



City of **Punta Gorda**, Florida

CITY HALL
326 WEST MARION AVENUE
PUNTA GORDA, FLORIDA 33950-4492

July 10, 2001

By Overnight UPS

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

RE: Docket No. 000604-TL

Dear Ms. Bayo:

Enclosed for filing are an original and fifteen copies of "Punta Gorda's Prehearing Statement" in the above-referenced proceeding. Also enclosed is a motion to accept late filed Prehearing Statement.

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

Thank you for your assistance with this filing.

Very truly yours,

Robert H. Berntsson
City Attorney

RHB/ps
docket 000604tl ltr wpd

Enclosures

In Beautiful Charlotte County

DOCUMENT NUMBER-DATE
08442 JUL 11 01
FPSO-RECORDS/REPORTING

**STATE OF FLORIDA
BEFORE THE PUBLIC SERVICE COMMISSION**

In re: REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR THE 941
AREA CODE.

Docket No. 000604-TL

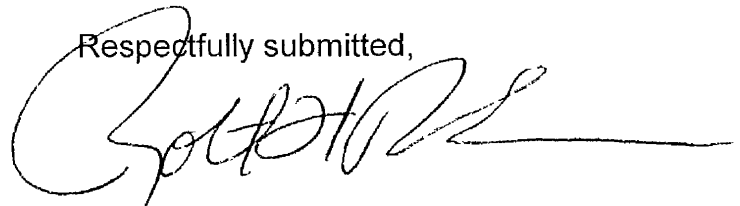
MOTION TO ACCEPT LATE FILED PREHEARING STATEMENT

Comes now the City of Punta Gorda an intervener in the above styled action who moves for an order accepting late filed Prehearing Statement and its grounds therefore states as follows:

- I. The City of Punta Gorda intervened in this proceeding in order to protect and represent the citizens of the City of Punta Gorda.
- II. Through oversight and lack of familiarity with the PSC proceedings the City of Punta Gorda failed to timely file its required Prehearing Statement.
- III. The City of Punta Gorda asserts that no party will be materially harmed by the delay in filing.
- IV. The City of Punta Gorda's Prehearing Statement reiterates its position that it has held throughout the proceedings since intervention and the direct testimony that was given during the Service Hearing held in Port Charlotte.

Wherefore the City of Punta Gorda respectfully requests an order accepting late filed Prehearing Statement.

Respectfully submitted,



Robert H. Berntsson
City Attorney
Florida Bar No. 0804400
Batsel, McKinley, Ittersagen,
Gunderson & Berntsson, P.A.
18401 Murdock Circle
Port Charlotte, FL 33948-1088
(941) 627-1000
FAX (941) 255-0684

**STATE OF FLORIDA
BEFORE THE PUBLIC SERVICE COMMISSION**

In re: REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR THE 941
AREA CODE.

Docket No. 000604-TL

CITY OF PUNTA GORDA'S PREHEARING STATEMENT

I. Witnesses and Testimony Subject Matter

The City of Punta Gorda (hereinafter Punta Gorda) proposes to call the following witness to offer testimony on all issues in this docket:

A. Bill Wishard, Director, Administrative Services, City of Punta Gorda

Punta Gorda reserves the right to call additional witnesses to respond to Commission inquiries not addressed in direct or rebuttal testimony, and to address new issues that may be identified by the Prehearing Officer at the prehearing conference to be held on July 23, 2001.

II. Exhibits and Witnesses Sponsoring Each

None.

Punta Gorda reserves the right to file exhibits to any additional testimony that may be filed, and to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida Rules of Evidence or the Rules of this Commission.

III. Punta Gorda's Basic Position

Punta Gorda supports 941 NPA Relief Alternative No. 4, a geographic split between the Punta Gorda and the North Fort Myers Exchanges following the Charlotte-Lee County line. The citizens of Punta Gorda strongly oppose the all services distributed overlay relief plan described as 941 NPA Relief Alternative No. 1, chosen as the industry's consensus. It is Punta Gorda's position that the three northern counties described as "Area A" (Charlotte, Sarasota, and Manatee) should keep the 941 area code, with the new area code assigned to "Area B."

IV. Questions of Fact at Issue/Punta Gorda's Position/Witness(es) Addressing each Issue

- A. Should the Commission approve the industry's consensus relief plan for the 941 area code?

No, the Commission should not approve the industry's consensus relief plan for the 941 area code (Wishard).

- B. If the Commission does not approve the industry's consensus relief plan for 941 area code, what alternative relief plan should the commission implement?

The Commission should implement NPA Relief Alternative No. 4 (Wishard).

V. Questions of Law at Issue/Punta Gorda's Position

- A. What is the Commission's jurisdiction in this matter?

Under Federal regulations, the Commission has jurisdiction over the introduction of new area codes and may direct whether area code relief takes the form of a geographic split, an overlay area code, or a boundary realignment. The Commission may also develop the details of proposed area code relief plan(s). In addition to the general authority described above, the Commission also has "Additional Authority to Implement Number Conservation Measures" as granted by FCC Order 99-249 (September 15, 1999).

VI. Policy Questions at Issue/Punta Gorda's Position/Witness(es) Addressing each Issue

- A. What number conservation measures, if any, should the Commission implement?

The Commission should implement all number conservation measures enumerated in FCC Order 99-249, including thousand-block pooling, reclaiming unused and reserved codes, setting number allocation standards, requesting number utilization data from all carriers, implementing code sharing, and implementing rate center consolidation (Wishard).

- B. If number conservation measures are to be implemented, when should they be implemented?

The Commission should implement number conservation measures as soon as possible (Wishard).

VII. Stipulated Issues

Punta Gorda is aware of no stipulations.

VIII. Pending Motions or Other Matters

Punta Gorda is aware of no pending motions or other matters, except its motion to accept this late filed Prehearing Statement.

IX. Pending Requests or Claims for Confidentiality

Punta Gorda is aware of no requests or claims for confidentiality.

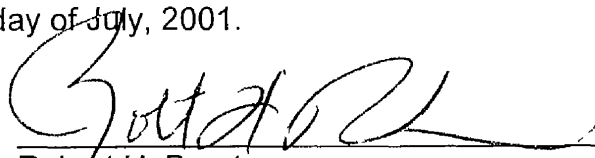
X. Requirements that cannot be complied with, and reasons therefore

Punta Gorda knows of no requirement set forth in any prehearing order with which it cannot comply.

XI. Any decision or pending decision of the FCC or any court that has or may either preempt or otherwise impact the Commission's ability to resolve any of the issues presented or the relief requested in this matter.

The FCC has indicated a willingness for the Commission to implement and promote number conservation measures, in order to minimize consumer confusion and expenses associated with imposing new area codes too frequently.

Respectfully submitted this 10th day of July, 2001.



Robert H. Berntsson
City Attorney
Florida Bar No. 0804400
Batsel, McKinley, Ittersagen,
Gunderson & Berntsson, P.A.
18401 Murdock Circle
Port Charlotte, FL 33948-1088
(941) 627-1000
FAX (941) 255-0684

**CERTIFICATE OF SERVICE
DOCKET NO. 000604-TL**

I **HEREBY CERTIFY** that a true and correct copy of the foregoing Prehearing Statement and Motion to Accept Late Filed Prehearing Statement has been served by U.S. Mail on this 10th day of July, 2001, to the following:

Time Warner Telecom of Florida, L.P.
Ms. Carolyn Marek
% Time Warner Telecom
233 Bramerton Court
Franklin, TN 37069-4002

Kathleen F. Schneider, Esq.
Sarasota County Attorney
1660 Ringling Blvd., 2nd Fl.
Sarasota, FL 34236

Joe Assenzo, Esq.
Sprint PCS, Legal Dept.
6160 Sprint Parkway, 4th Fl.
KSOPHIO414
Overland Park, KS 66251

Martha Burton
Charlotte County Attorney Office
18500 Murdock Circle
Charlotte County, FL 33948-1094

Katz, Kutter Law Firm
Patrick Wiggins/Natalie Futch
12th Floor
106 East College Avenue
Tallahassee, FL 32301

James A. Minix, Esq.
Manatee County Attorney Office
P.O. Box 1000
Bradenton, FL 34206

Charles J. Beck, Esq.
Office of the Public Counsel
111 W. Madison St., Rm. 812
Tallahassee, FL 32399

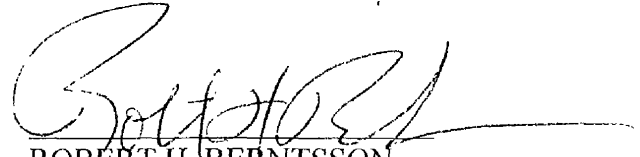
Pennington Law Firm
Peter Dunbar/Karen Camechis
PO Box 10095
Tallahassee, FL 32302-2095

Sprint-Florida, Inc.
Charles Rehwinkel, Esq.
Susan Masterton, Esq.
(MCFLTLHO0107)
P.O. Box 2214
Tallahassee, FL 32316

Verizon Florida Inc.
Ms. Michelle A. Robinson
% Mr. David Christian
106 East College Avenue, Ste 810
Tallahassee, FL 32301-7704

Verizon Select Services Inc.
Kimberly Caswell
PO Box 110, FLTC0007
Tampa, FL 33601-0110

Verizon Wireless
Anne Hoskins, Esq.
1300 "Eye" Street, N.W.,
Ste 400 W
Washington D.C. 20005

A handwritten signature in black ink, appearing to read "Robert H. Berntsson", with a long horizontal flourish extending to the right.

ROBERT H. BERNTSSON
Punta Gorda City Attorney