State of Florida

Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: February 16, 2001

TO: Blanca Bayo, Director of Records and Reporting

FROM: Bob Casey, Regulatory Analyst Supervisor, Division of Competitive Services

RE: Docket No. 010102-TP, **Verizon Proposed Updates to the Tampa Area Routing DataBase System (RDBS) and Business Rating Input DataBase System (BRIDS) which affect the Tampa Rate Center**

Please place the attached letter from WinStar in the above official docket file. Thank You.

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February 12, 2001

Robert J. Casey
Regulatory Analyst Supervisor
Florida Public Service Commission
2540 Shumard Oak
Tallahassee, FL 32399-0850

Re: Impact to Winstar of Verizon's Rate Center Split

Dear Bob:

Pursuant to our conversation, Winstar is very concerned about Verizon's precipitous decision to split and rename the Tampa rate center. We are aware of Verizon 's claim that CLECs would not be affected by the LERG change that shows, as of February 1, 2001, that there are five rate centers in the Tampa area, instead of one. That claim is untrue.

As you know, the porting of numbers between rate centers is not permitted by the Local Number Portability Guidelines, developed under the sponsorship of the North American Numbering Council. The change that Verizon made to the LERG amounts to a five-way split of an existing rate center. So, in order for Winstar or any other CLEC to port-in customers, it must have an NXX code in that rate center. Carriers that heretofore were able to serve their customers with one code in the Tampa rate center must now have at least five codes. Furthermore, these changes put Winstar in violation of the industry guidelines that prohibit cross-rate center porting; we were not in violation before the rate center was split into five rate centers.

Winstar has NXX codes in each of Verizon's "sub-rate centers" or "zones" (Tampa-East, North, South, West and Central) which were obtained in order to allow Winstar to match the incumbent's calling patterns. Because of anomalies in the Verizon rate structure that rated calls at this "sub rate center" level, it was necessary for Winstar to obtain additional codes. We understood early in our planning stages that Verizon's motive for creating the zones dealt primarily with billing. Even though we understood the plan, GTE resisted our efforts to obtain the zone information necessary to achieve billing parity. It was apparent to Winstar in 1997, as it was applying for codes to serve customers in Tampa, that Verizon was attempting to stifle competition by withholding crucial calling pattern information necessary to enable CLECs to provide the same rating structure as the incumbent.

Winstar discovered Verizon's changes to the LERG when it attempted to port-in a Verizon customer from the Tampa rate center to the Tampa-Central rate center. Verizon claims that it notified all affected carriers in August of 2000, but Winstar never received any such notification. As a result of the change in the rate center designation in the LERG, Winstar's porting systems returned an error and the port failed. Since we had no notification of Verizon's actions, our systems only recognized the "Tampa" rate center, while the LERG, without any forewarning, had been populated with five new rate centers. In addition, Winstar (as well as other CLECs) has gone to great measures to ensure that its systems and processes include the requisite internal checks to assure that all LNP-related guidelines are strictly adhered to. Our systems do not allow a port that falls outside the LNP guidelines and a port between two different rate centers will always fail.

Although we were able to manually force this port to complete, going forward, we will be required to manually port every Tampa customer until Verizon reverses its actions and the rate center designations in the LERG show a single Tampa rate center. Winstar's only other alternative is to alter its own LERG rate center designations, in violation of current Commission procedures, to show that our NXX codes correlate to the five new Tampa rate centers. The problem Verizon created is exacerbated by the fact that the original "Tampa" rate center was not removed at the time of Verizon's February 1, 2001 rate center split. As a result Winstar would also be required to make systems changes that would reconfigure the "Tampa" rate center to match the "Tampa-Central" rate center, since there is no provision in our systems for treating two separate rate center entries from the LERG as, in fact, one rate center.

At the outset, it is not an efficient use of the scarce numbering resource to require new entrants to request codes in five, new rate centers. The FCC has been encouraging state commissions to use rate center consolidation as a method of number conservation for some time, and Verizon's arbitrary actions have, without Florida's authorization, created new rate centers and additional demand for NXX codes. In order to compete effectively with Verizon, Winstar now holds five NXX codes in the Tampa rate center, and frankly, would not need that many numbers if Tampa were treated for rating and routing purposes as one single rate center. If Verizon is required to rescind its changes and establish a single rate center in the Tampa market, Winstar would be in a position to return as many as four of the codes it currently holds.

Winstar is harmed because it was not notified that Verizon intended to make these changes, but even if it had received Verizon's August 15, 2000 notice, would have had insufficient time to make the requisite systems modifications. Even if Winstar had received timely notification, we are harmed because of the cost to Winstar of making the modifications to its systems to recognize ports between the Tampa rate centers as legal. But more importantly, the ultimate harm is to all competitors and end-users in the Tampa market who will be more permanently harmed by a completely preventable waste of numbers for no other reason than to reinforce Verizon's dominance in this market. Furthermore, this kind of arbitrary action on the part of an incumbent has the to potential to create chaos for the entire industry, or supplant the role of regulators with that of the dominant market player. This trend is not healthy for competitors, consumers, or the integrity of the public switched telecommunications network.

Please feel free to contact me directly at 202-367-7656 if you have any questions or if you require any additional information.

Sincerely,

Eleanor Willis-Camara
Senior Manager, Regulatory Affairs-Numbering

Cc: Russell C. Merbeth