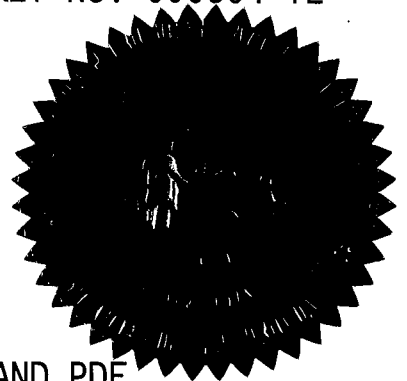


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 000604-TL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

In the Matter of:
REQUEST FOR REVIEW OF
PROPOSED NUMBERING PLAN
RELIEF FOR THE 941 AREA
CODE.



ELECTRONIC VERSIONS (WORDPERFECT AND PDF
FORMAT) OF THIS TRANSCRIPT ARE CONVENIENCE
COPIES ONLY AND NOT THE OFFICIAL TRANSCRIPT.
THE WORDPERFECT VERSION OF THE TRANSCRIPT
DOES NOT CONTAIN PREFILED TESTIMONY

PROCEEDINGS: PORT CHARLOTTE, FLORIDA SERVICE HEARING

BEFORE: CHAIRMAN E. LEON JACOBS, JR.
COMMISSIONER J. TERRY DEASON
COMMISSIONER MICHAEL A. PALECKI

DATE: Thursday, May 24, 2001

TIME: Commenced at 12:10 p.m.
Concluded at 1:30 p.m.

PLACE: Port Charlotte Beach Complex
4500 Harbor Boulevard
Port Charlotte, Florida

REPORTED BY: KORETTA E. STANFORD, RPR
Official FPSC Reporter

1 APPEARANCES:

2 THOMAS FOLEY, NeuStar, Inc., NPA Relief Planner, 1120
3 Vermont Avenue, N.W., Suite 550, Washington, DC 20005,
4 appearing on behalf of the North American Numbering Plan
5 Administration.

6 SUSAN MASTERTON and SANDY KHAZRAEE, 1313 Blairstone,
7 Tallahassee, Florida 32316, appearing on behalf of Sprint.

8 EARL POUCHER, Office of Public Counsel, 111 W. Madison,
9 Suite 812, Tallahassee, Florida 32399, appearing on behalf of
10 the public.

11 C. LEE FORDHAM, Florida Public Service
12 Commission, Division of Legal Services, 2540 Shumard
13 Oak Boulevard, Tallahassee, Florida 32399-0870,
14 appearing on behalf of the Commission Staff.

15

16

17

18

19

20

21

22

23

24

25

P R O C E E D I N G S

1
2 CHAIRMAN JACOBS: Good afternoon. We'd like to
3 welcome you to this hearing this afternoon on the numbering
4 relief for the 941 area code. Counsel, read the notice.

5 MR. FORDHAM: Pursuant to notice published May 3rd,
6 2001, this time and place has been set for public hearing in
7 docket number 000604-TL, request for review of proposed
8 numbering plan relief for the 941 area code for purposes set
9 forth in the notice.

10 CHAIRMAN JACOBS: Take appearances.

11 MR. POUCHER: Earl Poucher, Office of Public Counsel.

12 MR. FORDHAM: And Lee Fordham, legal counsel for the
13 Public Service Commission.

14 CHAIRMAN JACOBS: We are here as a panel this
15 afternoon -- let me first introduce myself. My name is Leon
16 Jacobs. I'm chairman of the Florida Public Service Commission.
17 Let me introduce my colleagues. To my right is Commissioner
18 Terry Deason; to my left is Commissioner Michael Palecki.

19 The purpose of our hearing this afternoon is to take
20 customer input on options that we might consider to address the
21 potential exhaust of numbering resources in the 941 area code.

22 Let me emphasize that there's no imminent threat of
23 that exhaust, and it has been identified, however, for some
24 time in the year 2003. So, we're here on a preliminary
25 planning process, but your input is, nonetheless, very

FLORIDA PUBLIC SERVICE COMMISSION

1 important and we'd very much like to hear your thoughts,
2 particularly on the options that might be presented to you and
3 your thoughts on communities of interest that are important to
4 consider.

5 By way of getting started, let me introduce Tom Foley
6 from the North American Numbering Plan Administration. He's
7 going to come and kind of give us a background presentation on
8 this whole process. Mr. Foley.

9 MR. FOLEY: Thank you Chairman Jacobs and
10 Commissioners. Welcome. My name, like chairman just said, is
11 Thomas Foley and I'm an NPA relief planner with the North
12 American Numbering Plan Administration. I'm responsible for
13 NPA relief planning in the state of Florida and actually in the
14 southeast United States and the Caribbean.

15 In 1995, the Federal Communications Commission took
16 some important steps to promote competition in the
17 telecommunications industry, and one of those is they decided
18 to adopt a new model or a new way that the North American
19 Numbering Plan, those are the area codes, if you will, the
20 dialing area in north America and Canada and the Caribbean, is
21 administered.

22 And to do this they formed the North American
23 Numbering Council, which has to develop guidelines for which
24 area codes in numbered planning areas are administered and
25 looked at. Originally, Lockheed Martin IMS was named as the

FLORIDA PUBLIC SERVICE COMMISSION

1 North American Numbering Plan Administrator by the FCC. This
2 occurred in late '97.

3 Subsequently, because of some competitive issues and
4 things like this, Lockheed Martin could no longer be the
5 neutral administrator of the North American Numbering Plan and
6 they spun off a separate company. That company is called
7 NeuStar and I am an employee of NeuStar and I am an NPA relief
8 planner for the North American Numbering Plan Administration.

9 Our responsibilities, basically, are to determine the
10 need for -- and we have done that already, and we'll take a
11 little bit more about that in a minute -- and identify the
12 timing of any NANPA relief activities that occur.

13 We take the lead and prepare several options, some of
14 which you'll see in a few minutes, and project the exhaust of
15 this NPA. We then gather the industry together to discuss
16 these options, to eliminate certain options and form a
17 consensus on an option or options to recommend to the Public
18 Service Commission as the best way to provide relief to keep
19 ongoing numbering resources available in the area. We compiled
20 certain documents and we put together the filing. We made the
21 filing on behalf of the industry in September of last year with
22 the Public Service Commission, which started this process of
23 which we're in the early stages of now.

24 And once a decision is made by the Public Service
25 Commission, we then coordinate with the industry and other

FLORIDA PUBLIC SERVICE COMMISSION

1 groups that are interested, the initial implementation
2 activities to try and promote a smooth implementation or
3 conversion.

4 Talking specifically about area code or NPA relief,
5 there are basically three major kinds of relief that is
6 available. The first one is the geographic split. That is the
7 one that a lot of people are familiar with. And this area
8 underwent one just about a year ago when 863 was broken off and
9 about five, seven years ago when this area was cut and split
10 from 813.

11 Another method is an overlay, and that is where one
12 or more area codes covers the same geographic area.

13 And the third one, which isn't used very much,
14 because it's extremely difficult to administer and there's a
15 lot of possibilities for conflicts, is a boundary realignment.
16 That's where a portion of an underutilized area code is brought
17 into an overutilized or an exhausting area code to use those
18 numbering resources or central office codes in that area. And,
19 of course, you can have any combinations of those methods.

20 I'd like to talk briefly about some of the attributes
21 for the split methods that are being proposed. The first, of
22 course, is that a split provides for a single NPA for a
23 geographic area. This is the traditional way that it has been
24 done in the past, and it's usually understood by most people.

25 Splits require an area code change, however, for

1 approximately half of the people, whichever side of the split
2 line does not retain the existing NPA has a new NPA, they get a
3 new area code, and you have more than the two-way split; of
4 course, two-thirds of the customers would get a new area code.

5 Geographic splits, however, do provide for the
6 retention of 7-digit dialing for most local calls. Stationery,
7 business cards and advertising contain the 10-digit phone
8 number that will need to be -- if it contains a 10-digit phone
9 number, will need to be revised, any advertising material and
10 that type of thing.

11 Future splits will continue to reduce the geographic
12 area of the numbering plan area. It keeps getting smaller and
13 smaller each time you split it. An overlay -- the overlay
14 option or options, with an overlay there's more than one area
15 code in a geographic area. Sometimes this can be confusing.
16 It's a relatively new concept. In the United States today
17 there are 110 area codes that are involved in overlays of the
18 300 and -- and there's 321, I believe, that are not.

19 An overlay will not require any existing telephone
20 customers to change their telephone number or their area code.
21 However, an overlay requires customers to dial 10 digits on all
22 local calls. There's no need to revise any stationery or any
23 advertising material or any business cards, unless it contains
24 only the 7-digit number, because the number will now have to
25 include the other three digits of your telephone number.

1 The overlay will extend further shrinkage of the
2 geographic size of the area code and maintain the same physical
3 geographic area. Most likely, any subsequent relief or relief
4 in the future would be another overlay.

5 The current 941 area code or NPA includes Lee,
6 Sarasota, Charlotte, Collier, Manatee and a part of Monroe
7 County. The current configuration for this area code was
8 created in 2000, as I said earlier, when 863 was split off
9 leaving the coastal counties in 941.

10 The projected exhaust date currently for the 941 NPA
11 is sometime in the first quarter of 2003. We have,
12 approximately, a two to three-year planning window when we
13 start this process to allow everyone ample time for things like
14 hearings like this and due consideration and allow ample time
15 for any permissive or changes that occur so that we're -- like
16 the Commissioner said, we're at the beginning of this process
17 right now.

18 The current 941 NPA configuration, like I said, was
19 born May 22nd, 2000, about a year and two or three days ago
20 when it went mandatory. The initial invitation to the planning
21 meeting for this relief project was sent May 18th, 2000. The
22 meeting was held in July, not 20,000 -- we're not quite that
23 far up in years yet -- and the FPSC filing was made back in
24 September.

25 There were four plans that were considered at that

1 meeting and, ultimately, there was basically two plans
2 recommended to the Commission. The first plan is a geographic
3 overlay, all services. And basically it would cover the
4 existing area of the 941 NPA right now. The projected life of
5 this before additional relief would be needed is eight years.
6 And in this case, probably most likely additional relief would
7 be another overlay code.

8 Alternate 2 is a split along what's known as a LATA
9 line, and that would be between Port Charlotte and North Port
10 exchanges and between Venice and Englewood exchanges. And that
11 split would have a life of six years for Area "B" and a life of
12 ten years, the northern area, for Area "A." And this is what
13 the split line would look like on a county map.

14 The third alternative that was considered was a
15 geographic split, basically, along the river between the Port
16 Charlotte exchange and the Punta Gorda exchange. And this one
17 would have a life of Area "B," the southern area, about nine
18 years and the life of about seven years in the northern area,
19 and here you can see the same split line based on a county map.

20 And the fourth alternative was a line that
21 approximates the county boundary between Charlotte -- between
22 Charlotte and Lee Counties and runs along the Punta Gorda and
23 north Fort Myers exchange boundaries and includes the Boca
24 Grande on the northern -- Boca Grande exchange, which splits
25 Lee and Charlotte County, I believe, and that includes all of

1 that on the northern end of the split up in Area "A." The life
2 for this Area "A," would have a life of about seven years
3 before any additional relief activity would occur. And Area
4 "B" would have a life of about 10 years based on current
5 projections.

6 At the time of the industry meeting, there were no
7 additional alternatives considered. After discussion, the
8 industry meeting, the participants reached consensus to
9 recommend Alternative 1, an all-services distributed overlay to
10 the Public Service Commission, as the best long-term method for
11 relief of the 941 NPA.

12 In the event, however, that the Commission decided
13 not to adopt an overlay, the industry recommended that
14 Alternative 4 be implemented as the solution. Recommendation
15 was filed in September with the Florida Public Service
16 Commission by NANPA on behalf of the industry. Thank you.

17 CHAIRMAN JACOBS: Thank you very much, Mr. Foley. At
18 this point in our proceedings, we will move to take your
19 customer input. Your statements will ultimately become a part
20 of a formal record that we'll be developing as we make our
21 final decision. And for that reason, we are going to swear you
22 in today and make your testimony sworn testimony. And so, at
23 this time would all of those who have come today to give a
24 statement please stand and raise your right hand.

25 In this matter before the Florida Public Service

FLORIDA PUBLIC SERVICE COMMISSION

1 Commission do you swear or affirm that the testimony you're
2 about to give is the truth, the whole truth and nothing but the
3 truth?

4 ALL: I do.

5 CHAIRMAN JACOBS: Thank you. You may be seated.

6 Mr. Earl Poucher is with the Office of the Public
7 Counsel. They're here representing consumers. And as such, he
8 will coordinate the calling up of actual witnesses.

9 Mr. Poucher.

10 MR. POUCHER: If you would, when you come to the
11 microphone, please state your name very clearly for the court
12 reporter, even if I mispronounce it. And if you would wait a
13 second when you're through with your statement so that the
14 Commissioners could ask you a question, if they need to.
15 Representative Jerry Paul.

16 JERRY PAUL
17 appeared as a witness and, swearing to tell the truth,
18 testified as follows:

19 DIRECT STATEMENT

20 REPRESENTATIVE PAUL: Thank you. Thank you,
21 Mr. Poucher. Is this better? How about this? Thank you,
22 Mr. Poucher. And I want to thank you all for the turnout. It
23 is absolutely critical that we show a great turnout for the
24 Public Service Commission as they make this decision. Their
25 decisions are very much dependent upon public input.

FLORIDA PUBLIC SERVICE COMMISSION

1 I want to also thank Chairman Jacobs and
2 Commissioners Deason and Palecki. Earl, thank you for coming
3 down. Also a good friend of ours, our community, stand up,
4 Lee, you've got to stand up, ya'll remember Lee Fordham, former
5 prosecutor here in Charlotte County. He is now an attorney
6 with the Public Service Commission.

7 And let me say the PSC has been extremely responsive
8 to me. As you know, I sit on the Utilities Committee, and one
9 of the first issues I tackled when I went to Tallahassee was
10 this area code issue. They have been very, very responsive to
11 me, had an open-door policy, they've listened to the issues
12 that the people in the community have told me are important as
13 to the area codes. Today is an opportunity to give them
14 additional information that I assure you really is important to
15 make sure that our community is not divided.

16 And so, I would like to start off by giving a few
17 comments on the two issues. And I make the comments to the
18 Commissioners, but also to the members of the audience to
19 suggest some of the areas to maybe hone in on and give them
20 further information on.

21 There are really two issues today. One is which of
22 the alternatives might apply? And the other is who is going to
23 get to keep the 941 area code after we decide what alternative?
24 I have taken time to listen to the community, sent out letters
25 to our chamber and to the county commission. Mac Horton has

1 just been incredibly responsive, helped me understand some of
2 the issues that he's been dealing with long before I was
3 involved with this, and I appreciate that, Commissioner Horton.
4 It seems clear, there is a consensus that Alternative Number 4,
5 without question, is the one that will have the least economic
6 impact on our community, the least impact in terms of
7 convenience.

8 And the true alternative that just seems to make the
9 most sense, Alternative 4 having Manatee, Sarasota, and
10 Charlotte County remain together. Some of the reasons for
11 that: First of all, the geography of our community. Charlotte
12 County is already divided by two rivers that separate Punta
13 Gorda, Port Charlotte and Englewood areas. The Commissioners
14 were out in Englewood earlier today, and so they're a little
15 bit familiar with that geography.

16 Within our county partially, the town of Englewood is
17 already divided by a county line. The last thing this
18 community needs is to be divided by another line and certainly
19 not an area code line. There seems to be general consensus on
20 that. As I understand it, the only organized entity that
21 supports any alternative, other than number 4, is the industry
22 itself which favors Alternative Number 1. I would suggest to
23 you that although we like working with our telecommunications
24 industry in this community and we have a good relationship with
25 them, this is just an issue where we have to disagree with

1 them. Alternative Number 4 makes the most sense.

2 Now, if we go forward from that and say if we were to
3 presume that Alternative Number 4 would be the structure, then
4 the question is when you separate along the Charlotte County
5 line, Charlotte County north and then, of course, Lee County
6 south, who should retain the 941 area code?

7 I strongly believe that it should be us, not just
8 because this is my home and not just because this is the
9 district that I represent, but again because it makes sense.
10 It makes the most sense for a couple of reasons. First of all,
11 and as the Commissioners know, at least a couple years ago one
12 of the criteria for making this decision was intrinsic
13 population, the number of people within a region as to who gets
14 to keep the existing area code.

15 If you're looking at Alternative Number 4 with
16 Manatee, Sarasota, and Charlotte County, by far we have the
17 greater number of people, a greater populous, the recent census
18 data shows us. So, just by sheer numbers there would be less
19 impact by maintaining stability in the status quo as to that
20 greater number of people and allowing the smaller number of
21 people to make the change.

22 Secondly, the economics of it and our local economy.
23 The Manatee, Sarasota, and Charlotte County combined economic
24 engine is far greater than the Lee County south economic engine
25 is. It is far more dependent upon the stability. Our

1 businesses are dependent upon the stability of those numbers.
2 They have a tremendous amount of money invested in that money
3 and their advertising materials and in their relationships with
4 people who, many of whom live far away from here and would not
5 understand the area code split.

6 So, if one side's got to make the change, it would
7 seem that for the good of the local economy and also the state
8 economy, which depends on the tax revenue, sales and use taxes
9 from our local economy, but from the perspective of both of
10 those economies and the state's revenue, it would make more
11 sense to preserve that area code in the area that will have the
12 least economic impact, and that would be with the Manatee,
13 Sarasota, and Charlotte County.

14 And finally, the third and what I think is the most
15 important reason, if you will, to maintain the 941 for this
16 area, it's because of the people that you have before you right
17 now. They have all heard me talk about the demographics of
18 this community and that they are the greatest generation.
19 These are the senior citizens that you hear about, that you
20 heard about when you read Tom Brokaw's book, "The Greatest
21 Generation." You're looking at them right here. These are the
22 senior citizens who built this country, who built the
23 infrastructure of this country, who created the economic engine
24 that people like us in my generation enjoy today. They made
25 tremendous commitments to us. We can make a commitment to them

1 by preserving a little bit of convenience for them.

2 But it's not just convenience. There is a safety
3 issue as well. There is no segment demographically in our
4 society that is more dependent upon medical services than our
5 senior citizens. They access those medical services, in large
6 part, through the telephone, maybe via a phone number that's
7 been posted on their refrigerator door for years or maybe in
8 their medical response handbook that they keep in their purse
9 or maybe just a note that's shoved in a drawer at home. And in
10 an emergency, in a time when they need to access their doctor,
11 maybe when they need to call their pharmacy about a dosage
12 issue, seconds can mean the difference between life and death.
13 It is important to my seniors to maintain that stability.

14 Does that mean that there aren't senior citizens
15 south of here? Of course not, but there is no greater
16 concentration than where you're standing right here today. As
17 the recent data that came out just two days ago showed
18 Charlotte County, with the exception of a small community in
19 Hawaii, Charlotte County has the single highest median age of
20 anywhere in the United States of America.

21 Also, included in the Alternative 4 region, the city
22 of Venice has the largest -- excuse me, the greatest median age
23 of any municipality with 10,000 people or more in it in the
24 United States of America. Sarasota County ranks number 5 in
25 terms of median age.

1 You have the senior citizens right here. It is
2 important for them for a safety reason, also for a convenience
3 reason, to maintain that 941 area code for them. And I am
4 asking you, I'm making a strong, passionate plea to not only go
5 with the Alternative 4, but allow my residents in this district
6 to maintain the 941 area code.

7 Thank you.

8 CHAIRMAN JACOBS: Thank you, Representative Paul.

9 MR. POUCHER: Also, I'd like to recognize Sydney
10 Joyce who a legislative assistant to Representative Kottkamp.
11 Thank you.

12 CHAIRMAN JACOBS: Thank you. Thank you for coming.

13 MR. POUCHER: And Commissioner Mac Horton, Charlotte
14 County Commission.

15 MAC HORTON

16 appeared as a witness and, swearing to tell the truth,
17 testified as follows:

18 DIRECT STATEMENT

19 MR. HORTON: I told you I'd see you again earlier.
20 This thing on? If it's not on, we'll fake it. I have a
21 handout for you. I have the official resolution that we have
22 passed through the county commission, which Marty Burton, one
23 of our attorneys, is going to be handing out to you.

24 Mr. Chairman and Commissioners, I thank you for
25 indulging me once again, and I have to tell you, you're going

FLORIDA PUBLIC SERVICE COMMISSION

1 to have to see me one more time in Tallahassee when we get up
2 there again. So by then we'll know each other, maybe on a
3 first-name basis.

4 I'm not going to go into a long detail. All I can
5 say is what my young friend over here -- now all of you have to
6 understand I've known Jerry Paul back when he was a kid, okay,
7 and now he's state representative, but he brought forth, I
8 think, the majority of the issues before us, really he did.

9 I think, he has expounded upon them very well, and
10 I'm glad to have been corrected, because I said that we were
11 the second-oldest county in Florida but he tells me within the
12 United States. That's even better. It shows you what we are
13 in Charlotte County, and we are a very senior group.

14 Looking at everything that has been proposed, I see
15 it breaking down into really two issues, maybe it's only one.
16 I remember when I came before you a couple years ago, we were
17 talking about this. At that time I was impressed with the
18 objectivity that this Commission had. I was impressed with the
19 way you went through the process, the way that you heard from
20 all people and you came together with a reasonable decision for
21 what we were concerned with at that time, the 941. I see you
22 doing the same thing now.

23 It does me a lot of good when I can come before a
24 Commission or an agency and I feel that you're really
25 participating and listening to the process. And you do that on

1 this Commission. I want to commend you for that again, because
2 you've done it. And it boils down to basically the issue of
3 the two in the middle don't count, guys, they really don't.
4 Everybody knows the two in the middle don't count. The two
5 that we really have to be considered as to whether we're going
6 to do an overlay or whether we're going to do the Alternate 4.

7 And, I think, you've got to look at which one of
8 these is going to benefit the most people in the most
9 beneficial way. I'm not going to address what the industry has
10 recommended. I understand their concerns, and I appreciate
11 that. My concerns is ma-and-pa kettle which live on easy
12 street in Port Charlotte, Florida. And they are the people who
13 are going to be affected the most by your decision as all the
14 citizens in this area. And for their sake and for their
15 benefit, please consider Alternate 4. Thank you very much.

16 CHAIRMAN JACOBS: Thank you, Commissioner Horton.

17 MR. HORTON: Thank you.

18 MR. POUCHER: Marilyn Smith, the mayor of Punta
19 Gorda.

20 MARILYN SMITH

21 appeared as a witness and, swearing to tell the truth,
22 testified as follows:

23 DIRECT STATEMENT

24 MS. SMITH: I'm the short one. Good afternoon.

25 COMMISSIONER DEASON: Good afternoon.

FLORIDA PUBLIC SERVICE COMMISSION

1 MS. SMITH: My name is Marilyn Smith. I am the mayor
2 of the city of Punta Gorda located here in Charlotte County,
3 Florida. Forgive my voice. I'm going through a little problem
4 with my vocal cords.

5 The city of Punta Gorda wishes to go on record in
6 favor of Alternative Number 4, the geographic split along the
7 Charlotte County/Lee County line. The city of Punta Gorda is
8 the county seat for Charlotte County. The county's justice
9 center and many countywide offices are located within the city
10 of Punta Gorda, while other offices are located in the Murdock,
11 Port Charlotte area or in Englewood.

12 Charlotte County has only one incorporated
13 municipality, and the ties between the county and the city are
14 important. Alternative Number 3 would be catastrophic to the
15 city of Punta Gorda and Charlotte County as a whole. That
16 geographic split between Punta Gorda and Port Charlotte through
17 the Peace River would wreak havoc on this community.

18 We also believe Alternative Number 2, the split
19 between Charlotte County and the city of North Port, would not
20 serve the interest of Charlotte County as the city of North
21 Port utilizes Charlotte County for many of its business and
22 commercial needs.

23 The all-services overlay plan would be extremely
24 detrimental to the city of Punta Gorda and all residents of the
25 area. As has already been mentioned, we have a large elderly

1 population; in fact, the oldest population of all the counties
2 in the state. Requiring the addition of three digits of the
3 area code to be dialed for every phone call would be most
4 cumbersome and perhaps even an undue challenge for our older
5 citizens. Trying to determine which area code applied would
6 cause mass confusion to the detriment of the community.

7 The city of Punta Gorda is much more geographically
8 connected to Charlotte County than it is to Lee County and the
9 communities to the south. Southern Charlotte County, south of
10 the city of Punta Gorda, is not densely populated with a
11 community straddling Charlotte/Lee County line; therefore,
12 Alternative Number 4, again, is most favored by the city of
13 Punta Gorda. We have authorized the city attorney to intervene
14 on our behalf of the city of Punta Gorda in this Public Service
15 Commission's case, and we hope the Commission, faced with a
16 difficult decision, will choose Alternative Number 4. Thank
17 you for your time.

18 CHAIRMAN JACOBS: Thank you, mayor.

19 COMMISSIONER PALECKI: Thank you, mayor.

20 CHAIRMAN JACOBS: Any questions, Commissioners?

21 Thank you very much. Before we go to our next witness, let me
22 make a brief announcement.

23 I learned that there was some concern about parking
24 when several of you came. We have a great resolution. I'm
25 told that if you did not pay that parking has been waived and

1 there will be no tickets. And if you did pay, you can stop and
2 see a representative in the office adjacent and they will offer
3 you a refund of your parking, so...

4 MS. MOSES: There are parking permits.

5 CHAIRMAN JACOBS: Oh, I'm sorry, there are parking
6 permits that they'd have to use instead of waiving them.

7 MS. MOSES: They won't ticket them, but the permits
8 are out here, and they can use one.

9 CHAIRMAN JACOBS: Very well. So, we appreciate your
10 indulgence with that. Thank you.

11 MR. POUCHER: Julie Mathis.

12 JULIE MATHIS

13 appeared as a witness and, swearing to tell the truth,
14 testified as follows:

15 DIRECT STATEMENT

16 MS. MATHIS: Good afternoon. I'm Julie Mathis, the
17 executive director of the Charlotte County Chamber of Commerce.
18 The Chamber Board of Directors prefers the geographic split
19 identified in your material as Alternative 4 at the Lee County
20 line. In addition, we do not support an overlay system.

21 As you know, Charlotte County includes the community
22 of Englewood, which is half in our county and half in Sarasota
23 County. We believe that any geographic split should coincide
24 with our county boundaries. To mark a river or a road as a
25 cut-off point would be a man-made barrier, which would

1 significantly alter our sense of community.

2 We also believe that an overlay or 10-digit dialing
3 would be very confusing to our elderly population. According
4 to the 2000 Census Bureau statistic, Charlotte County is the
5 nation's second-oldest county with a median age of 54.3 years.
6 Charlotte County remains the state's oldest county and we are
7 ranked number two in the state with 3.6% of our population over
8 85 years of age. Sarasota County is number one with 4% of its
9 population over 85. I'm not suggesting that our seniors are
10 unable to dial 10 numbers, but I do question why we would ask
11 them to do so when it would be confusing and disruptive to so
12 many.

13 In addition, Charlotte County is a small business
14 community with 59.5%, having only one to four employees. It
15 will cost anywhere from a \$1,000 to \$10,000 for these
16 businesses to reprint letterhead, business cards, invoices, and
17 promotional brochures that would include a new area code. And
18 while I understand that you don't want to ask any business
19 community to incur these costs, I think, it makes a stronger
20 argument for this community with its majority of small
21 businesses to keep the area code.

22 I'm also here today as a member of the county's
23 Tourist Development Council that for the first time has
24 expended more than half a million dollars to promote all of
25 Charlotte County from Punta Gorda to Englewood as one tourist

1 destination. These promotional efforts have put us on the map
2 all over the world and have strengthened the ties between
3 Charlotte and Sarasota Counties.

4 For these reasons, we respectfully request that if
5 the area code must change that it be done at the Charlotte
6 County and Lee County line and that you do not implement an
7 overlay system. I'm sure that the NPA has looked at this, but
8 it dawned on me that perhaps all cell phones should have a
9 separate area code or codes, if needed, throughout the country.
10 If the use of cell phones and faxes is the reason for these
11 hearings every two years, wouldn't a separate area code for
12 them solve the problem?

13 Thank you.

14 CHAIRMAN JACOBS: Thank you, Ms. Mathis. Any
15 questions, Commissioners?

16 COMMISSIONER PALECKI: Thank you.

17 CHAIRMAN JACOBS: To respond, the idea of separate
18 area codes for beepers and pagers -- I'm sorry, beepers and
19 cell phones is one that has been proposed. It has some legal
20 challenges to it that the FCC has addressed and it's not been
21 widely implemented to date, but there are ongoing discussions
22 about that, but we appreciate your concerns on that.

23 MS. MATHIS: Thank you.

24 MR. POUCHER: Misty Nabers.

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MISTY NABERS

appeared as a witness and, swearing to tell the truth,
testified as follows:

DIRECT STATEMENT

MS. NABERS: Good afternoon. I'm Misty Nabers,
executive director of the Gasparilla Island Conservation and
Improvement Association, and I'm here on behalf of my board of
directors and our approximately 1,100 members in support of
Alternative 4 with very important distinction, that Gasparilla
Island not follow the county line division which would divide
the island into two area codes.

As you may know, Gasparilla Island is a small remote
island which already experiences the difficulties created by
being divided into two counties. We ask that you implement
Alternative 4 with the exception that all of Gasparilla remain
in the 941 area code district for Charlotte County. Thank you.

CHAIRMAN JACOBS: Thank you. Any questions?

COMMISSIONER PALECKI: I have a question. Obviously,
one of the very difficult decisions we're going to have to make
is whether the three counties to the north should retain the
941 area code or whether the counties to the south, Lee and
Collier, should retain that area code.

Are you saying that you choose to stay with Manatee,
Sarasota, and Charlotte whether or not they retain the 941 area
code or if Lee and Collier are awarded the 941 area code, would

1 you choose to go with Lee and Collier?

2 MS. NABERS: No, sir. We would rather stay with the
3 Charlotte County area code district, whether they retain the
4 941 or not. You can only access Boca Grande through Charlotte
5 County. Lee County, which is probably two-thirds of the
6 island, that is our county seat, but it's also 70 miles away,
7 so our kids go to school in Englewood, you know, those are the
8 communities that our residents access and use on a regular
9 basis, so we would like to stay with them, regardless of the
10 area code.

11 COMMISSIONER PALECKI: And you understand the
12 difficulty of our decision is that we're going to be visiting
13 Lee County and Collier County and we're going to be hearing
14 from their good citizens and, I think, we're going to also hear
15 that they would like to retain the area code 941. So, we've
16 heard some good reasons today why these counties should, but
17 this is still an open issue at this time.

18 MS. NABERS: I understand. Thank you.

19 COMMISSIONER PALECKI: Thank you.

20 COMMISSIONER DEASON: I have a question, not so much
21 for this witness but for our Staff. Under Alternative 4, how
22 is Gasparilla Island treated? Is it treated as one entity or
23 does the split recommended in Alternative 4 actually split the
24 Island?

25 MR. CASEY: My name is Bob Casey. I'm a member of

FLORIDA PUBLIC SERVICE COMMISSION

1 the PSC Staff. Boca Grande is a rate center which cannot be
2 split, and presently it is in Area "A," which is in the
3 northern part. And I've been told by the NANPA administration
4 that if they do desire, they could be put in the southern part,
5 but right now, you're in Area "A," and you won't be split.

6 MS. NABERS: Yea, thank you.

7 COMMISSIONER PALECKI: I thought that was the case
8 and I wanted to get that clarified and I appreciate that.

9 MR. POUCHER: Jack Fawsett.

10 JACK FAWSETT

11 appeared as a witness and, swearing to tell the truth,
12 testified as follows:

13 DIRECT STATEMENT

14 MR. FAWSETT: Good afternoon. I'm Jack Fawsett,
15 president of the Northwest Port Charlotte Community League.
16 Our community league is an active and news-oriented citizens
17 association in Charlotte County, about 17,500 vacant lots,
18 about 850 homes, canals, 170 outfalls in the area we represent.
19 We've got about 130 paid members.

20 I'm here today in support of our county
21 commissioners' position that Alternative 4 is the best solution
22 for solving the current telephone number shortage in our
23 county. They have studied the issue in-depth. Our
24 commissioners are intelligent, honest, have diverse
25 backgrounds, and to them the best interest of the residents of

FLORIDA PUBLIC SERVICE COMMISSION

1 Charlotte County are paramount. And it's not unusual for them
2 to disagree with each other.

3 Last meeting there was one 3-to-2 vote, one 4-to-1
4 vote, but on Alternative 4 it was an enthusiastic, emotional
5 5-0 vote in favor of Alternative 4 and against the repugnant,
6 intolerable, and downright unacceptable overlay system, and we
7 strongly agree with them. There is no need to burden our
8 predominantly senior citizen population, like myself, with
9 having to dial three extra digits for a local call.

10 Any inconsistencies in area codes or requiring
11 10-digit dialing of local calls within our area is simply an
12 unacceptable alternative. Not only will our ability to
13 remember all the numbers be further taxed, but many of us will
14 be unable to see well enough or be sufficiently dexterous or
15 pain-free to actually dial correctly. Even if we can remember
16 all the 10 digits that we want to dial, 7 digits is hard
17 enough.

18 You need to instruct the planners that 10-digit
19 dialing and the overlaying of area codes in a predominantly
20 senior citizen area is totally unacceptable. Only when the
21 planners know what is unacceptable will they concentrate on
22 developing fair and workable solutions, rather than taking the
23 easy way out.

24 Fax and Internet lines are gobbling up available
25 numbers at a record pace and this will continue, but these

1 lines should use a separate numbering system that does not
2 compete with the normal residential and business voice lines.
3 All of these numbers could easily have a different area code or
4 as many digits as you want, since these numbers are programmed
5 in, are automatically dialed, and require neither good memory,
6 good eyesight nor dexterity to dial, but this is not one of the
7 proposals that you have.

8 Of the solutions you have proposed, our board of
9 county commissioners is correct. The best alternative -- the
10 best is Alternative 4; no overlay, and keep 941 for Charlotte,
11 Sarasota, and Manatee County. You have held this meeting when
12 many of our residents are away or are on vacation. The absence
13 of an overflow crowd of protesting, angry citizens should not
14 be taken as meaning that our people do not care about this
15 issue.

16 Come back in October, have the meeting about 7:00
17 p.m., and our community league alone will have 80 to 100
18 articulate, knowledgeable Charlotte County residents wanting to
19 emotionally support our Commission's recommendations.

20 Charlotte County is a wonderful place to live. We
21 have fine roads, wonderful schools, our beautiful harbors,
22 rivers and canals are brimming with fish and exotic birds, our
23 blue-shelled crabs surpass anything the Chesapeake Bay has ever
24 produced. We have excellent shopping centers, staff with
25 competent and courteous personnel, crime and unemployment is at

1 a minimum, and our quality of life is second to none. This is
2 because our commissioners understand our needs, and they do
3 their best to meet them. Please, listen to them. They know
4 what is best for our community.

5 Alternative 4 solves your immediate problem. Adopt
6 it, then task your Staff to develop a long-term solution that
7 does not require overlay of area codes or 10-digit dialing for
8 local calls. Any long-term solutions should make things
9 better, not worse. In closing, what we have now works, and we
10 like it. Please, don't mess it up. Thanks for giving me an
11 opportunity to speak.

12 CHAIRMAN JACOBS: Thank you, Mr. Fawsett.

13 MR. POUCHER: Coyla Seeley.

14 COYLA SEELEY

15 appeared as a witness and, swearing to tell the truth,
16 testified as follows:

17 DIRECT STATEMENT

18 MS. SEELEY: I hope I'm the last one on the list,
19 because I'm not in a position of authority or anything. I came
20 here because I have concern in this. We're not only retired
21 people here, but we have relatives and friends all over the
22 United States, and it's not an area that is not a situation
23 that is just common to our area, as we all know. There's been
24 some real good ideas from some of the people here, and
25 basically I am for number 4, if we have to stick to this.

FLORIDA PUBLIC SERVICE COMMISSION

1 But it looks to me like it's a case of the dog
2 wagging -- the tail wagging the dog; the tail being all of
3 these extra numbers. In any household you can have five or six
4 or seven cell phones added to their residential phone. The
5 residential phone, I think, probably has to be there, but it
6 seems to me that this just comes up -- if you, like other
7 people here, and I know have had the same problem, when you go
8 to make your Christmas calls or whatever and call throughout
9 the United States, you never get the same area code two years
10 running in most areas.

11 I call areas around Detroit, and they change like the
12 numbers on gas dials, you know, on their gas pump. They go so
13 fast you can't keep up with them. And your next-door neighbor
14 may have one number and their child, you know, a mile and a
15 half away has another area code, so it seems to me that you're
16 going to have to attack from the end you've mentioned.

17 Set -- you may have to do the whole country over
18 again, but set areas that have area codes. The populations are
19 going to change, but let the faxes -- I've run into three
20 people -- this is a little digression. I've run into three
21 people recently, myself included, that have called information
22 on the telephone company and have received fax numbers rather
23 than their home number.

24 Now, this is ridiculous. If I call on the telephone,
25 do I want a fax number? No, I want a telephone number, so

1 let's get something that's permanent that it isn't going to
2 change. Here they're just like the numbers flashing all over
3 the place; this one's changing, that one's changing, this one's
4 changing, that one moves over here, this unit is moved from one
5 place to another, and I know change is speeding up all over and
6 you're well aware of it, more so than most of us, but get these
7 additional numbers or area codes or add for a household if the
8 number is 1, 2, 3, 4, 5, 6, then add one additional number for
9 the cell phone that comes off that basic thing.

10 In other words, don't let them gobble up everything
11 else. Please, hear the people that are going to be influencing
12 this. And I know I speak for myriads of people that they're
13 the least necessary -- they are a necessary part of our
14 situation, but the tail should not be wagging the dog, and
15 thank you.

16 CHAIRMAN JACOBS: Thank you.

17 COMMISSIONER PALECKI: Thank you. I think, there are
18 many of us on this Commission who agree with Ms. Seeley and
19 Mr. Fawsett that, you know, the cell phone industry is really
20 taking up a lot of these phone numbers and requiring that we go
21 through these types proceedings, but I would like to explain
22 that the cell phone industry has been able to convince the FCC
23 that it would be noncompetitive to require that additional
24 digits be required to use a cell phone.

25 That's a decision that has been made somewhat

1 recently, and it might change. And I think that maybe with
2 time there will be two separate systems; one with cell phones
3 and perhaps faxes and the other with regular dial-up telephone
4 service. But for now, that's an issue that is before the FCC
5 and we're pretty much unable to go in a direction contrary to
6 the FCC on that issue.

7 CHAIRMAN JACOBS: It would be useful to add as well
8 that there are some other factors that are affecting this,
9 outside of the mere presence of those new services, and it has
10 to do with the old process that we've undertaken to distribute
11 these numbers. It is really the confluence of those two
12 things, the emergence of these new services in addition to the
13 old process that we've used.

14 We are doing some things, and this goes to, Mr.
15 Fawsett, to your concerns. We are doing some things on the
16 long term to address that process, and we're hoping that those
17 process changes will have long-term effects. We're just
18 beginning to see some of the results, and those results are
19 promising so that we can slow down the growth of new numbers
20 and delay the need to bring on new area codes. That's the goal
21 that we have right now.

22 MR. POUCHER: Dick Loftus.

23 DICK LOFTUS

24 appeared as a witness and, swearing to tell the truth,
25 testified as follows:

FLORIDA PUBLIC SERVICE COMMISSION

DIRECT STATEMENT

1
2 MR. LOFTUS: Good afternoon, Mr. Chair and members of
3 the Commission. For the record, Dick Loftus. I rise in
4 support of Alternate 4. In the past few years, our local
5 elected officials along with county administration, community
6 leaders, and citizens have been working diligently in a
7 concerted effort to establish countywide communication system
8 to disseminate information and address important issues that
9 need to be resolved within our large and diverse community that
10 extends from our agriculture community in south county to our
11 retirement community to our ecotourism community in west
12 county.

13 The telephone has been and will continue to be a
14 major and essential component in this successful endeavor to
15 build a communitywide consensus as to the best method in
16 resolving important issues facing our growing community. Also,
17 statistics indicate that by demographics, Charlotte County has
18 one of the oldest populations in the United States.

19 Our elected officials, county administration,
20 community leaders, ministerial association, medical profession
21 have been working in a concerted effort to reduce stress and
22 confusion in the daily lives of our elderly population so as to
23 maintain a good quality of life for them in their years and,
24 again, have been very successful in accomplishing this goal.

25 For many of our elderly, the telephone is their only

1 source of communication with others in the community, as well
2 as being able to reach out for assistance from our government,
3 medical field, and their spiritual community. To split the
4 area code or to have a dial for them to dial 10 digits for a
5 local call will only add confusion and chaos to our elderly
6 population's daily lives.

7 I, therefore, urge you in your deliberations to
8 consider the above-mentioned facts and keep the area code 941
9 for our entire community. I, again, support Alternate 4.
10 Thank you.

11 COMMISSIONER PALECKI: Thank you.

12 CHAIRMAN JACOBS: Thank you, Mr. Loftus. Any
13 questions?

14 MR. POUCHER: Grace Amodel.

15 GRACE AMODEL

16 appeared as a witness and, swearing to tell the truth,
17 testified as follows:

18 DIRECT STATEMENT

19 MS. AMODEL: My name is Grace Amodel. Thank you very
20 much for letting me be here today to talk to you. I'm not
21 going to be as nice as Jerry Paul, but I do ditto everything
22 Jerry Paul said.

23 What I want to tell you is that we should look at the
24 cause of running out of phone numbers before we try to fix the
25 problem. I don't think we really did that yet. The telephone

1 companies have sold blocks of 941 numbers to the cell phone
2 companies. The cell phone companies will not be affected by
3 this change, because they have purchased these blocks.

4 However, the people who have been your concern longest who
5 should be your first priority shouldn't have to change their
6 life style.

7 What hasn't been asked about today is the children.
8 The children have learned their telephone numbers. They know
9 how to call home, if they have to. Will 10 numbers be a
10 problem for them? I think, so. I think, it's as much a
11 problem for the children as it is for the elderly people.

12 It seems to us that the Public Service Commission
13 should make the change where the cause of the problem was
14 created. Buy up the blocks and change the way to do business
15 for the cause, the cell phone companies. The results would be
16 affecting fewer businesses and a lot fewer residences, though I
17 understand if we do Option 4 that it won't have any problem
18 with the businesses. But you're going to be coming back, and
19 what do they do when you come back? Are we going to have
20 problems the same way? I have a feeling we are.

21 Please, don't tell us that you can't buy blocks.
22 Tell us that you can, like the little train that could or even
23 George from Charlotte County Ford, "I can do it," he says.
24 Maybe you won't have to come back for many years, if you can
25 buy up the blocks; I don't know, maybe you will. Our county

1 commissioners have chosen Option 4 as the best term you have
2 offered our community. If I have to choose, I'd agree this is
3 the best option for the whole of our Charlotte County, and I
4 ask for you to support that.

5 Do I think that this is the best offer for us? I
6 think that there are other offers that you could do. I think,
7 seven years is not very long. Time down here in Florida goes
8 so fast, you'll be back here before we even think that seven
9 years has past. So, I would like to see the option a lot
10 longer than seven years, a lot longer than ten. I'd like to
11 not ever have to come back here again.

12 Thank you very much.

13 CHAIRMAN JACOBS: Thank you, Ms. Amodei.

14 MR. POUCHER: Bill Wishard.

15 BILL WISHARD

16 appeared as a witness and, swearing to tell the truth,
17 testified as follows:

18 DIRECT STATEMENT

19 MR. WISHARD: I'm Bill Wishard. I'm the
20 Administrative Services Director with the City of Punta Gorda.
21 I'm not sure I can add much to what has been said prior to me
22 getting up here, but I do want to echo what Commissioner Horton
23 said with regard to previous hearings of this nature. I, too,
24 was involved in the hearings several years ago and want to
25 commend you also for the way you took care of those hearings

FLORIDA PUBLIC SERVICE COMMISSION

1 and the way you've learned from that and, I think, what you're
2 doing in conducting these hearings today should be commended.

3 A few things to add to what's already been said. I
4 think, one of the things that was left out by previous speakers
5 is the fact that if you look at Sarasota, Charlotte, and Lee
6 Counties, there's a big difference in the fire, police
7 communications and coordination in those areas.

8 Typically, Charlotte and Sarasota work together,
9 whether it's between North Port and Charlotte County or between
10 north of the river and south of the river. The city of Punta
11 Gorda Fire Department and Police Department coordinate much,
12 much more with the Charlotte County Sheriff's Department and
13 the Charlotte County Sheriff's Department with the Sarasota
14 Sheriff's Department than they do with any other police or fire
15 in the area.

16 We, as the mayor stated earlier, we support
17 Alternative 4. Alternative 3 would be disastrous to the city
18 of Punta Gorda to divide and to Charlotte County to divide the
19 county at the Peace River. I agree with the people speaking
20 about Englewood to put another line through the Englewood area
21 in addition to what they already have would also be disastrous
22 to that community.

23 If you look mathematically at the four alternatives
24 and you look at the length of time each one is going to last,
25 Alternative 4 gives you an extra six months average in the two

1 areas with the other three I believe, every eight years.

2 Who should keep 941? I think, that's been addressed
3 by the previous speakers, but I do want to echo what they have
4 said about the elderly population and the detrimental effect
5 that would have on those people in trying to communicate with
6 the people that they have to communicate with. Several years
7 ago when I addressed this issue, I addressed it as the
8 representative of the Chamber of Commerce, speaking
9 specifically about businesses, how businesses are going to be
10 impacted by the area code change.

11 The issues are the same. Whether it's a business or
12 a residence, they've got the same issues in having to dial 10
13 numbers or having to dial a long-distance number to get to an
14 area that did not use to be a long-distance number. So we, in
15 the city, support Alternative 4, and I'll be glad to answer any
16 questions, if you have any.

17 CHAIRMAN JACOBS: Questions? Thank you very much.

18 COMMISSIONER PALECKI: Thank you.

19 MR. POUCHER: Dale Martin. Kevin Russell.

20 KEVIN RUSSELL

21 appeared as a witness and, swearing to tell the truth,
22 testified as follows:

23 DIRECT STATEMENT

24 MR. RUSSELL: Good afternoon. Mr. Chairman, members
25 of the Commission, my name is Kevin Russell, and I represent

FLORIDA PUBLIC SERVICE COMMISSION

1 the Charlotte County Office of Economic Development. The
2 Charlotte County Office of Economic Development is responsible
3 for encouraging economic development in Charlotte County on a
4 countywide basis.

5 Because our mission is countywide, the Office of
6 Economic Development strongly recommends to you and endorses
7 Alternative Number 4. Charlotte County is divided
8 geographically, as you now know, by the Myakka and Peace
9 Rivers, and that's something that we cannot control. However,
10 to further divide the county by these area codes would inhibit
11 our goal as encouraging economic development on a countywide
12 basis.

13 The Lee/Charlotte County line is a logical dividing
14 point with little development presently occurring there. The
15 Charlotte/Sarasota County border shares a large number of
16 subdivided lots as well as infrastructure and public services
17 with the two counties. For the above reasons, the Economic
18 Development Council would urge you to adopt Alternative Number
19 4. Thank you.

20 CHAIRMAN JACOBS: Questions, Commissioners? Thank
21 you very much.

22 COMMISSIONER PALECKI: Thank you.

23 MR. POUCHER: Clinton Moore.

24

25

1 CLINTON MOORE

2 appeared as a witness and, swearing to tell the truth,
3 testified as follows:

4 DIRECT STATEMENT

5 MR. MOORE: I'm Clint Moore, I'm on the board of the
6 visually-impaired persons from Charlotte County. First of all,
7 I could not add to any of the things our previous speakers have
8 brought up, such as our honorable Jerry Paul and our county
9 commissioners and our representatives from the city of Punta
10 Gorda.

11 I just want to mention that we have over 3,000
12 visually-impaired persons in Charlotte County. Dialing numbers
13 for them is a problem, and we are vehemently against adding
14 additional numbers that they have to try to find when they
15 dial. We are all in favor of proposition number 4, and I won't
16 waste your time. I just want to thank the Chairman Jacobs and
17 the Commissioners for the opportunity to just bring this before
18 you. Thank you.

19 CHAIRMAN JACOBS: Thank you, Mr. Moore.

20 COMMISSIONER PALECKI: Thank you.

21 CHAIRMAN JACOBS: Appreciate your comments.

22 MR. POUCHER: Nancy Panoch. And could you spell your
23 name for the court reporter?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NANCY PANOCH

appeared as a witness and, swearing to tell the truth,
testified as follows:

DIRECT STATEMENT

MS. PANOCH: It's Nancy Panoch, it's P-a-n-o-c-h.

Good afternoon, Chairman, Commissioners, and fellow
board members and guests. I'm in favor of Alternative 4. I
own Petite Beauty Salon in Port Charlotte and I live in Punta
Gorda. It would be very hard -- I call back and forth across
the river all the time. It would be very hard on me to do
that.

And I'm also an officer in the Florida Cosmetology
Association, and we have an active affiliate in Charlotte
County, which reaches Punta Gorda, Englewood area, North Port,
everywhere. We call all the time back and forth as members to
communicate with each other, and that would also be very hard.
I would not want the overlay code, and it's very important to
me that we keep the 941 area code in our county area. And
again, I support Alternative 4.

CHAIRMAN JACOBS: Thank you.

MR. POUCHER: Scott Longas.

SCOTT LONGAS

appeared as a witness and, swearing to tell the truth,
testified as follows:

FLORIDA PUBLIC SERVICE COMMISSION

1 DIRECT STATEMENT

2 MR. LONGAS: I may have to relinquish my time. I
3 would like to have some questions answered, and if this is the
4 wrong format, I'll sit down. If I can talk to somebody after
5 the meeting, I'd be more than happy to. Is that possible?

6 CHAIRMAN JACOBS: Sure.

7 MR. LONGAS: Thank you very much.

8 CHAIRMAN JACOBS: Do you want to just talk to our
9 Staff and have them take care of those for you?

10 MR. LONGAS: Do you want me to do it now or I can do
11 it later? Whichever is easier for you.

12 CHAIRMAN JACOBS: Do they relate to the area code
13 issue?

14 MR. LONGAS: Yes, they do.

15 CHAIRMAN JACOBS: You can ask us, and then if we need
16 to pass them on, we will.

17 MR. LONGAS: Sure. A lot of questions have been
18 asked that I haven't got an answer to. How many telephone
19 numbers are you talking about in the 941 area, 5 million, 10
20 million, 1,000, anybody know?

21 CHAIRMAN JACOBS: Not off-hand.

22 MR. LONGAS: Not off-hand.

23 CHAIRMAN JACOBS: We'll have to get that number for
24 you.

25 MR. LONGAS: Okay. Would somebody do that for me or

1 give me a phone number or something? I would appreciate it.

2 MR. ILERI: Commissioners, regarding that --

3 CHAIRMAN JACOBS: This is Mr. Levent Ileri of our
4 Staff.

5 MR. ILERI: Hi. My name is Levent Ileri. I'm a
6 member of the PSC. The number of access lines for Manatee,
7 Sarasota, and Charlotte Counties add up to 520,000.

8 MR. LONGAS: 520,000. That's it?

9 MR. ILERI: This only includes the wire line
10 carriers. It doesn't include cellular phones, pagers or any
11 other services.

12 MR. LONGAS: So, we're talking about 5,000 numbers.

13 CHAIRMAN JACOBS: 500 --

14 MR. ILERI: 528,000, half a million.

15 CHAIRMAN JACOBS: Mr. Longas, what he's saying is
16 access lines generally are retail service lines; i.e., someone
17 who has a voice telephone line going to their home or business
18 does not include -- his number does not include mobile lines or
19 pagers. Of that number, there are approximately in the three
20 counties that are in Area "A," there are close to 530,000 --

21 MR. LONGAS: 530,000.

22 CHAIRMAN JACOBS: Correct.

23 MR. LONGAS: Okay.

24 CHAIRMAN JACOBS: Now, you asked for the whole of 941
25 presently, though?

1 MR. LONGAS: I would prefer that, yes.

2 CHAIRMAN JACOBS: Okay. That was only the three
3 counties. We'd have to get the other three for you.

4 MR. LONGAS: Okay.

5 CHAIRMAN JACOBS: Okay.

6 MR. LONGAS: Secondly, the question that was asked
7 for me is how much of that percentage of numbers are completely
8 being allocated to GTE and to Sprint that they've locked away
9 in the closet somewhere? Anybody know? Shall I rephrase the
10 question?

11 CHAIRMAN JACOBS: I think, I understand your
12 question, and that being how many have already been allocated
13 to the two major --

14 MR. LONGAS: That will -- okay, let me do it this
15 way. You all read "Public Citizen," and "Public Citizen" said
16 this is not your -- Public Citizen has clearly stated the
17 telephone companies who say that I want to change 941, 697,
18 whatever the case may be, their intent is to squeeze down on
19 these numbers so they can double and triple what is called
20 long-distance phone calls. You can read this thing in "Public
21 Citizen."

22 So, what they have stated is, and this is what I'd
23 like to have an answer to, that this is misinformation put out
24 by the telecommunication industry, that there are far, far, far
25 more numbers that are not available. But, of course, the

1 Public Service Commission is tied down by the 1996
2 Communication Act, and you can only take this so far. So, can
3 I get an answer to the question, how many phones and how many
4 lines are being clandestine in the closet somewhere?

5 CHAIRMAN JACOBS: Well, here's what we'll do. We'll
6 have our Staff sit down with you, and then get all of your
7 questions laid out. Sounds like that would probably be the
8 best way of going about it.

9 MR. LONGAS: That's what I thought originally.

10 CHAIRMAN JACOBS: You were correct initially.

11 MR. LONGAS: Thank you for your time.

12 CHAIRMAN JACOBS: Thank you.

13 COMMISSIONER PALECKI: Thank you, sir.

14 MR. POUCHER: Wayne Sallade.

15 WAYNE SALLADE

16 appeared as a witness and, swearing to tell the truth,
17 testified as follows:

18 DIRECT STATEMENT

19 MR. SALLADE: For the record it's Wayne Sallade,
20 Director of Emergency Management, Charlotte County. I
21 apologize. I lost my voice, which doesn't happen very much.

22 Mr. Chairman, Commissioners, good friend Lee, good to
23 see you again. Gentlemen, I bring not the eloquence of state
24 Representative Jerry Paul, the colorful address of Mayor Smith,
25 nor the sage wisdom of Commissioner Horton, but I bring you

FLORIDA PUBLIC SERVICE COMMISSION

1 some history and some interesting facts on public safety for
2 our area.

3 Did you know, for example, that Charlotte County was
4 once part of Manatee County? We were cut out of Manatee way,
5 way, way back, but we have a closeness to Sarasota and Manatee
6 that maybe doesn't exist in very many places. In our business,
7 in emergency preparedness, we don't recognize jurisdictional
8 boundaries. When something strikes one, it strikes all.

9 We had a death in our emergency management family
10 just this week, and last night hundreds of us gathered in
11 Naples to honor his memory, but we do recognize that there are
12 situations, such as the area code problems that face the state
13 and that you are asked to bring about the wisdom of Solomon to
14 decide who gets what and under what format.

15 I think, it's clear here today that the citizens, the
16 business entity, everyone, particularly within Charlotte
17 County, is clearly in support of Alternative Number 4. I
18 think, for a public safety perspective, it's obvious that it
19 makes sense.

20 We have first responder agreements. I believe, it
21 was Bill Wishard who indicated that we do work on first
22 responder agreements with the city of North Port. We have a
23 fire district in Englewood that serves both Charlotte and
24 Sarasota Counties. And interestingly enough, although, it's in
25 Lee County, the two-thirds of the Gasparilla Island, Boca

1 Grande under contract is dispatched by Charlotte County.
2 Charlotte County's 911 center does the dispatching for their
3 fire and medical calls.

4 As to the issue of the overlay, again, our seniors
5 have spoken here quite eloquently that adding additional
6 numbers to our demographics is probably not a real smart thing
7 to do, until we absolutely positively have no choice.

8 Another thing is, and I will speak to this from all
9 of the emergency managers perspective being the area governor
10 for Area 6 of the state of Florida, which encompasses nine
11 counties throughout this area, we all have the responsibility
12 of registering and calling the special needs registrants who
13 are the most frail of our population, who register with each of
14 their counties to be notified of emergency situations to, in
15 some cases, be picked up and carried out of the county, if
16 necessary, to have their medical needs taken care of, if they
17 have a particular medical situation.

18 If we were to be required to dial, and I say "we,"
19 being our calling center, if we were to be required to dial an
20 additional three numbers in addition to the seven we already
21 do, you're talking about roughly 30% more time it would take us
22 to make those nearly 800 calls just in Charlotte County alone.

23 Lee County, I believe, is probably upwards of 12, so
24 that I think is a shot across the bow at the overlay for right
25 now. As to the issue of who keeps 941, I don't know, would I

1 like to keep it? Absolutely. And I've got to give Jerry
2 credit for this. He didn't say it, but I will. We asked
3 first, and mom always said that made a big difference, so...

4 That's all I have. Thank you.

5 CHAIRMAN JACOBS: Thank you. Questions,
6 Commissioners? Thank you.

7 MR. POUCHER: Elliot Kampert.

8 ELLIOT KAMPERT

9 appeared as a witness and, swearing to tell the truth,
10 testified as follows:

11 DIRECT STATEMENT

12 MR. KAMPERT: I apologize, I don't have copies to
13 pass out. Good morning -- afternoon, I should say. My name is
14 Elliot Kampert with the Planning Services Division of the
15 Community Development Department, and I've been with the county
16 for about 10 years, and I'm pretty familiar with the issues we
17 face.

18 A picture's worth a thousand words, and you guys have
19 already heard a lot of good reasons why we prefer Option 4 and
20 why we're opposed to the overlay. I'll try not to be redundant
21 with those in the interest of speeding the proceedings along,
22 but there are some things. I'm a planner, and planners look at
23 the world a little differently than other people, I'm told, so
24 I thought I'd bring some pictures to help.

25 The big map in front of you shows that Charlotte

FLORIDA PUBLIC SERVICE COMMISSION

1 County faces a certain challenge already just by our geography.
2 We're divided into three distinct regions by two rivers and a
3 harbor. From the standpoint of a local government that means
4 we have to basically provide, in triplicate, all the services
5 that we provide, be they police, fire, EMS, schools, general
6 code compliance issues, we have to do basically everything in
7 triplicate, okay? So, when we think about adding an additional
8 challenge in the form of a new area code or an overlay that we
9 don't need, okay?

10 Something else that you'll see on this map is that
11 below it are three smaller maps, which I have copies of here,
12 which I'll leave with your recording clerk for distribution, is
13 a thing called major platted land subdivisions within Charlotte
14 County.

15 As you can see, it is on the north of our county, and
16 on what we call the Cape Haze peninsula, here is where the
17 majority of our major subdivisions are located supporting back
18 in the late 1990 census significant population of people
19 compared to the eastern and southern portion of our county,
20 which has only very small subdivided area, which is known as
21 Burnt Store Lakes in Burnt Store Village.

22 So, the majority of our population is in the western
23 and northern portions of our county which shares the border
24 with Sarasota County. In fact, if you take a moment and look
25 at a street map, put out by our local board of realtors, Punta

1 Gorda, Port Charlotte, and North Port are considered all part
2 of the North Port/Englewood area.

3 As a community, we see ourselves through our
4 realtors, through our developers, as closely tied to Sarasota
5 and Manatee County and less so with Lee County. As far as our
6 development community is concerned, we're issuing in the order
7 of around 1,000 building permits per year in Charlotte County,
8 west county and mid county are pretty close tied in the
9 vicinity of 450 served permits a year. With our south county
10 regions, we call it lagging a distant third, about 100 permits
11 a year close to Lee County. Now, the city of Punta Gorda
12 they're doing another 300 to 500 permits, depending on the
13 year.

14 So, really the building permitting activity is
15 centralized to Charlotte County and north. Many of our area
16 businesses in the Englewood area, in particularly, say, serving
17 all of Englewood. And when they say Englewood, they mean the
18 Englewood in Sarasota and the Englewood down here in Charlotte
19 County. So, dividing that would provide an inconvenience to
20 our contractors.

21 Something else we have to deal with here is we are
22 divided between two water management district districts, the
23 South Florida Water Management District and Southwest Florida
24 Water Management District. South Florida Water Management
25 District occupies a stair-step pattern in the eastern part of

1 our county, very few people out there. The majority of our
2 construction activity when you go for your stormwater
3 permitting, for your environmental resource permitting, the
4 office they call is in Venice, Florida. So, changing the area
5 code or going to the overlay would inconvenience a very large
6 number of businessmen, and these are contractors who are
7 operating very quickly on a day-to-day basis. A very big part
8 of our community is our development community. They go to the
9 Venice office of SWFMD for their permits. Very rarely do we
10 have interaction with the south Florida office down in Fort
11 Myers.

12 Which Fort Myers brings up another issue. The other
13 map that you see over here -- I'm sorry, I'll go to the urban
14 service areas first. The map here, the urban service area, as
15 you can see that we have concentrated our efforts to provide
16 the municipal type services in the form of road improvements,
17 drainage, lighting, parks, libraries. We're concentrating
18 those efforts in the purple. Those are what we call our infill
19 areas, okay?

20 The green areas we refer to is suburban. You'll see
21 that except for the city of Punta Gorda, all of our infill
22 areas that the county's responsible are the Sarasota line, both
23 in the Englewood area and here where we go up into North Port.
24 In fact, at one point in time, North Port was referred to as
25 North Port Charlotte by a mutual creator, General Development

1 Corporation.

2 Finally, as far as the relationship with Lee County
3 why the split should be there, the third map you see over here
4 is called the existing proposed reserves and preserves. By a
5 chance of fate in regard to how the land acquisition programs
6 and the conservation of the state's resources, I'm sure you're
7 all familiar with preservation 2000 and those type programs,
8 Lee and Charlotte Counties are in the process of physically
9 separating each other, not because we don't like Lee County,
10 but just because the way the biology works out. This blue area
11 right down here is called the Charlotte Harbor Flatwoods. That
12 is a preserve in the making.

13 The state currently owns in Charlotte County
14 approximately 7,000 acres. It divides the city Cape Coral, Lee
15 County down here from the city of Punta Gorda up there.
16 They'll never link. That is not preservation land. You also
17 have the existing wild life management area right there, that's
18 65,000 acres. Lee and Charlotte Counties will not join,
19 because of the amount of long-term preservation already in
20 public ownership and more is being added. The state is still
21 pursuing additional parcels in there.

22 And if I can add something to this from Lee County,
23 this is a map of Lee County's long-term conservation lands
24 program known as Conservation 2020. You can see they've
25 carried the flatwoods project down to their northern boundary,

1 which is our southern boundary there, and they also got an
2 additional 2,500-acre parcel right there that they're acquiring
3 on their own, which is right on the Lee/Charlotte County line.

4 So, again, because of the major land acquisitions and
5 preservation movements that are going on in both counties, we
6 are creating a further geophysical barrier between Lee County
7 and Charlotte County. So, if you're going to split someplace,
8 split it where the geography doesn't end and where we know
9 we're not going to be providing services, we're not going to
10 have any joint activities going on there. Those are going to
11 be preserved lands. So, Lee and Charlotte are in the process
12 of further separating out while our ties to Sarasota County
13 north continue to get stronger all the time. And I'll answer
14 any questions you may have. Thank you.

15 CHAIRMAN JACOBS: Questions, Commissioners? This is
16 very instructive, Mr. Kampert. So, more of these services,
17 emergency management and those types of services, are going to
18 be concentrated with the ties with Sarasota County and very
19 little of that will continue to be proliferated through -- to
20 Lee County, it sounds like.

21 MR. KAMPERT: As Mr. Sallade said, when a hurricane
22 is approaching, when you've got the brushfire situation we
23 have, all the counties pitch in together and jurisdictional
24 lines pretty well go away. But from the standpoint of regular
25 type services, we're looking at roads, we're looking at

1 drainage, what we're concentrating on and what Lee County's
2 concentrating on along our border is actually curtailing urban
3 sprawl. So, our growth patterns are not going to be growing
4 towards them, and they're not going to be growing as much
5 towards us.

6 CHAIRMAN JACOBS: Great. Thank you.

7 COMMISSIONER PALECKI: Thank you.

8 MR. POUCHER: Marty Burton.

9 MARTY BURTON

10 appeared as a witness and, swearing to tell the truth,
11 testified as follows:

12 DIRECT STATEMENT

13 MR. BURTON: Good afternoon. My name is Marty
14 Burton, B-u-r-t-o-n. I'm an assistant county attorney with
15 Charlotte County.

16 Just to summarize then, as far as the presenters for
17 Charlotte County, we have a consensus that we're in favor of
18 Alternative Number 4. We don't want the overlay.

19 There are several reasons why we feel we should keep
20 941. Our population is generally older, our population is
21 larger than the counties to the south when you look at all
22 three northern counties that would like to be kept together.
23 Manatee, Sarasota, and Charlotte, we believe, have more joint
24 activities and operations, more joint interrelationships than
25 the 2 1/2 counties to the south.

FLORIDA PUBLIC SERVICE COMMISSION

1 Also, if you look at the number of years projected
2 for Alternative 4, seven years for Area "A" and ten years for
3 Area "B," it would make more sense, it would be more fair, to
4 allow the area that has the shorter life span, Area "A," which
5 is Manatee, Sarasota, and Charlotte, to keep 941.

6 We understand that the Florida Public Service
7 Commission has been extremely active in promoting number
8 conservation measures before the FCC and has been trying to do
9 this in order to prevent customer confusion and expense as much
10 as possible. We've also learned that in 1999 the FCC
11 determined that the Florida Public Service Commission would be
12 allowed to begin number pooling, reclaiming unused numbers, and
13 rate center consolidation.

14 We'd like to volunteer that if there is anything our
15 county can do to help, either efficiently or through citizen
16 activism, I think, you can see by the turnout in Englewood and
17 also here this morning, that we do have citizens who are
18 willing to become involved. If there's anything we can do to
19 help in the PSC's efforts, please let us know.

20 We also think it's very clear that Englewood might be
21 an excellent area or choice for some of the rate center
22 consolidation with all of the problems of calling. I don't
23 know if any of you tried to use a cell phone while you were
24 down in Englewood, but it's very hard to figure out whether you
25 need to use an area code, which area code you should call, if

1 you should call an area code for dialing a certain number,
2 whether you're calling Sarasota or over into Port Charlotte
3 from the Englewood area.

4 There was some explanation earlier about the FCC
5 making various decisions about competition. Something that the
6 PSC might be able to do that could help Charlotte County and
7 the state of Florida is if there are certain ways that our
8 citizens could become involved to pass along our concerns to
9 the FCC, perhaps the Public Service Commission could get us
10 that information that we could then pass on to our citizens,
11 because it sounds like a lot of people are talking about the
12 extra numbers and asking could cell phones, could fax lines,
13 could they be assigned different area codes and then the FCC is
14 dealing with competition issues. Maybe if the public could be
15 made aware of ways that they can make their concerns known to
16 the FCC, they might be able to help your efforts before the
17 FCC.

18 In closing, I would just like to point out -- and
19 these are criteria from the Public Service Commission area code
20 relief selections -- selection criteria. One of them that's
21 very important to remember here is considering public input
22 which, of course, is the public and Public Service Commission.
23 The second is avoiding disrupting a community of interest or
24 calling SCOPE. Community of interest certainly applies to
25 Manatee, Sarasota, and Charlotte Counties, and Englewood

1 certainly has problems with calling SCOPE.

2 The PSC has gone on record saying you prefer to make
3 the decision or choice that has the less impact on customers
4 and industry. We believe that that choice is to go with
5 Alternative Number 4 and to allow Manatee, Sarasota, and
6 Charlotte to keep 941. Thank you.

7 CHAIRMAN JACOBS: Thank you. Any questions,
8 Commissioner?

9 COMMISSIONER PALECKI: Thank you.

10 CHAIRMAN JACOBS: We welcome your offers of
11 assistance. And I'm sure that our Staff will make those
12 contacts, particularly, the thought that we could keep you
13 informed as to the progress of deliberations on the
14 service-specific overlays. We may want to develop some kind of
15 consumer bulletin on that. That has some merit.

16 MR. POUCHER: Did we miss any witnesses that want to
17 speak?

18 MS. SEELEY: No, but I have one point. I've thought
19 about it in later speakers --

20 CHAIRMAN JACOBS: We would need you to come to the
21 microphone.

22 MS. SEELEY: Okay. Coyla Seeley again. This last
23 lady brought it up.

24 Now, in talking about the public service or whoever
25 it was that made the decision that cell phones would be an

1 economic -- it would be of an economic necessity to them, I
2 recently made a trip in the northeastern part of the United
3 States. And I know from other trips that -- to digress just a
4 minute -- if you go back to your regular telephone and you want
5 to call anyplace in the United States and Canada, you dial
6 through. That's not the case with the cell phones. You run
7 into all sorts of regulations. I got consistently up there "We
8 do not recognize your signal."

9 Now, which should the -- should have the onus of
10 having to go to a new system, the one where you can get
11 everyone in the United States and Canada with not any problem,
12 dialing their area codes and their numbers or one in which,
13 depending on what area you are and what kind of telephone you
14 have or cell phone, you are not assured -- we got a cell phone
15 specifically so that if we had trouble on the road, we were two
16 ladies, my age, traveling, and most of the time we couldn't get
17 through on it, and we dialed the area codes and the correct
18 numbers.

19 So, I think that they have made a wrong decision in
20 putting them first. In other words, we should be able to get
21 through as your first priority, because you are a communica--
22 you are working on communications. And when you don't have
23 communications, then it should be put in the position of being
24 second, rather than first.

25 CHAIRMAN JACOBS: Thank you.

FLORIDA PUBLIC SERVICE COMMISSION

1 MR. POUCHER: That's it.

2 CHAIRMAN JACOBS: So, we've taken care of everyone
3 who wanted to come forward and speak today. We thank you for
4 coming. It's been very insightful and quite educational to
5 hear your thoughts and comments. If you'd like to follow the
6 progress of these proceedings, there's a web site at the
7 Florida Public Service Commission that can keep you informed,
8 that's www.floridapsc.com. And feel free to call us or our
9 Staff to find out how things are going.

10 AUDIENCE: Will it be in the newspaper for --

11 CHAIRMAN JACOBS: We have a lot of competent media
12 here today. I'm sure they'll continue to follow it.

13 AUDIENCE: Because some of us don't believe the
14 computers will last.

15 COMMISSIONER JACOBS: With that, this hearing is
16 adjourned. Thank you.

17 (Hearing concluded at 1:30 p.m.)

18 - - - - -

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF FLORIDA)

 :

COUNTY OF LEON)


CERTIFICATE OF REPORTER

I, KORETTA E. STANFORD, RPR, Official Commission Reporter, do hereby certify that the Service Hearing in docket number 000604-TL was heard by the 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 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 Thursday, June 14, 2001.



KORETTA E. STANFORD, RPR
FPSC Official Commissioner Reporter
(850) 413-6734