, again, I think the
16 information presented shows that those areas favor that
17 and that is not a negative, that it is a positive.

18 Number two, they talk about the fact there is a
19 short lifespan with this solution. And the short lifespan
20 they mention is the estimate of 3.1 years in the Palm
21 Beach County area. I would point out to you, and if I can
22 direct you to the docket on Page 35 -- actually I think I
23 will move you over to 34 first. When the staff was
24 running up its report and had taken some testimony, the
25 NANPA witness, Mr. Foley, and the staff witness,

1 Mr. Fulwood, both indicated that the projected lives of
2 area codes double if number conservation measures are
3 used, and I'm quoting.

4 Now, I recognize that you will be considering
5 the conservation methods today, and I am certainly
6 encouraging these conservation measures because I think
7 from a technology standpoint, from a practicality and
8 common sense standpoint many of these things should be
9 adopted. And I think if we do adopt them we will go
10 forward and have some very significant savings and
11 availability of lines. But just to point out that
12 Mr. Foley and Mr. Fulwood both estimated that the area
13 codes would double.

14 I also want to point out that we had a member of
15 the staff that operates all the telecommunications who
16 testified in your hearing, also. His name is Robert
17 Szlazne (phonetic), and he is the director of
18 communications for telecommunications in Palm Beach
19 County. He also brought up in his testimony the
20 estimate -- and he is an expert in the field, as well --
21 that he believed that the lifespan of the 561 area code,
22 if Palm Beach County were to retain that 561 area code,
23 would be closer to nine years as opposed to the estimate
24 of over and above 3.1.

25 Again, the 3.1 by your staff's record, and I

1 will now direct you to Page 35 of the docket. If you look
2 at the chart that has been prepared, the table shows that
3 at the bottom under Number 11, and where it says type 0,
4 that is the overlay with the number symbol after that. And
5 if you look at the paragraph below it says 0 and the
6 number symbol, is an overlay with number conservation
7 measures. So the estimates of Region A, which is the
8 treasure coast, and Region B, which is Palm Beach County,
9 comes up with 20 years.

10 If you go back to Page 34, and you look at the
11 top of the explanation, it says "Thus, staff notes
12 that --" this is the fourth line, the third line, "Thus,
13 staff notes that the assumptions in determining the
14 projected exhaust of this plan may vary anywhere from 10
15 to 20 years since there are no proven techniques to
16 estimate the exhaust of an area code when number
17 conservation measures are implemented."

18 What they did in the chart here and the table is
19 they put 20 years. So they used the conservation maximum
20 method to come up with their 20. If we look up above at
21 the proposal which I am proposing, and I am speaking on
22 behalf of the four counties, if you look at Alternative
23 Number 4 and you see 3.1 and 24.6 for the treasure coast,
24 you now take a look at that same paragraph down below that
25 I referred you to a few minutes ago, and it says that S,

1 which is the geographic split plan, is basically an
2 estimate which does not include conservation methods. And
3 in your discussion with the group the other day that your
4 staff that came down, that was confirmed.

5 It was a little bit troubling to me to know why
6 we were using conservation methods in Number 11, but not
7 in Number 4. And I understand that one of the
8 considerations was the fact that we wanted to try to get
9 up as high as possible for the number of years in place
10 for the use of the 561 area code to meet the national
11 standards, and that is fine.

12 But I would suggest to you based on everything I
13 have heard and the experts that have been presented to me,
14 and I know this is not an exact science because we are not
15 exactly sure how the conservation methods will play out,
16 is that the 3.1 plus some conservation that takes place
17 will result in some additional time, five, six, seven
18 years, I can't tell you. But I think it is reasonable to
19 assume that there is some reasonable period.

20 We have heard nine years, we have heard double
21 the amount of available time, so if you take that from the
22 people from the association, that would take it from 3.1
23 to 6.2. But let's assume that at least a couple of years.
24 I am still representing to you today that that is
25 something that is desirable and something that I speak on

1 behalf of the people that I came here today to represent,
2 they would prefer that.

3 Recognizing that there will eventually be some
4 additional relief that is required. Maybe it will be a
5 new area code, maybe in the future ten-digit dialing is
6 required, maybe a new technology in the next number of
7 years will change all of this and maybe with follow me
8 numbers and all sort of other things there will be relief
9 that is provided so that we won't have to have ten-digit
10 overlay.

11 The bottom line to what I am expressing to you
12 today on behalf of the people that sent me up here is that
13 those communities do not want ten-digit dialing. That
14 they do not want the overlay, and that there is a win/win
15 solution that will allow for the people in those
16 communities to have the quantity of lines that are
17 necessary, it will provide relief in the treasure coast
18 area, the three counties for an extraordinary period of
19 time which is terrific for those communities. They won't
20 have to have a change. And for Palm Beach County there is
21 a reasonable period of time of probably somewhere
22 between five and nine years which will be assessed and
23 will be available to those communities. And hopefully
24 over time there will be new technology. And if there
25 isn't, we will come back in a number of years and have

1 this discussion again.

2 But I think we can accommodate everybody's
3 interests, I think we can accommodate the federal
4 guidelines, and I would just like to express that to you
5 and hope that you take into consideration that Alternative
6 4 is much more desirable, it is needed, it is wanted by
7 the communities, and there is no interest at all for
8 anybody I have talked to in the business or residential
9 community in Alternative 11.

10 Also, I would just like to express if I could
11 and ask your indulgence, Mr. Jack Shreve also participated
12 in the meeting the other day, and if I could just ask for
13 him to share maybe a couple of observations.

14 CHAIRMAN DEASON: Mr. Shreve, I am going to give
15 you that flexibility. I will just ask you, you
16 participated in the meeting, is that correct?

17 MR. SHREVE: Yes, I did, Mr. Chairman.

18 CHAIRMAN DEASON: Okay. Is there anything that
19 you wish to add as a result of the discussions that took
20 place?

21 MR. SHREVE: I believe Senator Klein has more
22 than adequately covered everything. I think one of the
23 most important parts to me and probably to you is that
24 there is no disagreement between the counties on this.
25 The three counties would like to take the new area code

1 and have Palm Beach County take the old one, which solves
2 a part of our conflict situation. And it appears to me
3 that you have an alternative that is promising that would
4 take care of the problems and would also be within the
5 wishes of the four counties.

6 CHAIRMAN DEASON: Thank you. Senator, I think
7 you covered this, but just to make sure it is very clear.
8 The citizens of Palm Beach County do not want ten-digit
9 dialing and they would prefer a geographic split even
10 though the anticipated life of that split may only be, for
11 example, five years, and that they know that they would
12 then have to perhaps look at another alternative.

13 Now, perhaps conservation will extend it even
14 more. I know right now staff has 3.1 years. We know
15 there is going to be some conservation, so that is going
16 to be a low number. It's a question of whether it is
17 going to be 3.1 or 5 or 6. If we get past 6, I think
18 maybe we are getting overly optimistic. But just for a
19 ballpark number say five years. The citizens realize then
20 they would be faced with that. But to maintain
21 seven-digit dialing, that is the alternative they prefer.

22 SENATOR KLEIN: Mr. Chairman, I can represent on
23 behalf of a unanimous Palm Beach County Commission that
24 represents the voters in that community, I can represent
25 on behalf of the legislative delegation, the members that

1 have been participating, that is the desire. There is an
2 acknowledgment and recognition we may have to do something
3 in that future period of time. If I am reelected in 2002,
4 I will still be in office at that point, which means that
5 I will have to deal with that. But I think that, again,
6 that is absolutely the intent at this point in time.

7 CHAIRMAN DEASON: Thank you. Staff, you have
8 looked at a number of alternatives, Alternative 4 being
9 one of those. You rejected it. I suppose that one of the
10 primary reasons it was rejected was the disparity between
11 the anticipated lives of the two split areas?

12 MR. ILERI: That is correct.

13 CHAIRMAN DEASON: Does staff have a feel for
14 what the life would be for Palm Beach County in an
15 Alternative 4 split situation with the impacts of
16 conservation?

17 MR. ILERI: Commissioners, before I answer that
18 question, I would like to note that the Jupiter exchange
19 serves Martin and Palm Beach Counties. And currently we
20 have local calling from Jupiter to Hope Sound. We have
21 local calling to Indiantown. And we are looking at about
22 300,153 lines that may get affected. And, therefore, they
23 may have to dial ten digits to be able to reach their --

24 CHAIRMAN DEASON: So even though, for example,
25 under Alternative 4 we realize that the Jupiter exchange

1 serves portions of Palm Beach County as well as portions
2 of Martin County and that there is extended area service
3 between Jupiter, Indiantown, and Hope Sound --

4 MR. ILERI: Correct.

5 CHAIRMAN DEASON: -- and that if Alternative
6 4 -- if that situation was -- that was implemented, there
7 would still be local calling, but it may have to be on a
8 ten-digit dialing basis because of the area code boundary?

9 MR. ILERI: Correct. And in terms of the number
10 conservation measures and based on the evidence in the
11 record, the life of the area code will double if those
12 number conservation measures are fully implemented. And,
13 therefore, that 3.1 years will go up to 6.2 years based on
14 certain assumptions.

15 CHAIRMAN DEASON: Okay. And under the
16 guidelines we are not supposed to implement any plans
17 which have a life of less than five years, is that
18 correct?

19 MR. ILERI: Correct.

20 CHAIRMAN DEASON: So do you think that with
21 number conservation we would meet that requirement?

22 MR. ILERI: Yes, I believe so.

23 MS. BULECZA-BANKS: You will also have to deal
24 with the difference in disparity between the regions
25 still. The guidelines indicate 15 years between those two

1 regions.

2 CHAIRMAN DEASON: And maybe now is a good time
3 to review the nature of those guidelines, which I
4 emphasize the term guideline, not hard fast law. Staff.

5 MS. KEATING: I was just going to point out that
6 the FCC has delegated to states the authority to implement
7 relief plans. And they have established the guidelines
8 with the intended purpose to ensure that the
9 administration of numbers encourages the introduction of
10 new services and doesn't prejudice any segment of the
11 market. But you're right, they are just that, they are
12 guidelines. But if you approve a plan that deviates from
13 the guidelines, NANPA can refuse to release a code to
14 allow you to implement the plan, and the FCC can review
15 the plan that you have approved.

16 CHAIRMAN DEASON: Okay. And I also note that
17 under the guidelines, staff, you included those as part of
18 your recommendation, and I am looking at Page 10 of your
19 recommendation. And Item 5 there is that the Commission,
20 being the Florida Public Service Commission, is to
21 consider public input within a particular area code.

22 Does staff agree that public input -- that there
23 has been a strong indication that a split is preferred
24 over an overlay plan? The record justifies that, correct,
25 according to public opinion?

1 MR. ILERI: That is correct. Even from our
2 prior experiences we have implemented relief plans with
3 shorter lifetime periods.

4 CHAIRMAN DEASON: And since these are
5 guidelines, we have to consider all of these and we have
6 to try to reach a balance. And maybe you cannot -- it is
7 difficult to craft one plan which meets all the criteria.
8 Does staff also agree with that?

9 MS. KEATING: I just want to point out that Item
10 5 on this page is not one of the INC guidelines. This is
11 one of our own internal considerations.

12 CHAIRMAN DEASON: Okay. Is there any indication
13 within the guidelines that we are to consider public
14 input?

15 MS. KEATING: No, sir.

16 CHAIRMAN DEASON: So the federal guidelines is
17 that while they put it on the states to make the decision
18 and try to do it in the public interest, they don't have a
19 requirement we consider the public interest or public
20 input.

21 MS. KEATING: Not at this time. I do want to
22 point out, though, that New York recently chose a plan
23 that split rate centers, and they took into account the
24 public considerations. NANPA did refuse to give them a
25 code to implement the plan, but the FCC has issued a

1 request for comments on that situation. And one of the
2 things they are going to be looking at is whether or not
3 they should give states a little more leeway in order to
4 choose a plan. And there has not been a conclusion to
5 that yet, but I will say that the Florida Commission
6 supported that.

7 COMMISSIONER JACOBS: So for the NXX area they
8 don't have a new code yet, they are waiting?

9 MS. KEATING: They are waiting.

10 COMMISSIONER JACOBS: Do you know if their
11 exhaust -- I assume they haven't gone to exhaust yet in
12 that area?

13 MS. KEATING: I'm not aware.

14 CHAIRMAN DEASON: Let's assume worst-case
15 scenario and that is that this Commission endorses
16 Alternative 4 and that there is reluctance upon the
17 federal authorities to issue that and that it has to be
18 reviewed by the FCC. What is the time frames involved in
19 that and do we have enough time to go through that
20 process?

21 MS. KEATING: I think for 561 we have got time.
22 I'm not sure that there is an established procedure. From
23 all the orders that I have read, the FCC has been hesitant
24 to establish a set process of protesting a state
25 commission's chosen relief plan. The indications I have

1 seen in their orders have been generally that their
2 reasoning for adopting guidelines, they hoped that state
3 commissions would follow the guidelines and that they
4 really wouldn't run into too many situations.

5 CHAIRMAN DEASON: Let me tell you some of the
6 difficulty that I'm having. And I know the FCC has a
7 difficult job. We have a difficult job, too. But it
8 seems like more and more and more in the
9 telecommunications field we get directives, guidelines,
10 sometimes hard and fast rules from the FCC that falls to
11 the states to implement and it is the states that have the
12 requirement to consider the public input, the public
13 concern, what is generally in the public interest being
14 balanced. And sometimes you don't get that sitting in an
15 office in Washington, D.C.

16 And this Commission goes to great effort to go
17 out and to have public hearings and invite the public to
18 come out and express their concerns, come up with
19 alternatives. And we try to take that to heart. And it
20 is difficult when you get that information and then you
21 are faced with a situation, well, there is a federal
22 guideline that you are going to violate. And if I have to
23 make a mistake, I am going to make the mistake of doing
24 what I think is in the public interest and then having the
25 federal bureaucrat tell me that it is wrong.

1 MS. BULECZA-BANKS: The Commission has prior to
2 this case, in another case has issued area code relief
3 that was outside the guidelines and nothing was ever said
4 that would have -- the area code was not held back and we
5 did not have an issue that arose in that situation.

6 CHAIRMAN DEASON: Now, the situation in New York
7 is that rate centers were being split, is that correct?

8 MS. KEATING: That is correct.

9 CHAIRMAN DEASON: There are no rate centers
10 being split with Alternative 4, is that correct? We have
11 calling scopes being split, which would just necessitate
12 ten-digit dialing for those limited areas that are local
13 that cross the boundary. But there are no rate centers
14 being split, is that correct?

15 MR. ILERI: That is correct. As long as Martin
16 County does not -- I mean, does agree to the fact that
17 their county will have two different area codes.

18 CHAIRMAN DEASON: Senator, was there any concern
19 expressed by Martin County officials by having one
20 portion, that being the southeast portion of Martin
21 County, actually being in another area code?

22 SENATOR KLEIN: Mr. Chairman, we had one
23 gentleman there who was from staff of Martin County and he
24 did not express any comment on that issue.

25 COMMISSIONER JACOBS: Senator, if I recall at

1 our hearings there, the community of interest is very
2 strong along the coastal communities, and the inland
3 communities, if I recall, there was less of an affinity
4 with the coastal regions. Does that agree with your
5 observation?

6 SENATOR KLEIN: Commissioner, are you speaking
7 of through the entire 561 area code?

8 COMMISSIONER JACOBS: Right.

9 SENATOR KLEIN: I think that if you look at Palm
10 Beach County and you go inland to the Lake Okeechobee
11 areas, Belle Glade, Pahokee, South Bay areas, there is
12 less of a community of interest because of the great
13 divide of the large agricultural areas between the cities
14 on the coast and the cities inland. I am less familiar
15 with the communities in the Martin, St. Lucie, Indian
16 River County areas. So I really hesitate to comment on
17 that..

18 COMMISSIONER JACOBS: I assume that the
19 governing officials there gave some consideration to each
20 of the alternatives. But there was one that I saw, and I
21 would want to get your thoughts on, that would be
22 Alternative 3, I believe. If you have a copy of the
23 recommendation --

24 SENATOR KLEIN: Which one was Alternative 3?

25 COMMISSIONER JACOBS: I can describe it to you

1 very easily. It essentially groups Palm Beach County
2 communities and West Palm Beach, Boynton, Delray and as
3 presently designed does not include Boca Raton. But I
4 would suggest that any option would have to have Boca
5 Raton in that region. But it does not include Pahokee and
6 Belle Glade. So you would have the coastal communities in
7 one and they would have the new -- they will keep the 561
8 and Belle Glade and Pahokee would now join in with the
9 Martin, St. Lucie, Indian River code, the new code.

10 SENATOR KLEIN: Commissioner Jacobs, the only
11 thing I can comment on is that as it relates to dividing
12 up western Palm Beach County from the rest of the county,
13 there is a great deal of governmental effort in
14 establishing community of interest from a government
15 service perspective. Everything from education and
16 schools at our Palm Beach County school systems to health
17 and social services to tie the western area to the eastern
18 area. And this is an on-going greater emphasis effort
19 that goes on constantly. Transportation issues are big
20 issues, moving folks back and forth. Economic development
21 issues. Work force development issues. I would say that
22 the Palm Beach County Commission would absolutely be very
23 much against this as breaking what they are really trying
24 to devise, and that is a greater community of interest of
25 all the government services, public and private.

1 So I think it would be of great concern for them
2 to say let's put the western communities into a different
3 area code because there really is a greater effort and I
4 think to some degree some success, but it needs to go
5 further in having the entire county under one area code.
6 But more importantly in terms of all the services
7 provided, I think the area code issue would divide and
8 cause some further problems. So I don't think that Palm
9 Beach County -- I can speak pretty firmly that Palm Beach
10 County would be very much against that approach.

11 COMMISSIONER JACOBS: Okay.

12 CHAIRMAN DEASON: Let me ask staff a question.
13 If we were to assume that there is not going to be an
14 overlay, that there has to be geographic split, which of
15 the geographic split options does staff prefer?

16 MR. ILERI: Staff would recommend Alternative
17 Number 4. As explained in the staff recommendation, staff
18 was hesitant in recommending either Alternative 4 or
19 Alternative 11. And Alternative 4 will have the least
20 disruption to the community of interest.

21 CHAIRMAN DEASON: And the Jupiter exchange has a
22 greater community of interest with Palm Beach County than
23 with Martin County, correct?

24 MR. ILERI: Correct.

25 MR. SHREVE: Mr. Chairman, if I could make a

1 comment on the question that Commissioner Jacobs asked
2 about the split where it surrounds and takes away a part
3 of the inland part of Palm Beach County. I think you have
4 already covered the point that the northern part of Palm
5 Beach County or the southern part of Martin County would
6 clearly have a greater community of interest with Palm
7 Beach County if you were going to split anything off from
8 one of the counties.

9 But if you went down into one scenario which
10 takes away Boca Raton, that very clearly would not have
11 any community of interest with St. Lucie, Martin, and
12 Indian River County, yet be in the same area code with
13 them. So I think choice Number 4 is by far the best
14 choice. Because if in the future you need to rearrange or
15 split the county, or put an overlay, that same option will
16 be open to you as it is now and it may not be necessary.
17 But I think the option that takes away Boca Raton out of
18 Palm Beach County would really be unacceptable to the
19 group that we heard from, and there would be absolutely no
20 community of interest there.

21 COMMISSIONER JACOBS: Thank you. Staff, in
22 Alternative 4 is the only INC guideline that we put at
23 risk the timing? I'm sorry, the length of the exhaust
24 period.

25 MR. ILERI: That is our only concern, correct.

1 COMMISSIONER JACOBS: Okay. There is one that
2 speaks to the disparity between the two, isn't there?

3 MR. ILERI: Commissioners, in our service
4 hearings, Mr. Foley from the North American Numbering Plan
5 Administration indicated that his projections are not
6 accurate. They are just approximate numbers, and
7 therefore the 24.6 years may be not be even 24.6, and it
8 could have a lesser life depending on the demand,
9 depending on the growth in that area. So the disparity
10 between the two may be close to 15 years.

11 CHAIRMAN DEASON: The disparity may be closer to
12 15 years?

13 MR. ILERI: Right. It could be maybe less than
14 or it could be a little higher. And, unfortunately, we
15 cannot predict that at this moment.

16 CHAIRMAN DEASON: Commissioner Jacobs, I can't
17 make a motion, but obviously we need to discuss this. I
18 can express to you that I have a preference for doing a
19 geographic split and to prevent ten-digit dialing being
20 required in Palm Beach County at least at this time.
21 Depending upon the effectiveness of conservation measures,
22 we are going to have to look at Palm Beach County again.
23 Hopefully, the conservation measures will be extremely
24 effective and we won't have to look at it again for six,
25 seven, or eight years. But it is inevitable that at some

1 point it is going to have to be looked at.

2 And when it is looked at again, perhaps an
3 overlay would be the alternative. I don't know, but we
4 would make a decision based upon the circumstances at that
5 time and the public input that we get. But I believe that
6 the citizens in this area have spoken very loudly during
7 the course of our public hearings. And while I realize
8 that we may not be 100 percent in compliance with the
9 guidelines -- but even that is a question mark, it depends
10 on the accuracy of the projections of the lives.

11 But even if we may not be 100 percent within the
12 guidelines, I think that we have a responsibility to craft
13 what we consider to be in the overall public interest.
14 And given the facts of this case, I think the public
15 interest calls for a geographic split. And our staff has
16 indicated that if there is to be a geographic split that
17 they believe Alternative 4 to be superior when you look at
18 the community of interest within this particular
19 geographic area.

20 So those are my thoughts, and I would be welcome
21 to hear yours.

22 COMMISSIONER JACOBS: Okay. A couple of
23 questions first. Do we know how many codes are left in
24 561?

25 MR. ILERI: In the 561 area code currently we

1 have about 200 NXXs left to be distributed through
2 rationing until October 1, 2002.

3 COMMISSIONER JACOBS: Do you know how many we
4 average a month?

5 MR. ILERI: We are distributing six, I believe,
6 currently.

7 COMMISSIONER JACOBS: Six per month?

8 MR. ILERI: Correct.

9 CHAIRMAN DEASON: That is under our current
10 rationing procedure?

11 MR. ILERI: For the 561 area code it is seven,
12 I'm sorry, seven codes per month.

13 COMMISSIONER JACOBS: I think, Mr. Chairman,
14 that without question we are here to honor and give voice
15 to the public interest, and that is a controlling factor
16 for me, and I have always felt that. The thing that keeps
17 coming back to me on the numbering issues is that we
18 really don't know what the numbers mean.

19 And to be really responsible to the public, in
20 my mind we have to exercise some manner of judgment here.
21 And my judgment would indicate that if we go with a split,
22 first of all, we have to be real clear on what the
23 rationing measures are that we are going to implement with
24 it. And so I would want -- I would want us to get some
25 very clear -- give very clear direction as to what kind of

1 measures we would attach to that and to what extent we can
2 expect that those measures would be effective.

3 By way of example, when we did the 305 code I
4 think we had 20 or 30 left. We were expecting those to
5 last 18 or 19 months. I think within three or four months
6 we had given out 13 of those codes. And therefore that
7 area now is now, again, in jeopardy. It would do us very
8 little good to come away from here today telling you that
9 we think it would be four or five years when it winds up
10 being 18 months. That does little service to anyone.

11 Having said all of that, it is clear that we
12 should at least give this alternative the best shot we can
13 give it. It stands -- it apparently stands far and above
14 to be the preference of the public. But, again, we have
15 to step back for a moment and make sure that we have done
16 our best job policywise to bring this to bear.

17 And what I would want to do, Mr. Chairman, is
18 given the fact that we are going to take up the measures
19 in Item 2, I will go ahead and move that we adopt
20 Alternative 4. But I want to be clear that that is only
21 because I believe we can put together effective measures
22 that will slow the release of these codes, because 200
23 codes in this area will go very quickly. This is -- as
24 you well know, Senator, this area is under tremendous
25 growth. And it is a prime area of interest for new and

1 entering small telephone companies. And so that will be a
2 prime driver in the release of these codes. So I believe
3 that the only thing that we can do is to put very strong
4 measures in place to ensure that we slow the release of
5 these codes.

6 Having said that, Mr. Chairman, I would move in
7 Issue -- I guess we are only looking at 561 in Issue 1?

8 CHAIRMAN DEASON: We are on Issue 1. I guess it
9 would be Issue 1B. Because right now we are just dealing
10 with 561. So you are making a motion that we adopt
11 Alternative 4. And I guess we will be addressing
12 conservation measures shortly. In fact, we can do it
13 right after we dispose of this, if you wish.

14 There is a motion to adopt Alternative 4 for the
15 561 area code, that is Issue 1B. That has been moved. I
16 endorse that, so that is the unanimous decision of the
17 Commission.

18 Now, at this point we can go ahead and address
19 Issue 2, which is conservation measures. But that is more
20 of a generic discussion than it is 561 or any other area
21 code specific. I guess the really next specific issue for
22 561 would be Issue 4, the relief plan implementation
23 schedule, or do we also need to address Issue 3, dialing
24 patterns? That is more of kind of a generic issue, as
25 well, is it not?

1 MR. ILERI: Correct.

2 CHAIRMAN DEASON: I'm flexible on that. You
3 raised the concern about conservation and that sort of
4 thing. If you wanted to go ahead and address Issue 2 we
5 can do that now, or if you want to just skip on down to 4B
6 and address the implementation schedule for our decision
7 on 561, that is fine, too.

8 COMMISSIONER JACOBS: If you are prepared, I
9 would like to hear staff's -- walk us through how the
10 measures for 561 would work.

11 CHAIRMAN DEASON: That is Issue 2, correct?

12 COMMISSIONER JACOBS: Right.

13 CHAIRMAN DEASON: Okay. Issue 2.

14 MR. ILERI: Commissioners, with the
15 implementation of Alternative Number 4, we are also
16 proposing number pooling trials in the Fort Pierce, Port
17 St. Lucie metropolitan statistical area. We are also
18 imposing -- we are recommending a 75 percent utilization
19 threshold at NXX levels for all non-pooling carriers in
20 the 561 area code. We are also recommending certain aging
21 periods.

22 COMMISSIONER JACOBS: I'm sorry, what was the
23 last one?

24 MR. ILERI: Aging periods. We are indicating
25 that for jeopardy and nonjeopardy periods the aging

1 periods should be set forth in the staff analysis. We are
2 also recommending to limit the allocation of NXX codes
3 through rationing to three NXXs per month in the 561 area
4 code.

5 CHAIRMAN DEASON: Now, you are recommending for
6 561 specifically a rationing of three per month?

7 MR. ILERI: Correct. And one of those NXXs will
8 be given to the wireless carrier and two will be to the
9 wire line carriers.

10 COMMISSIONER JACOBS: How? How will the wire
11 line carrier allocation be done? What would be the
12 option?

13 MR. ILERI: In this recommendation for the
14 non-pooling -- for the pooling carriers we will not have
15 any thresholds, like 75 percent utilization threshold.
16 But for the non-pooling carriers, we are asking them to
17 use some of the analogy that we have in the
18 recommendation.

19 COMMISSIONER JACOBS: Okay.

20 CHAIRMAN DEASON: I'm sorry, you would have them
21 do what?

22 MR. ILERI: We are separating the pooling
23 carriers from the non-pooling carriers, because the
24 pooling carriers will be donating blocks to the pooling
25 administrator. So we don't see any reason why they should

1 be subject to any number utilization thresholds in
2 comparison to non-pooling carriers.

3 CHAIRMAN DEASON: Now, you are referring to the
4 75 percent utilization threshold?

5 MR. ILERI: Correct.

6 CHAIRMAN DEASON: Okay. Explain to me -- I
7 guess I am a little confused. How does the -- the 75
8 percent utilization requirement, how does that mesh with
9 your recommendation on rationing? And you are making a
10 distinction between pooling carriers and non-pooling
11 carriers, correct?

12 MR. ILERI: Correct.

13 CHAIRMAN DEASON: Just review that again for me,
14 please.

15 MR. ILERI: Sure. For all non-pooling carriers
16 we are asking that we should implement 75 percent
17 utilization thresholds for all non-pooling carriers. And
18 we are not asking any kind of utilization threshold for
19 the pooling carriers because they will be donating blocks
20 to the pooling administrator, and they are also using the
21 1,000 block management rules that was approved in our
22 prior Docket 981444. So we don't see the need for them to
23 do any kind of utilization threshold.

24 But in terms of the rationing, we are asking
25 that rather than distributing seven codes per month, we

1 should do three codes per month, and one will be used for
2 the wireless carriers' needs, and two codes for the wire
3 line carriers.

4 COMMISSIONER JACOBS: And that is for the
5 non-pooling?

6 MR. ILERI: This is for the pooling carriers.

7 COMMISSIONER JACOBS: For the pooling carriers.

8 MR. ILERI: Because this area, the 561 Palm
9 Beach area, the current ILECs in this area are LNP capable
10 and they will be able to participate in the --

11 COMMISSIONER JACOBS: To do the 1,000 blocks?

12 MR. ILERI: That is correct.

13 COMMISSIONER JACOBS: Okay. So that will give
14 them a lot more flexibility.

15 MR. ILERI: Right. Because the two NXXs will
16 mean 20 1,000 block, therefore 20 carriers will be able to
17 get telephone numbers every month.

18 CHAIRMAN DEASON: Now, when will the 1,000 block
19 allocation be implemented? Is it supposed to start in
20 January or is it -- February?

21 MR. ILERI: It is February 5th in the 561 area
22 code.

23 CHAIRMAN DEASON: February 15th for 561?

24 MR. ILERI: February 5.

25 CHAIRMAN DEASON: February 5.

1 MR. ILERI: And we are asking that the limited
2 rationing should begin on March 1, 2001.

3 CHAIRMAN DEASON: So the rationing would still
4 be seven per month until March 2001?

5 MR. ILERI: That is correct.

6 SENATOR KLEIN: Mr. Chairman, I'm going to have
7 to apologize. I have to leave. But I wanted to thank you
8 and thank the staff for working with us and I think
9 creating a reasonable solution. I certainly endorse the
10 conservation measures. And we look forward to working
11 with you also and the FCC on trying to come up with new
12 alternative ways of trying to preserve some of these lines
13 so we don't have as fast a burn rate on the area codes in
14 the future. But I look forward to speaking to you and the
15 other Commissioners and your staff. Thank you very much.

16 CHAIRMAN DEASON: Thank you, Senator. Your
17 input is appreciated.

18 COMMISSIONER JACOBS: Thank you.

19 MR. SHREVE: Thank you, Commissioners.

20 CHAIRMAN DEASON: Okay. So the three per month
21 rationing would be effective March 2001 after the
22 implementation of the 1,000 block allocations?

23 MR. ILERI: Correct.

24 CHAIRMAN DEASON: You can proceed.

25 MR. ILERI: In addition to this requirement, we

1 were also asking that the rationing should continue six
2 months following the area code relief.

3 COMMISSIONER JACOBS: I'm sorry, for how long?

4 MR. ILERI: Until the 561 area code NXXs
5 exhaust.

6 COMMISSIONER JACOBS: Okay.

7 MR. ILERI: And we are asking that they should
8 begin on the permissive dialing date for the 561 area code
9 to start with.

10 CHAIRMAN DEASON: I'm sorry, the permissive
11 dialing date, you are recommending what?

12 MR. ILERI: From the permissive dialing period,
13 six months from that date that rationing should continue.
14 And during that time period we believe that the
15 implementation of a new area code the carriers will be
16 able to get numbers from the new area code.

17 CHAIRMAN DEASON: Okay. Give me just a moment.
18 I may have a few questions depending on my notes. Can you
19 explain to me the rationale for including Fort Pierce and
20 Port St. Lucie and the time frames for those and the FCC's
21 determination that we have to give adequate time between
22 implementations and that sort of thing?

23 MR. ILERI: Sure. The reason why we want to
24 implement number pooling in this area is, first,
25 Fort Pierce/Port St. Lucie is a metropolitan statistical

1 area, and the FCC is considering to implement number
2 pooling trials in the metropolitan statistical areas
3 through their roll-out schedule. And the evidence in the
4 record supports that if you implement a number pooling
5 trial in a new area code it will be the ideal way to do
6 it. And since the new area code they are going to be
7 using in this area will extend the life, we believe that
8 it is the best way to handle the numbering relief for this
9 area for a longer period of time.

10 CHAIRMAN DEASON: And so you are confident that
11 we can do that and be consistent with the requirements of
12 the FCC?

13 MR. ILERI: Yes, I believe so.

14 CHAIRMAN DEASON: In terms of the scheduling.
15 As I understand there are certain requirements from -- I
16 believe it is from the FCC, allowing sufficient time
17 between implementations from one area to another, correct?

18 MR. ILERI: That is correct. But they have not
19 addressed what a reasonable time period is. And even in
20 our prior Docket 981444 we are implementing two pooling
21 trials almost one week apart from each other. And,
22 therefore, based on the evidence in the record, I believe
23 that they are sufficiently reasonable.

24 CHAIRMAN DEASON: Review for me for a moment the
25 number pooling trials that we have already indicated and

1 the time frames for those from past decisions?

2 MR. ILERI: Yes. In the 561 area code we
3 indicated that the number pooling trials will begin on
4 February 5th. In the 954 -- do you want to go into the
5 others?

6 CHAIRMAN DEASON: No, no. Where in the state
7 have we made decisions to implement number pooling?

8 MR. ILERI: Yes. The first one is going to be
9 in the 561 area code in the Palm Beach area.

10 CHAIRMAN DEASON: Okay.

11 MR. ILERI: And the other one is in the
12 Jacksonville MSA. Commissioners, actually I have a couple
13 of maps that shows the metropolitan statistical areas for
14 Florida. I would like to maybe give that to you.

15 CHAIRMAN DEASON: Sure, that would be fine.

16 MS. KEATING: Commissioners, let me point out
17 those maps are not in the record and they should only be
18 used for --

19 CHAIRMAN DEASON: Well, it just shows
20 metropolitan statistical areas as issued by the Federal
21 Office of Management and Budget. It seems to be a
22 pretty -- this is what this is, correct? I am just
23 reading at the lower left. It says boundaries as defined
24 by the Federal Office of Management and Budget.

25 MR. ILERI: Yes, that was issued by the U.S.

1 Census Office.

2 CHAIRMAN DEASON: Okay. It seems to be a pretty
3 generic reference. I mean, it's like -- I don't see a
4 problem. If there is a problem, let me know. You don't
5 think there is a problem?

6 MS. KEATING: I don't think so.

7 MR. ILERI: If I'm not mistaken, we have
8 included the U.S. Census webpage into our evidence, so
9 that page is taken from that website.

10 CHAIRMAN DEASON: All right. So review for me
11 the number pooling trials that we have envisioned at this
12 point.

13 MR. ILERI: Currently we have three pooling
14 trials that are taking place. And the first one that will
15 start is going to be in the 954 area code. That starts on
16 February 22nd. Sorry, January 22nd. In the 561 area code
17 it will start on February 5th. In the 904 area code it
18 will start on April 2nd. And we have implemented -- we
19 have had meetings within us regarding the first
20 implementation meeting for the number pooling trials.

21 And for the first two area codes, 561 and 954,
22 the industry are working on finding out the available
23 1,000 blocks to be donated to the pooling and they have
24 not been posted on the website yet, so I cannot address
25 that issue.

1 CHAIRMAN DEASON: Okay. And then it is your
2 recommendation that we also include Ft. Pierce and Port
3 St. Lucie?

4 MR. ILERI: Correct. As well as the pooling
5 trial in the Daytona area.

6 CHAIRMAN DEASON: And Daytona. Now, you are
7 doing this in conjunction with the implementations of new
8 area codes?

9 MR. ILERI: Correct.

10 CHAIRMAN DEASON: Okay. I guess I have a more
11 general question, and that is when are we -- when will we
12 be addressing number pooling in areas such as Orlando and
13 Miami?

14 MR. ILERI: Currently we have a generic docket
15 in the number utilization, which is the 981444, and we are
16 hoping to address those issues in that docket. And in
17 terms of time frame, I cannot be specific.

18 MS. BULECZA-BANKS: The FCC will be issuing a
19 rollout of where the pooling trials they designate will
20 take place. But they have not yet picked out a pooling
21 administrator. They are going through the procedure of an
22 RFP and putting it out to bid.

23 Once that is decided, within a certain time
24 frame they will establish what MSAs will be rolled out.
25 And my understanding is the interim authority that we are

1 granted when that list comes out we cannot designate any
2 more pooling trials at that point. So if we designate
3 them ahead of time, I assume that as long as we are well
4 into the process we would be able to have those take
5 place.

6 CHAIRMAN DEASON: So we are confident that when
7 that process reaches a conclusion at the federal level
8 that Miami and Orlando would certainly be MSAs that would
9 be included in that?

10 MS. BULECZA-BANKS: That would be our
11 assumption.

12 CHAIRMAN DEASON: And so we are trying to define
13 other areas at this point within the particular area codes
14 that we are reconfiguring to include those as soon as
15 possible?

16 MS. BULECZA-BANKS: That's correct.

17 CHAIRMAN DEASON: And that is within our
18 latitude to do that?

19 MS. BULECZA-BANKS: Yes, it is.

20 CHAIRMAN DEASON: Okay. I am looking now at
21 Page 75 of the recommendation, and this has to do with the
22 guidelines for opening new 1,000 blocks within an assigned
23 NXX. And Paragraph 3 there indicates that there is a
24 remedy available if there is a situation where there is
25 being allocations of additional numbering resources that

1 really don't meet the requirements, and it is based upon a
2 finding by a state commission. Do we have envisioned at
3 this point -- I think we are all hopeful that we won't
4 find ourselves in that situation. But if we are alerted
5 to a situation that needs to be addressed, how is that
6 done? Is it like a complaint filed or is this a situation
7 where our staff continues to monitor this and if we
8 believe there is a situation which needs to be addressed
9 we can open a docket to look at it, or how do we envision
10 doing this?

11 MS. BULECZA-BANKS: We have been doing --
12 starting to do reviews of numbering resources by the
13 entities. A letter was sent out to the carriers that had
14 10 codes or more collectively in these three jeopardy area
15 codes to start with, and they have been notified that we
16 may be stopping by to give them a visit.

17 It has gotten a lot of attention. I have
18 received a lot of phone calls about that, about different
19 methods and what are we looking for, because they all want
20 to obtain compliance. So I think that that is something
21 that I think people are looking at now. That looking back
22 making sure they have the procedures in place that they
23 are complying.

24 And within that scope of the letter we indicated
25 that if they are not in compliance we can take action

1 against them for not complying with the order. However,
2 that is limited right now to the three jeopardy area
3 codes, the 561, the 904, and the 954 areas. We are trying
4 to maybe in the 981444 expand that to the other area codes
5 in Florida so that we can go into those areas too to make
6 sure that we are gaining compliance with these.

7 Because even if you go ahead and order certain
8 number conservation measures, unless somebody is out there
9 reviewing them you don't know if they are being followed.
10 And you don't know if you are going to get the results
11 that you are hoping for.

12 CHAIRMAN DEASON: Okay. Well, thank you. You
13 alleviated my concerns. I think you are well on top of
14 the situation. This 75 percent number, utilization
15 threshold number for non-pooling carriers, we indicate
16 that it is consistent with decisions by other states. Do
17 we have record evidence in this docket other than just
18 what other states have done to ascertain that 75 percent
19 is a reasonable --

20 MR. ILERI: We have evidence from the FCC's
21 filing and some comments that have been filed with the FCC
22 and the FCC referenced those as a footnote. For example,
23 the Cable Telecommunications Industry Association even
24 recommended to implement certain thresholds. To begin
25 with 60 percent and then go up to the 70 percent levels

1 for all carriers. And that is the only information that
2 we have regarding that.

3 MS. BULECZA-BANKS: The FCC in its Order Number
4 104 that was issued at the end of March, that it went over
5 a lot of the conservation measures that it wanted to see
6 implemented by the states or ordered by the carriers. The
7 issue of the utilization threshold, they sought additional
8 comments on that. They gave a range within we have heard
9 from 45 to 75, maybe as high as 80, but they are asking
10 for additional comments on what should be reasonable; 75
11 was definitely something they heard a lot of, but they
12 still wanted to see what a reasonable basis was.

13 When they finalized that and another report and
14 order comes out, I think that what you are going to find
15 is they are going to establish the threshold. And that,
16 hopefully, if we pick 75 percent and the Commission
17 approved that and they came out with 75 percent, we are
18 fine. The fear is that if we implement 75 and they come
19 back and say, no, it is 50, that is going to, I believe,
20 supersede what we have here.

21 CHAIRMAN DEASON: Another example of federal
22 intrusion to state discretion. Fine. I mean, we just do
23 what we have to do. But we think 75 is the right number,
24 and we need to go forward with it if and until we are
25 preempted by federal authority, correct?

1 MS. BULECZA-BANKS: (Indicating yes.)

2 COMMISSIONER JACOBS: I have a question. I
3 noticed that in 561 you had a -- you have some companies
4 identified here with unused NXXs. Any idea how many? If
5 we do the reclamation, any idea how many we would be
6 getting back?

7 MR. ILERI: Based on the data request that we
8 made in the other Docket 981444, we had about 33 NXXs and
9 this was based on the voluntary data assumptions from the
10 carriers.

11 COMMISSIONER JACOBS: Now, does that mean that
12 they are not contaminated, that they would be available
13 for 1,000 blocks if we reclaim them?

14 MR. ILERI: Yes, for the 561 area code, correct.

15 COMMISSIONER JACOBS: Okay. And you say it was
16 about 200?

17 MR. ILERI: No, there was about 33.

18 COMMISSIONER JACOBS: Two or three, oh.

19 MR. ILERI: But it was submitted to us on a
20 voluntary basis. There were some carriers who have not
21 submitted that information. But once through our review
22 process, once we start dealing with those I'm sure we will
23 have some more returns. As an example, in the California
24 Commission once they started reviewing the compliance
25 issues with the industry, they voluntarily gave back 325

1 NXX codes.

2 COMMISSIONER JACOBS: Okay.

3 CHAIRMAN DEASON: The reclamation process, I
4 take it that it is something that we are reviewing, but it
5 is going to need a little bit more work and that you are
6 going to be coming back to the Commission, do I understand
7 that correctly?

8 MR. ILERI: Could you please repeat the
9 question.

10 CHAIRMAN DEASON: The reclamation process, I am
11 looking at Page 85 of your recommendation, you indicate
12 that staff is developing a procedure that should be
13 implemented pursuant to the FCC's numbering order, and you
14 said that you will bring this process back to the
15 Commission for review and approval upon its completion.

16 MR. ILERI: That is correct. And as a matter of
17 fact, I have some answers regarding that. In the FCC's
18 00-104 order they have since indicated that either the
19 state commissions or NANPA should be the entity to do the
20 reclamation process. And recently NeuStar asked the state
21 commissions whether they prefer to take the reclamation
22 responsibility. And in my opinion, the reclamation
23 responsibilities should be ours because they are basically
24 our numbers, and that way we can make sure that our
25 numbers are being used by the industry in an efficient

1 manner.

2 And, therefore, NANPA, the numbering
3 administrator must wait for further direction from the
4 state commission regarding the cost to reclaim upon our
5 review process. Staff recommends that the Commission
6 grant staff the authority to reclaim such NXX codes by
7 notifying the numbering administrator. And staff will
8 examine each code request that comes to the Florida
9 Commission for approval that needs to be given out by the
10 numbering administrator.

11 CHAIRMAN DEASON: So we are still in the process
12 of developing what our process will be when it comes to
13 reclamation or --

14 MR. ILERI: Basically, there is a deadline that
15 needs to be -- that we need to have the decision made by
16 October 13, and the numbering administrator asked the
17 state commissions to tell whether they are the ones who
18 need to do the reclamation or the state commissions need
19 to be the entity to do the reclamation process.

20 CHAIRMAN DEASON: And it is our position that
21 the states should do it?

22 MR. ILERI: Yes.

23 CHAIRMAN DEASON: We have the ability to do that
24 as far as -- what all exactly do we -- we have to make a
25 finding that there should be a reclamation and is there a

1 certain process that has to be followed?

2 MR. ILERI: Correct. There is a Part 4 form of
3 the numbering guidelines that needs to be submitted to us
4 and we need to make sure that the information provided to
5 us is accurate and we need to make sure that based on the
6 utilization threshold, based on the prior history of the
7 carrier, their numbering need is what they really show.
8 And I believe it should be -- I mean, in my opinion it
9 should be our responsibility to do that.

10 CHAIRMAN DEASON: Walter.

11 MR. D'HAESELEER: Commissioner, I think we have
12 gone beyond the part of the recommendation, and I would
13 recommend to you that we follow what we have said here,
14 that we would bring a further recommendation to you upon
15 our completion of some meetings among the staff.

16 CHAIRMAN DEASON: Okay.

17 MR. ILERI: Commissioners, I just want to make
18 one more point, that October 13 is our deadline, and if
19 you do not make a decision by that date the numbering
20 administrator will be the entity to do the reclamation
21 process.

22 CHAIRMAN DEASON: What I'm trying to determine
23 is what is the issue in front of us that we need to decide
24 today. That is what I guess I need to determine. If it
25 is just that you are reviewing it and you are going to

1 bring something back to us, that is fine, I don't have a
2 problem with that. If we are making a decision today, let
3 me know what the decision -- what the issue is in front of
4 us that we need to decide today.

5 MR. D'HAESELEER: My recommendation to you is
6 that we come to you subsequent to this meeting with a
7 solution.

8 CHAIRMAN DEASON: What happens with the October
9 13th date?

10 MR. D'HAESELEER: I am assuming we will get to
11 you in some form before then.

12 CHAIRMAN DEASON: You realize this is September
13 29th and --

14 MR. D'HAESELEER: Well, Commissioner, if you
15 want to proceed, I would like to have an opportunity to
16 talk to staff since this came out of the blue, and maybe
17 we can deal with it today. But, you know, I would like to
18 have a little time.

19 CHAIRMAN DEASON: Okay.

20 MR. D'HAESELEER: What is your pleasure, that
21 we --

22 CHAIRMAN DEASON: I will give you some time. Do
23 you want to take a break right now?

24 MR. D'HAESELEER: It might be a good time to do
25 that, yes.

1 COMMISSIONER JACOBS: It may be useful -- I know
2 this may get a bit confusing, but I know there are parties
3 here waiting on the other area codes. Do you want to go
4 ahead and resolve Issue 1 on those other codes and then
5 come back? We could take a break and then come back on
6 that issue?

7 MR. D'HAESELEER: Yes, that is fine if people
8 are waiting here for a solution to something else.

9 CHAIRMAN DEASON: All right. I have no problem
10 with that.

11 We will revert back to Issue 1. Issue 1A. This
12 is the 305/786 area code. Staff, do you have any
13 introductory comments or are you ready to proceed with
14 questions?

15 MR. ILERI: Staff is recommending Alternative
16 Number 12 for the relief of the 305/786 area codes, which
17 is an expanded overlay using one additional area code in
18 the entire Miami-Dade and Keys region.

19 COMMISSIONER JACOBS: So what this would do is
20 go ahead and extend the overlay into the Keys at some
21 point in time?

22 MR. ILERI: That is correct.

23 CHAIRMAN DEASON: Well, let me ask -- this is
24 kind of a threshold question. Based upon staff's review
25 of the record and all of the alternatives that have been

1 presented to us, is there any realistic way that we can
2 avoid an overlay in the Keys?

3 MR. ILERI: Commissioners, there are a couple of
4 options that we can utilize. One of them is the rate
5 center consolidation, and the other one is the
6 implementation of code sharing in the rate centers. And
7 in the number reclamation Docket 981444, the industry has
8 submitted a proposal and we will --

9 CHAIRMAN DEASON: The industry has what?

10 MR. ILERI: Submitted a proposal to implement
11 rate center consolidation, and we are going to be
12 reviewing the proposal and --

13 CHAIRMAN DEASON: When will we be in a position
14 to make a decision on rate center consolidation within the
15 Keys?

16 MR. ILERI: According to the proposal the
17 implementation of the rate center consolidation may take
18 up to 20 months.

19 CHAIRMAN DEASON: 20 months?

20 MR. ILERI: Correct. And considering that and
21 considering the exhaust date of 305 in the Keys, the rate
22 center consolidation may not be that feasible at this
23 point. And with regard to the code sharing, there is not
24 much evidence in the record to support to implement code
25 sharing.

1 CHAIRMAN DEASON: So you are saying that really
2 the only hope would be rate center consolidation, and that
3 the time frame is not adequate to give that its due
4 consideration?

5 MS. KEATING: Right. And there is not enough in
6 the record.

7 CHAIRMAN DEASON: There is not enough in this
8 record and there is not enough time to delay a decision to
9 more fully explore rate center consolidation, that is the
10 consensus of staff?

11 MS. BULECZA-BANKS: Yes.

12 COMMISSIONER JACOBS: The technical issues are
13 what causes the delay?

14 MS. KEATING: I think it is the technical issue
15 and the record issue. There is not enough evidence in the
16 record to support that.

17 COMMISSIONER JACOBS: Well, if I understood, the
18 company had volunteered to do it, haven't they?

19 MS. KEATING: Not in this record.

20 COMMISSIONER JACOBS: I thought I read that.

21 CHAIRMAN DEASON: It is in the recommendation
22 that I think Witness Greer indicated that the company was
23 willing to do it if they were guaranteed cost recovery.

24 MR. ILERI: Correct.

25 CHAIRMAN DEASON: Or the fact that they would be

1 losing revenues.

2 COMMISSIONER JACOBS: You're saying we don't
3 have anything as to cost in the record.

4 MR. ILERI: With regard to the 305 area code, we
5 have sent out interrogatories to the company, BellSouth,
6 and they indicated that if you do rate center
7 consolidation it will have a revenue loss of \$753,000 per
8 year. And they have also other figures if you do
9 consolidate seven rate centers to two or three rate
10 centers.

11 COMMISSIONER JACOBS: And your interrogatories
12 are to confirm those numbers?

13 MR. ILERI: Could you please repeat the
14 question.

15 COMMISSIONER JACOBS: You sent out
16 interrogatories to inquire into those numbers?

17 MR. ILERI: Yes, we did.

18 COMMISSIONER JACOBS: Okay.

19 CHAIRMAN DEASON: Walter.

20 MR. D'HAESELEER: Again, Commissioners, it is
21 not ripe. I would say every company would say we can
22 consolidate whatever you want as long as there is cost
23 recovery. Having said that, I think we need an
24 opportunity to find out what those costs really are. You
25 know, I just would hate to take anything at face value or

1 even if they put it in writing until we have an
2 opportunity to check it out.

3 CHAIRMAN DEASON: Let me tell you the dilemma
4 that I am in. Now, I understand the need to get adequate
5 information and to verify that information. We know that
6 that takes time and we don't want to do anything based
7 upon information that is not accurate or has not been
8 verified.

9 In the meantime, time keeps passing and the
10 situation within 305 and within the Keys needs to be
11 addressed. We don't have the luxury of a lot of time. If
12 we don't do anything with rate center consolidation, I
13 think it is inevitable there is going to be ten-digit
14 dialing. We are going to have to overlay 786 within the
15 Keys. Then basically the war is already lost. I mean,
16 that is what the whole motivation is is to prevent
17 ten-digit dialing.

18 Once you implement it, I mean, it is foregone,
19 it is there, and you can't go back and undo that with rate
20 center consolidation, I don't believe. We have a window
21 of opportunity if we are going to pursue it. And I am not
22 saying that we should pursue it, I'm trying to ascertain
23 if it is an option that is in front of us to pursue rate
24 center consolidation.

25 MR. D'HAESELEER: I think the answer is yes. I

1 am still not convinced, but I am only one person, when you
2 consolidate these rates centers how long that is going to
3 prolong the life of the area code. But having said that,
4 if the company wants to consolidate, I don't have any
5 problem, or if the Commission even wants to order it, and
6 at some later date we can look at the cost recovery
7 problem. There are other --

8 CHAIRMAN DEASON: Well, let me interrupt you for
9 a second. I think, though, the two need to be together in
10 the sense that if there is going to be cost recovery and,
11 you know, it is a legal question, and I know it is a legal
12 issue that we probably haven't really determined whether
13 we can just order it or not, and whether we have to grant
14 revenue relief, and I know that there is conflicting
15 positions on that.

16 But it seems to me that at some point if we have
17 the information and can obtain it and verify it within a
18 reasonable period of time and present an option to
19 customers that if the numbers work out to justify it to
20 say, you can maintain your area code, maintain seven-digit
21 dialing, but it means rate center consolidation, which is
22 going to expand your local calling scopes. And if you are
23 willing to do that for whatever the requirement is to pass
24 those costs on to those customers, and let them make the
25 decision. Is that an option?

1 MR. D'HAESELEER: I agree with you, except we
2 are only talking about cost recovery of one element here,
3 and that is rate center consolidation. There are other
4 costs that I am assuming the companies are accruing or
5 will ask for recovery at some future time that involve a
6 lot of conservation issues. So what you are really
7 talking about here is only one part of it. Now, it could
8 be a big part or it could be a small part, I just don't
9 know. But there are other costs that the companies will
10 want to recover with conservation.

11 CHAIRMAN DEASON: I know there are other costs
12 and I think they have to be addressed at some time. But
13 the way I look at rate center consolidation, it is more
14 of -- at least the revenue loss side of that is more
15 specific to a certain geographic area. There are benefits
16 of rate center consolidation for the customers that are
17 being -- more than just the fact that they would perhaps
18 be able to maintain seven-digit dialing for a longer
19 period of time and only have one area code, that being
20 305. The reason there is a revenue loss is that you are
21 eliminating toll routes, is that correct?

22 MR. D'HAESELEER: Uh-huh.

23 CHAIRMAN DEASON: And we all know there has been
24 a long history associated with the Keys trying to expand
25 their local calling area. And the Commission has

1 addressed it to some degree, probably not to the degree
2 that the residents would like. I think the residents
3 would like toll free calling from one end of the Keys to
4 the other. And I don't know how much rate center
5 consolidation is going to achieve that, but it is going to
6 result in more toll free routes than currently exist.

7 The sentiment of the customers, and I would hate
8 to prejudge it one way or the other, but there may be
9 sentiment of the customers that it is worth an additional
10 whatever the cost is to have the beneficial effects of one
11 area code, seven-digit dialing, and expanded local
12 calling.

13 And then, again, the sentiment may be, no, it is
14 not worth the added increment. If the only alternative is
15 to have an overlay and ten-digit dialing, so be it. But
16 maybe the customers should be given an option. And do we
17 have the flexibility to give that option to customers?

18 MS. KEATING: I think one of the big concerns
19 you are going to run into is the exhaust date for these
20 area codes. If you go back and go through another
21 proceeding to present a new proposal, I think you are
22 going to run up on the exhaust date and you have to have a
23 plan approved at least before the dates exhaust.

24 COMMISSIONER JACOBS: But if I understood the
25 options, we would choose not to implement a number relief,

1 a code relief, we would implement resource conservation
2 relief here.

3 MS. KEATING: You still are required to have an
4 approved plan.

5 COMMISSIONER JACOBS: From who?

6 MS. KEATING: The FCC.

7 COMMISSIONER JACOBS: And we don't have anything
8 in our authority that we were granted to do that? That
9 was what was argued by the parties that we didn't get
10 authority to do that?

11 MS. BULECZA-BANKS: You have to have a plan in
12 place regardless of conservation measures. Before you
13 would implement pooling or anything, before they would
14 allow you to do that you have to have an area code relief
15 plan in place and then you can move on to the other
16 conservation measures. What the fear is, I assume, is
17 that if you implement some conservation measures and they
18 didn't come out as well or even rate center consolidation
19 didn't gain you the time that you needed, you may exhaust
20 the NXX.

21 CHAIRMAN DEASON: What is the exhaust date?

22 MS. BULECZA-BANKS: Right now for the 305 it is
23 October 1 of '01. So basically 12 months.

24 COMMISSIONER JACOBS: And we still only have the
25 20 codes that is there.

1 CHAIRMAN DEASON: This is the exhaust with no
2 conservation?

3 MR. ILERI: That is correct. The only number
4 conservation measure that is in place in the Keys is the
5 1,000 block management.

6 CHAIRMAN DEASON: Is 1,000 what?

7 MR. ILERI: 1,000 block management guidelines
8 that we approved in our --

9 CHAIRMAN DEASON: So what beneficial effect
10 would that have as far as exhaust date or do we know?

11 MR. ILERI: Unfortunately not, I'm sorry.

12 CHAIRMAN DEASON: We don't know.

13 MR. ILERI: We don't know.

14 CHAIRMAN DEASON: It should extend it beyond
15 10/1/01, but we don't know how much?

16 MR. ILERI: Correct.

17 MS. BULECZA-BANKS: But that has been in place
18 for awhile now, and I'm not sure how that compares with
19 the calculations of these exhausts, how updated they were
20 for that. And I'm not sure that -- you won't get as much
21 with that as you would other measures, because it is just
22 saying you need to use your numbers conservatively and you
23 need to use this block before you move to the next block.
24 But if a legitimate customer request comes in you can open
25 a block. So I'm not sure how much you truly gain. You

1 will gain some.

2 COMMISSIONER JACOBS: So we don't have any
3 restrictions on the number of codes per month or anything
4 down there now?

5 MR. ILERI: Currently we have rationing in this
6 region and we have to be -- well, the industry decided
7 that they will be getting one code per month. That will
8 take them to October 1, 2001.

9 COMMISSIONER JACOBS: Okay.

10 CHAIRMAN DEASON: When do we have to have a plan
11 submitted?

12 MS. BULECZA-BANKS: They state it is supposed to
13 be 18 months from the exhaust date.

14 CHAIRMAN DEASON: We have already passed that.

15 MS. BULECZA-BANKS: That is correct.

16 CHAIRMAN DEASON: So what are they going to do,
17 slap us on the wrist or what?

18 MS. KEATING: I doubt it.

19 COMMISSIONER JACOBS: Yes, that is a good point,
20 because we are not asking for a code. What would they do
21 to us?

22 MS. BULECZA-BANKS: As long as our timing is
23 such that we had a relief plan in place before exhaust, I
24 wouldn't think anything. I mean, the 18 months is to give
25 ample time for permissive and mandatory dialing and make

1 sure that everything is in place so that we don't have a
2 situation where an entity can't get codes and a customer
3 can't get a number.

4 CHAIRMAN DEASON: How long will it take to go
5 through a process to get the information, verify it, carry
6 it to hearing, if necessary, and then ballot customers as
7 to what the options are? About a year? About 10/1/01?

8 MS. KEATING: That is probably a good guess.

9 COMMISSIONER JACOBS: Thereabouts.

10 CHAIRMAN DEASON: Why didn't we further explore
11 rate center consolidation within this docket?

12 MR. ILERI: Commissioners, there is not much
13 evidence in the record.

14 CHAIRMAN DEASON: I know. Why didn't we develop
15 evidence in the record?

16 MR. ILERI: We have asked questions to BellSouth
17 and they have responded with the figures that we were
18 interested in finding out regarding the revenue loss if
19 you do the rate center consolidation.

20 CHAIRMAN DEASON: Did they come forward with a
21 plan saying which rate centers could be consolidated and
22 did they indicate what relief that would provide as far as
23 in terms of extending exhaust dates or anything of that
24 nature?

25 MR. ILERI: They did not provide information

1 relating to extending the area code life. But they said
2 if you do conservation we can do it -- either consolidate
3 rate centers into one rate center, from seven to one.

4 CHAIRMAN DEASON: You can go from seven centers
5 to one center?

6 MR. ILERI: Correct.

7 CHAIRMAN DEASON: Would that provide toll free
8 calling within all the Keys?

9 MR. ILERI: Basically, every call will be a
10 local call, correct.

11 CHAIRMAN DEASON: And is that the \$753,000
12 annual revenue impact?

13 MR. ILERI: This is what they indicated,
14 correct. And as I indicated earlier, there is a proposal
15 that is going to be discussed by the steering committee on
16 the rate center consolidation, and there are certain
17 assumptions in terms of the revenue loss and there are
18 things that are not being included in the costs. And I'm
19 not sure what those are right now. I have not finished
20 writing the recommendation yet.

21 CHAIRMAN DEASON: Costs other than just the --
22 they had 753,000, that is just annual revenue impact or is
23 there other costs involved in that? We don't know?

24 MR. ILERI: It is just the revenue impact.

25 CHAIRMAN DEASON: Lost toll revenue?

1 MR. ILERI: Correct. And that was only for
2 BellSouth.

3 CHAIRMAN DEASON: How many customers are in
4 these exchanges in the Keys?

5 MR. ILERI: Currently we have 68 NXXs that are
6 being used. And currently there are, I believe, 89,000.

7 CHAIRMAN DEASON: 89,000. So how much is that
8 in terms of toll loss per customer? It is about 8 or \$9
9 per customer, is that right, per year? Wouldn't you just
10 divide 753,000 by 89,000? I don't have a calculator or I
11 would do it.

12 MS. SIMMONS: Commissioners, I just wanted to
13 mention I assume that a significant portion of this money
14 is probably related to extended calling service and the
15 effect that rate center consolidation would have on that.
16 So it is some combination of, I believe, lost toll and
17 extended calling service.

18 CHAIRMAN DEASON: Yes. Well, just for purposes
19 of this discussion I was just including ECS as lost toll
20 revenue if there is to be a reduction in that.

21 MR. ILERI: I believe it will be \$7 per year per
22 line.

23 CHAIRMAN DEASON: Seven?

24 MR. ILERI: \$7.

25 CHAIRMAN DEASON: \$7 per year per line. Well, I

1 don't know how other customers in the Keys would feel, but
2 if I could pay less than a dollar increase on my
3 residential line per month and get toll free calling
4 within the entire Keys and keep my seven-digit dialing and
5 keep 305, I think that would be a bargain. So why don't
6 we give them that option?

7 COMMISSIONER JACOBS: Now, we are not doing
8 1,000 blocks right now, you said you have just got 1,000
9 block guidelines, right?

10 MR. ILERI: That is correct.

11 COMMISSIONER JACOBS: And that is in order to
12 preserve them for future 1,000 block pooling, is that
13 correct?

14 MR. ILERI: That is correct.

15 COMMISSIONER JACOBS: So if codes go out, you
16 are going to get the full, what is it, 10,000 whatever is
17 going to go out. My concern is, I think -- I saw we only
18 have 20 codes there now, right, is that correct?

19 MR. ILERI: Currently we only have, I believe,
20 13 codes left.

21 COMMISSIONER JACOBS: Thirteen left?

22 MR. ILERI: Right.

23 COMMISSIONER JACOBS: So if we do this -- a lot
24 of the effect of consolidation has to do with how many
25 carriers are coming in. Because when those carriers come

1 in, each of them has to get a code for each center, as I
2 understand it.

3 MR. ILERI: That's correct. If you have only
4 one rate center, then they will need to have only one code
5 to be able to serve the entire Keys region.

6 COMMISSIONER JACOBS: Which actually has even a
7 more beneficial effect because you are going to enhance
8 competition there, as well.

9 CHAIRMAN DEASON: Can we issue a PAA order
10 indicating we are going to order rate center consolidation
11 and have the parties object to it and then come forward
12 with what they consider to be the numbers, all of the
13 costs, whatever, carry it to an expedited hearing, make a
14 decision so that we cannot violate the exhaust date and
15 still have some permissive dialing if we have to implement
16 an overlay?

17 MS. KEATING: Give us a second.

18 MS. SIMMONS: Commissioners, let me give you my
19 reaction. I would be concerned from the standpoint of the
20 exhaust date, you know, being October 1 of 2001, and the
21 fact that rationing is in place at one code a month to get
22 us to that point. And I just would have reservations as
23 to whether or not something could be done quickly enough
24 in the way of conservation measures to help the situation.

25 CHAIRMAN DEASON: Okay. We are going take a

1 break here in just a minute and give staff an opportunity
2 to kind of have a sit-down and talk about things among
3 themselves. My problem is I don't want a window of
4 opportunity to pass that we're -- I think it is a poor
5 excuse to say there may be something out there that is
6 better, that better meets the public interest, but we
7 don't have the time to do it.

8 MS. KEATING: Are you talking about doing it but
9 still having a backup plan in place?

10 CHAIRMAN DEASON: Yes.

11 MS. KEATING: Okay.

12 CHAIRMAN DEASON: We could issue it as a PAA
13 indicating that is what we are going to be doing. But
14 also you need to build in time to be able -- I do not want
15 to have a mandatory rate increase on customers without
16 them having the opportunity to voting yea or nay.

17 MS. KEATING: But you would still choose a plan,
18 just not implement it.

19 CHAIRMAN DEASON: Just don't implement it until
20 we find out, first of all, what the impact is going to be
21 in terms of dollars where the customers are going to pay
22 for it for the benefits that they get from it, and make a
23 determination as to the anticipated impacts on exhaust
24 date.

25 MS. KEATING: Well, procedurally, Commissioners,

1 I think you can do that as long as you do the rate center
2 consolidation portion as a PAA, but have an approved
3 backup plan.

4 CHAIRMAN DEASON: So that we don't find
5 ourselves with no telephone numbers to serve customers in
6 the Keys.

7 MS. KEATING: Correct. But, like I said, you
8 have to have the plan. That is part of the FCC's
9 requirements.

10 CHAIRMAN DEASON: Okay. Commissioner Jacobs,
11 what is your feeling on it?

12 COMMISSIONER JACOBS: Well, I have just been
13 going back and looking at some of the recommendation as it
14 relates to the consolidation. And everything I see seems
15 to argue for at least trying this. What I see here is
16 that if we do this and then we come back and do number
17 pooling, it will make number pooling more effective if we
18 do the consolidation. And if we do this it will also have
19 the immediate effect of extending the exhaustion of the
20 codes obviously.

21 MS. KEATING: We think.

22 COMMISSIONER JACOBS: We think. That is all you
23 can do, give it your best shot.

24 MS. KEATING: And if it doesn't work, just to
25 let you know, you might end up with a really short

1 permissive dialing period, which is not always --

2 CHAIRMAN DEASON: And I think that if we engage
3 in a public outreach and inform customers of the Keys that
4 we are trying to come forward with -- we are trying to
5 think out of the box a little bit and come up with
6 something that we think may address their concerns, and we
7 need them to be aware of it, and to provide input to us,
8 and that it may shorten their permissive dialing period,
9 and to be aware that if this plan doesn't work that they
10 may only have two months of permissive dialing. I don't
11 know what the numbers would be.

12 Are we violating some FCC guideline? Yes,
13 probably.

14 COMMISSIONER JACOBS: Good.

15 MR. ILERI: Commissioners, the implementation of
16 the overlay relief plan, according to the industry will
17 take about three months. And the only problems that we
18 may have is during the three months is the alarm companies
19 that used to modify the customers equipment at their
20 premises, and they may need additional extra time to do
21 that work properly so that they can dial the ten digits
22 rather than seven digits.

23 MS. KEATING: Essentially, we would have to have
24 an extremely expedited PAA process and hearing process.
25 Because I would presume --

1 MS. BULECZA-BANKS: And balloting process.

2 MS. KEATING: And balloting process. Because my
3 best guess would be that this would probably end up in
4 some sort of hearing process.

5 CHAIRMAN DEASON: Yes, I would think it would.
6 Walter has done that sort of thing before.

7 COMMISSIONER JACOBS: Mr. Chairman, I would like
8 to rely with the discussion that we have had and go ahead
9 and move that we undertake a rate center consolidation for
10 this area.

11 MR. D'HAESELEER: Commissioners, could I have
12 about a 15-minute break to talk to staff to make sure what
13 we are going to do is doable.

14 CHAIRMAN DEASON: I think that is a good idea.
15 You may think of something that we are totally not
16 considering at this point. We don't want to make a
17 mistake, and we don't want to give false hope to
18 customers, either.

19 MR. D'HAESELEER: Right.

20 CHAIRMAN DEASON: We are going to recess for 15
21 minutes, 20 if you need it.

22 (Recess.)

23 CHAIRMAN DEASON: Call the agenda back to order.
24 Mr. D'Haeseleer.

25 MR. D'HAESELEER: Commissioner, we have got a

1 good cop/bad cop scenario.

2 CHAIRMAN DEASON: Which one are you?

3 MR. D'HAESELEER: I'm going to be the good cop.

4 CHAIRMAN DEASON: That is really role playing
5 for you.

6 MS. KEATING: Not natural.

7 MR. D'HAESELEER: What I propose would be
8 something very similar if not identical to what you had
9 proposed and that as a PAA. We have identified the costs.
10 We know the number of access lines. We can do the math to
11 determine what the impact would be per customer per month.
12 We would poll the customers. And by the time we get out
13 an order, we could be more precise on scheduling and a few
14 other things.

15 CHAIRMAN DEASON: The question I have is that
16 while I know we have got that number in the record, we
17 know the number of customers, would we go ahead and make
18 a determination of customer impact or would we wait to get
19 input from whoever may protest our order as to exactly how
20 that should be calculated?

21 MR. D'HAESELEER: Well, because of -- to make it
22 simple, I think we have a number, and we ought to rely on
23 that number and go with it.

24 CHAIRMAN DEASON: Well, the concern that I have
25 is that if there is something we are overlooking, I would

1 not want to give too optimistic of a picture and that
2 become the expectations in customers' minds. I would want
3 to make sure that the number is as accurate as possible.
4 So we may need to give an opportunity before we actually
5 publicize what a survey number would be, to have that
6 authenticated through some type of expedited PAA process.

7 MR. D'HAESELEER: We could do that.

8 CHAIRMAN DEASON: Is staff comfortable?

9 MS. KEATING: That is how I would recommend
10 handling it, too. Anything that has to do with
11 implementing rates in a consolidation, all aspects of it
12 be included within the PAA.

13 CHAIRMAN DEASON: Okay.

14 MR. D'HAESELEER: And, you know, for the next
15 couple of days we could work on some kind of scheduling
16 and see what problems we really have, if any.

17 MS. SIMMONS: Commissioners, I would like --

18 MR. D'HAESELEER: There is the bad cop.

19 MS. SIMMONS: No. Let me just say, I think
20 there is more that you may want to consider beyond what
21 Mr. D'Haeseleer has suggested. I think rate center
22 consolidation by itself is very helpful in curtailing
23 future demand for numbers.

24 In order to get some immediate benefit, however,
25 I believe it would be necessary to have code sharing in

1 conjunction with the rate center consolidation. The code
2 sharing would allow you to actually get at the spare and
3 to make use of it. Now, in looking at the recommendation
4 where code sharing is discussed, it is on Page 90 of the
5 recommendation, it is noted that the record isn't very
6 sufficient on the matter of code sharing.

7 So it would be my suggestion that if you want to
8 pursue the rate center consolidation as a Proposed Agency
9 Action that you would also -- it would be my
10 recommendation that you include code sharing, as well,
11 because I believe that is the only way you can get any
12 immediate benefit from the rate center consolidation.

13 CHAIRMAN DEASON: I agree. Rate center
14 consolidation in and of itself is not going to cure the
15 problem. Rate center consolidation, hopefully, will free
16 up numbers, but you have got to be able to utilize those
17 numbers in some meaningful way. And for it to have any
18 beneficial effect in the short-term, you have got to take
19 measures to see that that takes place and that means code
20 sharing.

21 MS. SIMMONS: Correct.

22 CHAIRMAN DEASON: So we can incorporate that as
23 part of the PAA.

24 COMMISSIONER JACOBS: Are there any down sides
25 to that? Are we going to give up anything to do that?

1 MS. SIMMONS: I don't know if Mr. Ileri can
2 expand on this at all. But I think that the difficulty
3 is, at least in terms of the information on this record,
4 there apparently is not a lot. So it would need to be
5 Proposed Agency Action. I honestly personally don't know
6 about the down sides potentially. I don't know how long
7 the code sharing might take to implement. You know, there
8 is a question about how long would the rate center
9 consolidation take. You have got the same question, I
10 think, with the code shearing. There isn't a lot here to
11 go on, unfortunately.

12 CHAIRMAN DEASON: And we need to have a backup
13 plan, correct?

14 MS. KEATING: That's correct.

15 MR. D'HAESELEER: Yes.

16 COMMISSIONER JACOBS: And you are holding on to
17 Alternative 12?

18 MR. ILERI: That is correct.

19 CHAIRMAN DEASON: Let me ask a question about
20 12. Why is it necessary to go ahead and get another third
21 area code to be implemented at this time?

22 MR. ILERI: Our idea was to give relief to the
23 Miami area since that area will be exhausting their area
24 code in the next three to four years. And I believe the
25 exhaust for that area is 2004. And it is basically a

1 future recommendation to that area. And the way that we
2 have seen and talked about this alternative is that 786
3 area code will be expanded to the Keys area, and upon
4 expiration of that 786 NPA NXXs will be utilizing the new
5 area code as a third overlay in the entire Keys and
6 Miami/Dade County areas.

7 CHAIRMAN DEASON: And your recommendation on the
8 Keys is to basically go from one area code to three area
9 codes.

10 MR. ILERI: Basically, in a very short amount of
11 time, yes.

12 COMMISSIONER JACOBS: Overtime?

13 CHAIRMAN DEASON: In a short period of time.

14 MR. ILERI: A short period of time.

15 CHAIRMAN DEASON: The exhaust date for the Miami
16 area, is that taking into account conservation or not?

17 MR. ILERI: The numbers that are indicated on
18 Page 129 that indicates Alternative Number 12, has got
19 number conservation measures. It assumes the number
20 conservation measures are taking place effectively. And
21 based on the assumptions indicated by NeuStar, the life
22 will be 15.6 years.

23 CHAIRMAN DEASON: Yes. But I'm saying what
24 would be the effect without the third area code?

25 MR. ILERI: Without the number conservation

1 measures it will be half of this number.

2 CHAIRMAN DEASON: So you are saying it would
3 be --

4 MR. ILERI: Actually we are looking at
5 Alternative Number 1. And that one doesn't have number
6 conservation measures, but with the implementation of
7 number conservation measures the life will be -- based on
8 the assumptions, again, it will be 6.8 years. It will
9 double the amount.

10 CHAIRMAN DEASON: And then if we are successful
11 in coming up with rate center consolidation and the
12 beneficial effects of that, that would probably have some
13 impact, beneficial impact for the Miami area, as well,
14 would it not?

15 MR. ILERI: That is correct. And as a matter of
16 fact, one of the proposals that the industry was looking
17 at in terms of the rate center consolidation was to
18 consolidate the Miami/Dade area, as well. That will
19 increase the available telephone numbers for the entire
20 area.

21 CHAIRMAN DEASON: Should we include that as part
22 of our PAA?

23 MS. SIMMONS: It is your discretion,
24 Commissioners.

25 CHAIRMAN DEASON: Well, why don't we include it

1 as part of the PAA, but have the two separate. I wouldn't
2 want one dependent on the other. We may decide to do the
3 Keys and not do Miami/Dade. I mean, I would want it as a
4 separate PAA.

5 MS. SIMMONS: Somehow so that there would be
6 severability between the two?

7 CHAIRMAN DEASON: Right. We may decide to do --
8 for example, we may decide that it is justified to do rate
9 center consolidation for the Keys, but not do it for
10 Miami. What is it, Miami -- which one is it? Which rate
11 centers, is it within the Miami area?

12 MR. ILERI: That is correct. It serves from
13 North Dade, Miami, Perrine, and Homestead exchanges.

14 CHAIRMAN DEASON: Okay. We can look at it.

15 MS. SIMMONS: All right. And I guess,
16 Commissioners, you would -- I would just make the same
17 consideration about the code sharing.

18 CHAIRMAN DEASON: Absolutely. That is where we
19 get the beneficial impact in the short-term. And what I
20 would -- if we are going to go to those lengths, I think
21 it would be premature to go ahead and have as our backup
22 plan the third area code at this point. Even without the
23 -- without considering rate center consolidation, it
24 appears that the 3.4 years is really going to be something
25 more in the neighborhood of around six years, if the other

1 conservation measures pan out as we are hopeful.

2 MR. ILERI: Yes, Commissioners.

3 MS. SIMMONS: It is difficult to estimate.

4 CHAIRMAN DEASON: But I think the backup plan
5 has got to be an overlay. And it looks to me like that
6 the backup plan would probably have to be Alternative 1.
7 Well, let me ask staff. If there is to be -- if there has
8 to be a relief plan, a backup relief plan, and it is not
9 going to be your recommended Alternative 12, what is your
10 next best choice?

11 MR. ILERI: My suggestion will be Alternative
12 Number 1.

13 CHAIRMAN DEASON: Okay. And the only difference
14 between the two is basically whether we go ahead and
15 include a third area code now or we wait until we
16 ascertain the impacts of conservation.

17 MS. SIMMONS: Just a matter of timing, which you
18 prefer.

19 CHAIRMAN DEASON: Commissioner Jacobs, I think
20 that is basically where we fall down. It appears that it
21 is going to have to be an overlay onto the Keys, it is a
22 question of do we just expand the existing 786 into the
23 Keys and try to ascertain the impacts of conversion or do
24 we go ahead and request a third area code and have it
25 implemented as part of the backup plan now.

1 COMMISSIONER JACOBS: With this option we --
2 while we don't meet the INC guidelines, the ramifications
3 would be they don't really have the option of withholding
4 a code because we are not really asking for one. Are
5 there any other issues that might arise with NANPA?

6 MR. ILERI: As a matter of fact, this
7 Alternative Number 1 was recommended by the industry as
8 their alternative. And I don't see any kind of reason why
9 the industry will object to it since they are the ones who
10 make the guidelines.

11 COMMISSIONER JACOBS: I agree, this is obviously
12 the most effective and efficient backup. All it does is
13 take the existing provisions and extend them down to the
14 Keys in the event that we need to. So I can agree with
15 that.

16 CHAIRMAN DEASON: Okay.

17 COMMISSIONER JACOBS: I had a question, and
18 somebody answered this for me a while back, but I cannot
19 remember, about this idea of a technical services overlay
20 that was done in New York.

21 MR. ILERI: Technology-specific overlays?

22 COMMISSIONER JACOBS: Yes. I'm sorry,
23 technology-specific overlay. And as I understood it, we
24 can't do that, it will require legislation. But --

25 CHAIRMAN DEASON: Would it require legislation

1 or would it require the FCC to change its mind? Or are
2 the two synonymous.

3 MS. SIMMONS: The difficulty, as I understand
4 it, is that the FCC has consistently ruled against
5 technology-specific overlays. I believe they may be
6 looking at this policy again, but that is how they have
7 consistently ruled in the past.

8 CHAIRMAN DEASON: Is there something pending
9 before the FCC at this time?

10 MR. ILERI: That is correct. There are two
11 states who have petitioned to have this done, the
12 California and New York Commissions.

13 CHAIRMAN DEASON: Have we participated to any
14 extent in that?

15 MR. ILERI: As staff, we have conference calls
16 between the states and we have participated and I
17 indicated that I will support their resolution.

18 CHAIRMAN DEASON: Should the State of Florida
19 intervene or whatever the appropriate mechanism would be
20 to express our thoughts on it before the FCC? I guess
21 that is something you all can think about and maybe bring
22 to Internal Affairs. We don't have to do it today, but
23 just think about it.

24 COMMISSIONER JACOBS: And the thought occurs to
25 me, I understand that the major concerns are the

1 competitive issues, but in an area such as this it would
2 appear that that just jumps out as something we should
3 consider. So, get back to me and Mr. Chairman, and let us
4 know what your recommendations are on that.

5 Having said that, Mr. Chairman, it sounds like I
6 can make a recommendation. And if I am not clear on this,
7 please jump in and correct me. As I understand it, what
8 we would want to do is go ahead and adopt Issue 1 as a
9 resolution -- I'm sorry, Alternative 1 in Issue 1A.

10 CHAIRMAN DEASON: That's correct. But with the
11 clarification that it is the fallback position, the
12 backup.

13 COMMISSIONER JACOBS: The fallback measure. And
14 to issue a PAA which would implement rate center
15 consolidation under two issues. One issue will be whether
16 it should be instituted for Dade and the other whether it
17 should be instituted for the Keys.

18 CHAIRMAN DEASON: And also code sharing.

19 COMMISSIONER JACOBS: I'm sorry, code sharing,
20 yes.

21 CHAIRMAN DEASON: That is the motion. I am in
22 agreement with that. Show that that motion is adopted
23 unanimously.

24 COMMISSIONER JACOBS: Did I speak slow enough?

25 CHAIRMAN DEASON: Okay. We can go now to Issue

1 1C. This is 954.

2 MR. ILERI: Commissioners, in the 954 area code
3 there are four alternatives. The industry recommended
4 Alternative Number 1, which is a distributed overlay, and
5 that is the same recommendation that staff is making.

6 CHAIRMAN DEASON: The industry is recommending
7 the overlay and staff is in agreement with that, correct?

8 MR. ILERI: Correct.

9 CHAIRMAN DEASON: I'm trying to find the --
10 where are the maps? I don't see numbered pages.

11 MR. ILERI: 143, Page Number.

12 CHAIRMAN DEASON: I'm looking at the colored
13 maps. I guess those pages aren't numbered. What page is
14 it in the black and white?

15 MR. ILERI: 143.

16 CHAIRMAN DEASON: Okay.

17 COMMISSIONER JACOBS: One of the major concerns
18 that was raised would be the effect on dialing patterns.
19 Other than the ten-digit dialing pattern, what other kind
20 of changes would occur if you did a split here?

21 MR. ILERI: If you do a split?

22 COMMISSIONER JACOBS: Yes. One of the
23 objections raised to doing a split in this area was
24 because it was a fairly small geographic scope you would
25 introduce significant dialing pattern problems. Other

1 than the ten digit, what others are there? Is that the
2 only one?

3 MS. SIMMONS: Well, I would point out you have
4 ten-digit dialing, but you also would have it in
5 conjunction with seven-digit dialing depending on where a
6 customer is located. Under some sort of split plan,
7 depending on where the customer is calling, they would
8 need to dial ten digits or seven on a local call and that
9 would most likely be confusing.

10 CHAIRMAN DEASON: It could be very confusing.
11 Very confusing. Commissioner, it seems to me that it
12 becomes extremely difficult to come up with a geographic
13 split when you start looking at an area smaller than a
14 county. That is not to say you wouldn't ever split a
15 county, but Broward County, I just don't know where you
16 would draw the lines to determine which would be the best
17 community of interest from one section to the other. And
18 then you do have the confusion of there being combinations
19 of seven-digit dialing and ten-digit dialing. I tend to
20 agree with staff's recommendation that at this stage the
21 only reasonable alternative would be an overlay.

22 COMMISSIONER JACOBS: Okay. I was trying to
23 find the discussion -- your discussion regarding
24 conservation measures. I assume Alternative 1 has no
25 conservation measures proposed, correct?

1 MR. ILERI: That is correct. However, in our
2 other docket, 981444, we are implementing a number pooling
3 trial.

4 COMMISSIONER JACOBS: Right. For this, and that
5 is where I was getting.

6 MR. ILERI: But this alternative did not
7 address --

8 COMMISSIONER JACOBS: I'm sorry, say again.

9 MR. ILERI: This alternative did not address the
10 number conservation measures. However, with the
11 implementation of number conservation measures the life
12 will, of course, extend more than ten years as indicated
13 in here.

14 COMMISSIONER JACOBS: I can make that motion,
15 Mr. Chairman, that we would adopt Alternative 1, which is
16 the all services overlay in the 954 area code.

17 CHAIRMAN DEASON: Is there a -- do we have a
18 particular code indicated that is being reserved for this
19 or not, for this area, for Broward County?

20 MR. ILERI: We have not been notified by the
21 numbering administrator about the area code.

22 CHAIRMAN DEASON: Okay. Well, that is the
23 motion. Show then that I agree with that motion and that
24 motion is adopted unanimously.

25 Okay. That addresses Issue 1C. We are now on

1 Issue 1D, 904.

2 MR. ILERI: Commissioners, there are 17
3 alternatives in this area code, and staff is recommending
4 a modified version of Alternative Number 6, which is a
5 geographic split.

6 CHAIRMAN DEASON: Okay. And that does not
7 include Putnam County as part of Region A, correct?

8 MR. ILERI: That is correct.

9 CHAIRMAN DEASON: But there would be one section
10 of Putnam County, I guess that would be part of the
11 Hastings exchange that would be within 904 and the
12 remainder of Putnam County would be within the new area
13 code, correct?

14 MR. ILERI: That is correct.

15 CHAIRMAN DEASON: Is that problematic or not?

16 MR. ILERI: I believe it will depend on the
17 circumstances.

18 CHAIRMAN DEASON: What is the impact on the life
19 of Region A if Putnam County is included within that
20 region?

21 MR. ILERI: If all the predominant exchanges in
22 Putnam County are included in Region A, the life of Region
23 A, meaning 904 area code, will go down from 5.2 to 4.3
24 years. That will increase the life of Region B from 19.1
25 to 23 years. And as our order indicated, these lives are

1 all approximate.

2 CHAIRMAN DEASON: And the 4.3, that is without
3 conservation?

4 MR. ILERI: That is correct.

5 MS. SIMMONS: Commissioners, let me mention it
6 is possible that the -- or probably likely that the
7 exchange boundaries may not match up exactly with these
8 county lines. So I guess you might want to clarify that
9 if you want to move this in, you probably want to move in
10 the exchanges that are predominately located in Putnam
11 County, because there may be some exceptions. I don't
12 know, Mr. Ileri may know better than I do.

13 CHAIRMAN DEASON: It is very rare that the
14 exchange boundaries always coincide with political
15 boundaries, but sometimes they are pretty close. So I
16 guess the question would be if we decided to include
17 Putnam, as you indicated, we would just need to identify
18 the exchanges which predominate within that political
19 subdivision. Okay. Did we have any customer
20 participation from individuals from Putnam County?

21 MR. ILERI: No, sir.

22 CHAIRMAN DEASON: There was no participation?
23 Okay.

24 COMMISSIONER JACOBS: We had a meeting in
25 Putnam, though, didn't we?

1 MS. KEATING: In Putnam County? No.

2 CHAIRMAN DEASON: I don't believe we did.

3 MS. KEATING: No, we did not. For 904 we had
4 hearings in Lake City, Jacksonville, St. Augustine,
5 Daytona Beach, and Deltona.

6 CHAIRMAN DEASON: Does staff have any feel for
7 the area within the Hastings exchange which lies in Putnam
8 County, how populated that is, if there are calling scopes
9 involved that are problematic? The majority of the
10 Hastings exchange is within St. Johns County, correct?

11 MR. ILERI: Hastings exchange has local calling
12 to Palatka and St. Augustine. They do not have ECS to
13 anywhere else.

14 CHAIRMAN DEASON: So under your recommended
15 Alternative 6, or Modified Alternative 6, Hastings would
16 have -- still have toll free calling to Palatka, but it
17 would have to be on a ten-digit dialing basis?

18 MR. ILERI: Correct.

19 CHAIRMAN DEASON: All right. I notice a number
20 of people have come up to the table. And let me indicate
21 that I allowed Senator Klein to participate earlier, he
22 being an elected representative of a particular area in
23 question. If there are elected officials here today, I am
24 going to allow them the same opportunity that I afforded
25 Senator Klein with the caveat, as I explained to Senator

1 Klein, is that we are not reopening the record. The
2 record exists. We are going to have to make our decision
3 within that record. If there is anything that already
4 exists been the record which you wish to reiterate, I will
5 allow you that opportunity at this time. Identify
6 yourself for the record, too, please.

7 MS. McFALL: Certainly. Thank you, Chairman
8 Deason. My name is Ann McFall, I am a Volusia County
9 Council member representing District V. I have with me
10 today Mr. Frank Gummey, who is assistant county attorney
11 for Volusia County, and Bob Weiss, who many of you know,
12 who is communications director for Volusia County. And I
13 thank you for giving me the opportunity to speak.

14 I have a feeling that we are ahead of the game,
15 so I will make it short and brief. Just to tell you a
16 little bit credential-wise for me, I have been an elected
17 official for 14 years, representing all of Volusia County
18 on the school board for eight years and completing my last
19 term on the Volusia County Council for six years.

20 My district is District V, which most of the
21 population lives in DeBary or Deltona, but it goes all the
22 way over to 95, up 95, over to I-4, and back down I-4 to
23 the county line. So it takes in a lot of area. A lot of
24 area that is in question in the previous testimony that
25 you have heard.

1 We joined the process early at the initial
2 hearings. And we appreciate you coming to the Central
3 Florida area to hear from the residents. I am before you
4 today representing a unanimous consensus of 16 cities in
5 Volusia County, four cities in Flagler County, the Flagler
6 County Commission, the Volusia County Council, eight
7 chambers, Volusia County School Board, Volusia Council of
8 Governments, the Port Orange Homeowners Association, which
9 represents 4,000 members, the Hotel/Motel Association, and
10 particularly the City of Deltona, who called me on my cell
11 phone halfway up here and we had a conference call. They
12 asked me to assure everyone that they are in strong
13 support of Alternative Number 6, which is basically the
14 geographic boundaries.

15 I also represent the Osteen area. And I know
16 there is some discussion about the BellSouth Sanford
17 exchange in Osteen might not be part of the Alternative 6.
18 I would say that we strongly urge you to support one area
19 code for all of Volusia County, which includes the Osteen
20 area. And we are here to answer any questions that you or
21 staff might have about this area, but I will just open it
22 back up to you.

23 CHAIRMAN DEASON: Let me ask staff a question,
24 then I may refer something to you depending on their
25 answer. The customers within the Osteen area, if they

1 were to be included within the new area code for Volusia
2 County if we go with the geographic split, it would
3 necessitate number changes, is that correct?

4 MR. ILERI: That is correct. Full ten-digit
5 telephone number change.

6 COMMISSIONER JACOBS: For everyone in the
7 exchange.

8 CHAIRMAN DEASON: Now, would it also include
9 changing their last four digits, or could they retain
10 those?

11 MR. ILERI: It is something that we may have to
12 work with the industry to be able to retain the last four
13 digits. So, unfortunately, I cannot give you a promise on
14 that.

15 CHAIRMAN DEASON: Do we have any indication from
16 the residents of Osteen as to whether their preference is
17 to retain their existing phone numbers and not be part of
18 the Volusia County area code, or do they wish to become --
19 wish to change their numbers and become part of it?

20 MR. ILERI: The evidence in the record supports
21 to unite all of Volusia County as a whole. However, I'm
22 not sure whether the customers are aware of the fact that
23 they may have to go through a number change.

24 CHAIRMAN DEASON: Is this something that we can
25 survey customers on and do we have the time to do that?

1 MR. ILERI: Commissioners, we already did a
2 balloting in this area in a prior docket, 981745, I
3 believe, and that case indicated some kind of rate change,
4 calling scope change, and a telephone number change, and
5 there was no -- basically, we had a lack of response from
6 the customers. But it doesn't mean that they do not
7 prefer to have a rate increase or do not prefer to have a
8 telephone number change so we cannot isolate that
9 information.

10 CHAIRMAN DEASON: This is a different issue,
11 isn't it? I mean, we're not talking about a rate change,
12 we are talking about changing numbers to be part of a
13 Volusia County area code.

14 MR. ILERI: Correct. And in terms of the
15 balloting if we have to do it, yes, we do have time to do
16 that. The current exhaust date for this area is
17 January 1, 2002. And we indicated that we support to have
18 permissive dialing to start on January 15 and we are
19 looking at a permissive dialing period from January to
20 November. We can always change the permissive dialing
21 period to accommodate that type of balloting process. And
22 based on that we can either go with the primary
23 recommendation or with the alternative recommendation.

24 CHAIRMAN DEASON: Okay. Now, we also have
25 another area that I think is part -- what is it, part of

1 the Sanford exchange that lies in Southwest Volusia, is
2 that correct? Now, staff, what are you recommending we do
3 with that?

4 MR. ILERI: What exchange?

5 CHAIRMAN DEASON: I believe it is part of the --
6 is it part of the Sanford exchange?

7 MS. McFALL: That is the Osteen.

8 CHAIRMAN DEASON: That is Osteen. That is part
9 of Sanford? Okay. Isn't there another area within
10 southern Volusia County?

11 MS. McFALL: Yes.

12 CHAIRMAN DEASON: Which area is that?

13 MS. McFALL: And it happens to be my area code,
14 area code 407, which takes in most of DeBary and Deltona.
15 We would ask the Commission that they include that in
16 Alternative Number 6, which I believe is included in that.
17 It is not on the map, but it is in the testimony that that
18 is included; recommendation from staff, as well.

19 MS. SIMMONS: Commissioners, I believe I am
20 looking at the map on Page 153, and DeBary is included.

21 MS. McFALL: DeBary and Deltona?

22 COMMISSIONER JACOBS: In the modified version,
23 correct?

24 MS. SIMMONS: The modified version of
25 Alternative Number 6.

1 CHAIRMAN DEASON: Okay. So that is the --
2 Modified Alternative 6 does include DeBary, is that
3 correct, and Deltona?

4 COMMISSIONER JACOBS: And this is the instance
5 where we are going to have the, I think -- how many
6 customers are we saying, there is about 2,000 or 3,000
7 people who would have to have their numbers changed?

8 MS. SIMMONS: I believe it is like 6,000.

9 MS. McFALL: Excuse me, but DeBary and Deltona
10 takes up about 75,000 people. There are two different
11 issues. The Osteen exchange is about 3,800 customers,
12 which is less than 1 percent of the total population of
13 Volusia County. So there is two different issues there.
14 There is putting the DeBary/Deltona up into the 904, which
15 is why I mentioned that the City of Deltona is really in
16 favor of it, strongly in favor of it. They sent a lot of
17 those cards to everyone. And then there is the
18 Osteen/Sanford issue.

19 COMMISSIONER JACOBS: And Osteen is the one that
20 is in 407/321 now?

21 MS. McFALL: Exactly.

22 COMMISSIONER JACOBS: And is that -- so, again,
23 that whole exchange would have to have their numbers
24 changed, as well, right?

25 MS. SIMMONS: Right. This Osteen portion, I

1 believe it is something like 6,000 access lines.

2 MS. McFALL: 3,800 is what we were told by --

3 CHAIRMAN DEASON: Whatever the number is.

4 MS. SIMMONS: There may be a question whether
5 counting customers or access lines, I'm not sure.

6 CHAIRMAN DEASON: Okay. But back to the
7 question of DeBary. Staff, you are recommending that that
8 become part of the new area code for Volusia County,
9 correct?

10 MR. ILERI: That is correct.

11 CHAIRMAN DEASON: And that is part of your
12 Modified Number 6?

13 MR. ILERI: Correct.

14 CHAIRMAN DEASON: Now, I want to make perfectly
15 clear, that is DeBary. Is Deltona part of the DeBary
16 exchange, or is Deltona a separate exchange?

17 MS. SIMMONS: I know I probably can't adequately
18 address that question, because -- and maybe Mr. Ileri can
19 or even maybe the public official, but I believe it
20 consists of the area covered by DeBary and, I believe,
21 Orange City. And I don't know if a portion of this area
22 noted is Osteen.

23 CHAIRMAN DEASON: Well, let me ask it this way.
24 Under your Modified Version 6 with the Osteen exception,
25 which I think that we may need to address on a balloting

1 basis, but with that exception under your recommendation
2 would all of Volusia County be in one area code?

3 MS. SIMMONS: Yes.

4 MS. McFALL: Chairman Deason, may I mention the
5 Osteen issue. We have a high school in that 321 that has
6 about 2,500 students in it, half of which their parents
7 have to call long distance to their school. Or they have
8 to call long distance to their county seat, which is
9 Deland, and that is why we are asking for all of one area
10 code for the whole county.

11 CHAIRMAN DEASON: Okay. Well, let me clarify
12 something. Just the fact that we are -- are we changing
13 local calling areas? There is no effect on local calling
14 areas.

15 MR. ILERI: That is correct.

16 CHAIRMAN DEASON: The fact that they are within
17 one area code may facilitate it in the future, but that
18 is -- in fact, it is really not our jurisdiction anymore
19 to mandate.

20 MS. KEATING: Right. And that is one thing I
21 was going to point out. Balloting is purely
22 discretionary. I don't know that you would have to ballot
23 to do this.

24 CHAIRMAN DEASON: Yes. But sometimes -- I mean,
25 because there is no caller impact, is that what you're

1 saying?

2 MS. KEATING: Right. There is no change in the
3 calling scope.

4 CHAIRMAN DEASON: You are talking about Osteen,
5 correct?

6 MS. KEATING: Correct.

7 CHAIRMAN DEASON: But we also would be requiring
8 folks to change their telephone numbers.

9 MS. KEATING: But I'm just saying it is
10 discretionary. You could do it, but I'm just saying I
11 don't think that you are required to do it.

12 COMMISSIONER JACOBS: There is a passage here,
13 and I'm trying to find it, which I wanted to be clear
14 about. It is on Page 56. In the second full paragraph it
15 says, "Staff believes --" this is about middle of the
16 paragraph -- "Staff believes that the NXX and the full
17 seven-digit number currently assigned to the DeBary
18 exchange customers could be directly assigned to the new
19 NPA in Area B, thereby negating the requirement of a
20 ten-digit number change." From what I have been hearing
21 today that is not an option, or is it?

22 CHAIRMAN DEASON: That is for DeBary, correct?

23 COMMISSIONER JACOBS: That is just for DeBary?

24 MS. SIMMONS: Right, just for DeBary. There is
25 a conflict as I understand it. There are a couple of

1 prefixes operating in the Osteen area that are also used
2 in Daytona Beach.

3 CHAIRMAN DEASON: So if we are going to ballot,
4 the only area we would need to ballot would be Osteen if
5 we are concerned about full number changes, correct?

6 MS. SIMMONS: Correct.

7 COMMISSIONER JACOBS: And we don't have this
8 problem that you cited here of the authority problem
9 because we are not expanding the calling scopes?

10 MS. SIMMONS: Correct. The calling scopes would
11 not be effected.

12 COMMISSIONER JACOBS: Mr. Chairman, I can move
13 for the adoption of Modified Version 6 in Issue 1D.

14 CHAIRMAN DEASON: Okay. And that is depicted on
15 Page 153. I guess the only concern I have would be Putnam
16 County. And given that we did not get direct input from
17 customers on that specific issue, and that leaving Putnam
18 County within -- or putting it within the new area code
19 would better balance the lives of the two regions, that is
20 probably their preferable treatment. I assume staff is in
21 agreement with that, that Putnam County, it would be
22 better to leave it within Region B?

23 MR. ILERI: Correct.

24 COMMISSIONER JACOBS: I guess I can't put my own
25 comments in the record, but just from my observation and

1 familiarity with the area, that is probably a reasonable
2 community of interest, much more reasonable community of
3 interest between Putnam and the Flagler/Volusia area than
4 with Putnam and the Duval/Nassau area, I would say. That
5 is a reasonable --

6 CHAIRMAN DEASON: I'm glad you said that. It
7 makes me feel a lot better. If we get complaints, I will
8 direct them to you.

9 COMMISSIONER JACOBS: By all means.

10 CHAIRMAN DEASON: Okay. We have a motion, then,
11 to adopt staff's recommendation for Modified Version
12 Number 6 for the 904 area code, with the understanding
13 that the Osteen area will be balloted before we make a
14 decision as to whether they will be included and have to
15 have a number change.

16 MR. GUMMEY: That wasn't the recommendation, Mr.
17 Chairman. The staff recommended that Osteen be included.

18 CHAIRMAN DEASON: I know that. I am fully aware
19 of that.

20 MR. GUMMEY: But could we just point out that
21 Osteen has been balloted and they didn't even respond
22 sufficiently.

23 CHAIRMAN DEASON: Sir, I believe that you are
24 not permitted to speak at this proceeding. And if you do
25 it again I am going to ask you to sit back in the back of

1 the room, okay? We are fully aware of what our staff
2 recommended and we are modifying our staff's
3 recommendation, okay? Very well.

4 That is the decision of the Commission. Okay.
5 We have addressed Issue 1A, B, C, and D. We need to
6 proceed now to Issue 2, which we had pretty much gone
7 through.

8 MR. D'HAESELEER: Commissioner, you may recall
9 there was some problem about number reclamation and that
10 we had to respond by October the 13th, and whether or not
11 we had the time. I have been told that this was a letter
12 and we have got an extension, so we can deal with this
13 matter at a later date.

14 CHAIRMAN DEASON: I'm sorry, an extension on
15 what, Mr. D'Haeseleer?

16 MR. D'HAESELEER: We thought that there was a
17 deadline that we had to respond by October 13th to this
18 letter. And I am told now we have gotten an extension, so
19 it is not that important. We can address this separately
20 and will.

21 CHAIRMAN DEASON: And that is staff's
22 recommendation at this point?

23 MR. D'HAESELEER: Yes.

24 CHAIRMAN DEASON: Okay. I think we were in the
25 process of asking questions about the specifics of staff's

1 recommendation within Issue 2, and I need to go back and
2 refer to my notes. I may have covered them all.

3 COMMISSIONER JACOBS: We may have addressed
4 this, and I think we did, but refresh my memory why we
5 decided to delay pooling in 954? Because I thought you
6 said we were doing it, but I didn't see it here. But we
7 are going to do it later?

8 MR. ILERI: Commissioner, I believe you are
9 referring to Issue Number 4.

10 COMMISSIONER JACOBS: Maybe that's what it is.

11 MS. SIMMONS: Commissioner Jacobs, are you
12 referring to the pooling that the Commission has already
13 ordered in 954?

14 COMMISSIONER JACOBS: Right, that was it.

15 MS. SIMMONS: Okay. That is to begin January
16 22nd of next year.

17 COMMISSIONER JACOBS: We did it in 954. I knew
18 I had heard that somewhere. Now, the guidelines for
19 managing 1,000 backs, in some instances that is already in
20 place, is that correct?

21 MR. ILERI: That is correct.

22 COMMISSIONER JACOBS: Okay. So if we approve it
23 here when would it become effective? Where will we now --
24 by doing this today are we making it effective in any
25 additional areas?

1 MR. ILERI: In this issue we are implementing
2 the mandatory utilization rates for those area codes by 75
3 percent.

4 COMMISSIONER JACOBS: Okay. Because I'm
5 wondering consistent with Chairman Deason's question
6 earlier about the upcoming, we can't do it in this
7 docket, but should we be looking at implementing these
8 measures of conservation -- these management measures
9 in the other upcoming areas where we anticipate
10 jeopardy?

11 MR. ILERI: Definitely, I believe we could.

12 COMMISSIONER JACOBS: Okay. How will we proceed
13 to do that? Should you come back to us with a
14 recommendation on that? Okay.

15 MR. D'HAESELEER: Yes.

16 MS. BULECZA-BANKS: Yes, that is our
17 anticipation in the 981444 docket. We anticipate bringing
18 you back a recommendation that would basically indicate it
19 is a good idea to go ahead and put in these measures in
20 all of Florida area codes.

21 COMMISSIONER JACOBS: Great. Thank you.

22 CHAIRMAN DEASON: And that is going to address
23 rate center consolidation, code sharing, unassigned number
24 porting, all of those things?

25 MR. ILERI: That is correct.

1 CHAIRMAN DEASON: Okay. But now we are still
2 going to go forward with our PAA on an expedited basis as
3 it relates to 305 and the Keys situation?

4 MS. BULECZA-BANKS: Yes.

5 CHAIRMAN DEASON: All right. Further questions?

6 COMMISSIONER JACOBS: No. I can move -- we
7 probably moved portions of it already, but whatever
8 remains I will move Issue 2.

9 CHAIRMAN DEASON: Okay. We have a motion then
10 to approve staff on Issue 2. Show that that motion
11 carries unanimously, and staff's recommendation on Issue 2
12 is approved.

13 We can go now to Issue 3. It is the dialing
14 patterns. Basically, what we have got here, we have got
15 an overlay, it is ten-digit dialing. If we have ECS
16 routes that cross -- if it is across an area code boundary
17 it has got to be ten-digit dialing and if we have a
18 geographic split, it is seven-digit dialing. And it is
19 seven-digit dialing for ECS routes that are closed to IXC
20 competition, as well.

21 COMMISSIONER JACOBS: Do we understand -- I
22 don't know that I understand, given your recommendation,
23 what we have accomplished in terms of dialing patterns in
24 561. Do we effect dialing patterns --

25 MR. ILERI: In the 561 area code we approved a

1 split plan.

2 COMMISSIONER JACOBS: Right. But if I
3 understood your recommendation, you said there may be
4 dialing pattern issues even if we did the split.

5 MR. ILERI: With the split as soon as you cross
6 the NPA boundary you will have dialed ten digits.

7 COMMISSIONER JACOBS: Okay. And we didn't do
8 that? Okay.

9 CHAIRMAN DEASON: It will be ten-digit dialing,
10 but there will be no charge associated. It is still a
11 local call. But to complete the call, it has to be dialed
12 on a ten-digit basis.

13 MR. ILERI: Correct.

14 COMMISSIONER JACOBS: I don't have any other
15 questions, so --

16 CHAIRMAN DEASON: Move staff on Issue 3?

17 COMMISSIONER JACOBS: -- move staff.

18 CHAIRMAN DEASON: Show staff's recommendation --

19 COMMISSIONER JACOBS: I'm sorry, wait a minute.
20 Let me go back, I'm sorry, just real quickly. I would
21 note briefly that some of the long-standing dialing
22 pattern issues in this Volusia County area, I think we can
23 begin to see some resolution to that. And I think that in
24 and of itself deserves some note. And I think staff
25 really, I think, pierced through some tough issues there.

1 And having said that, I move the issue.

2 CHAIRMAN DEASON: Okay. Show then that staff's
3 recommendation on Issue 3 is approved.

4 Issue 4.

5 COMMISSIONER JACOBS: Well, have we covered --
6 no, we didn't do this, did we?

7 CHAIRMAN DEASON: No, we have not done this
8 issue at all.

9 COMMISSIONER JACOBS: And I had a concern about
10 leaving these open-ended, but I think given our discussion
11 today -- well, except for 305. Given our discussion
12 today, I am more at ease with the other two.

13 CHAIRMAN DEASON: Well, we cannot begin
14 permissive dialing in 305 on November 6th.

15 MS. KEATING: This would have to be modified for
16 4A.

17 CHAIRMAN DEASON: And you are leaving 561 and
18 954 open at this time, correct?

19 MS. KEATING: That is correct.

20 CHAIRMAN DEASON: So the only one that we would
21 begin permissive dialing -- well, actually 904 -- we need
22 a determination of Osteen, do we not, before we begin
23 permissive dialing? Or can you go ahead and implement
24 it -- well, I'm not sure that you could.

25 MS. KEATING: I guess we would need to do the

1 balloting.

2 CHAIRMAN DEASON: We would need to ballot those
3 customers before we implement a permissive dialing period,
4 correct?

5 MS. KEATING: I believe so. I'm not sure how
6 long balloting would take, though.

7 CHAIRMAN DEASON: I think we would need to be as
8 expeditious as possible on that. We need to get notice
9 out, and I would -- I'm sure the Volusia County officials
10 will probably facilitate in informing the Osteen customers
11 of the situation.

12 MS. KEATING: Perhaps you could approve these
13 dates with the notation that they are subject to the
14 outcome of the balloting. They could be modified as a
15 result of --

16 CHAIRMAN DEASON: Okay. Do you think it is
17 possible that we could get a decision on the ballot
18 back before January the -- we are looking for a November
19 5th mandatory dialing for 904. How much permissive
20 dialing do we normally like to afford customers, eight
21 months?

22 MR. ILERI: Commissioners, we generally give
23 about nine months in the prior cases. And, of course,
24 those are just specific to area codes.

25 MR. D'HAESELEER: Commissioner, this would be

1 similar to EAS ballots that we used to do. We could do it
2 in about 60 days, so it is close.

3 MS. KEATING: And Ms. Simmons was suggesting
4 that if necessary the companies could ask for an extension
5 if it looks like the balloting is going to run up too
6 close.

7 CHAIRMAN DEASON: Okay. So just stick then with
8 the January 15th date? Or we could just go ahead and
9 change it to February 15th, that still would give eight
10 months.

11 MS. KEATING: I think you could either way.

12 CHAIRMAN DEASON: Either way?

13 MS. KEATING: Uh-huh.

14 CHAIRMAN DEASON: Commissioner?

15 COMMISSIONER JACOBS: I can do that.

16 CHAIRMAN DEASON: Which one?

17 COMMISSIONER JACOBS: The February date. It's
18 only a month difference.

19 CHAIRMAN DEASON: Okay. We will change that
20 then to February 15th. Okay. Show then that staff's
21 recommendation is approved as modified. And that
22 addresses Issue 4.

23 Issue 5.

24 COMMISSIONER JACOBS: We have to leave it open,
25 don't we?

1 CHAIRMAN DEASON: We have to leave the dockets
2 open.

3 COMMISSIONER JACOBS: Or just with respect to
4 the Keys.

5 CHAIRMAN DEASON: We have to leave all of the
6 dockets open.

7 COMMISSIONER JACOBS: Yes.

8 CHAIRMAN DEASON: Show then that staff's
9 recommendation on Issue 5 is approved.

10 Anything else to come before the Commission at
11 this time?

12 MR. ILERI: Commissioners, there are a couple of
13 corrections that I would like to make.

14 CHAIRMAN DEASON: Okay.

15 COMMISSIONER JACOBS: Hopefully nothing we voted
16 on.

17 MR. ILERI: No. On Page 51 of the staff's
18 recommendation there is a table, Table 1-5. On Row 16A
19 and 16B, for the number of NPAs needed we indicated two
20 and two or three; it should be one and one or two.

21 CHAIRMAN DEASON: I'm sorry.

22 MR. ILERI: On Alternative 16A and 16B --

23 CHAIRMAN DEASON: Uh-huh.

24 MR. ILERI: -- the number of NPAs needed, which
25 is the third column, it should indicate one and one or two

1 NPAs rather than two and two or three.

2 CHAIRMAN DEASON: Okay.

3 MR. ILERI: On Page 54 of the recommendation,
4 the first paragraph ending with "united with once area
5 code," it should be one area code instead of once.

6 CHAIRMAN DEASON: Okay.

7 MR. ILERI: On Page 70 of staff's
8 recommendation, there is again another table for the
9 implementation of pooling trials. For the last three
10 rows, starting with block protection date, concerning Ft.
11 Pierce, Port St. Lucie, 561 area code, those dates should
12 be 2001 rather than the year 2000.

13 That is all that we have.

14 CHAIRMAN DEASON: Okay. All right. Thank you
15 all. This special agenda is concluded.

16 COMMISSIONER JACOBS: Mr. Chairman, I think it
17 is important -- this is a tough, this was a tough docket.
18 And I think the way we went through it, I think staff did
19 an excellent job and helped us make some really difficult
20 decisions today. So I want to just make note of that.

21 CHAIRMAN DEASON: I echo that, as well. Thank
22 you all -- with the exception of Walter.

23 MR. D'HAESELEER: In Cresse's days I used to get
24 a lot of attaboys.

25 CHAIRMAN DEASON: We are a more enlightened

1 Commission now.

2 COMMISSIONER JACOBS: We let you play good cop
3 today, that was it.

4 (The Special Agenda concluded at 12:25 p.m.)

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STATE OF FLORIDA)

CERTIFICATE OF REPORTER

COUNTY OF LEON)

I, JANE FAUROT, RPR, Chief, FPSC Bureau of Reporting Official Commission Reporter, do hereby certify that the Hearing in Docket No. 990455, 990456, 990457 and 990517-TP was heard by the Florida Public Service Commission at the time and place herein stated.

It is further certified that I stenographically reported the said proceedings; that the same has been transcribed under my direct supervision; and that this transcript, consisting of 108 pages, constitutes a true transcription of my notes of said proceedings .

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED THIS 5TH DAY OF OCTOBER, 2000.



JANE FAUROT, RPR
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