

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of
proposed numbering plan relief
for the 305/786 area code - Dade
County and Monroe County/Keys
Region.

DOCKET NO. 990455-TL
ORDER NO. PSC-01-1456-PCO-TL
ISSUED: July 11, 2001

The following Commissioners participated in the disposition of
this matter:

E. LEON JACOBS, JR., Chairman
J. TERRY DEASON
BRAULIO L. BAEZ

ORDER ON IMPLEMENTATION OF NEW AREA CODE OVERLAY

BY THE COMMISSION:

By Order No. PSC-00-1937-PAA-TL, issued October 20, 2000, in
Docket No. 990455-TL, we approved a relief plan for the 305/786
area codes. However, we withheld the approval of implementation
dates for this area code, pending the outcome of various number
conservation measures. We directed the Local Exchange Companies
(LECs) in the affected area code to jointly file a notice informing
us of the outcome of various number conservation measures and
recommend, no later than October 1, 2001, the permissive and
mandatory dialing periods.

In addition, we directed the LECs to inform the alarm
companies of the need to reprogram their equipment nine months
prior to the implementation of the mandatory 10-digit dialing. On
April 3, 2001, the LECs sent a letter to the security alarm
companies, stating that the industry planned to recommend that the
Commission implement the adopted NPA relief mechanism in the Keys.
The notice stated that rate center consolidation would be
implemented in the fourth quarter of 2001.

We are vested with jurisdiction pursuant to Sections 364.01
and 364.16(4), Florida Statutes, and 47 C.F.R. §§ 52.3 and 52.19.

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REGISTRATION REPORTING

ORDER NO. PSC-01-1456-PCO-TL

DOCKET NO. 990455-TL

PAGE 2

The Keys region number pooling trial began on May 28, 2001. The LECs report that as of March 1, 2001, there were only eleven NXXs in the 305 NPA available for assignment in the Keys. However, NANPA recently informed us that there are presently 14 NXX codes which are available for assignment in the Keys region, along with ten additional NXX codes which are protected. BellSouth believes these additional protected codes may be able to be used in the Keys region, which would further extend the life of the 305 NPA. However, we note that, due to jeopardy measures, the codes are rationed only one per month.

The LECs recommend that the permissive 7 or 10-digit local dialing period for the 305/786 should begin on August 1, 2001, and mandatory 10-digit local dialing should begin on November 1, 2001. Though establishing implementation dates for the 305/786 NPAs is, at some point, unavoidable, we believe that the imposition of additional burdens on the consumer should only be ordered at the point of absolute necessity.

We recognize that there are limited quantities of available telephone numbers in the Keys region, and that the carriers could be further harmed because of the existing rationing plan of one code per month. Also, FCC Rule C.F.R. §52.9(a)(1) states that any NPA relief plan must be implemented in a manner that ". . . facilitate[s] entry into the telecommunications marketplace by making telecommunications numbering resources available on an efficient, timely basis to the telecommunications carriers" We disagree, however, with the industry's proposal to begin mandatory 10-digit dialing November 1, 2001. Since the number conservation measures have not been fully implemented, there is no evidence of how long the number conservation measures would extend the life of the 305 NPA once rate center consolidation and number pooling are implemented. Furthermore, based on the Pooling Administrator's assessment call on May 1, 2001, no new NXX codes need to be opened until next year. In addition, the LECs recommended mandatory 10-digit dialing period begins just prior to the holiday season when many customers move to Florida for the winter season. To minimize mandatory 10-digit dialing confusion and provide enough time for the security alarm companies to reprogram their equipment, the mandatory 10-digit dialing period should be postponed until at least after the next tourist season has ended.

ORDER NO. PSC-01-1456-PCO-TL
DOCKET NO. 990455-TL
PAGE 3

We find that additional time should be given to customers to adjust to the new dialing plans, as well as the new rate center structure. Also, customer education is important before, and during a permissive dialing period. Therefore, we find that the permissive dialing period for 7 or 10 digits should begin on September 1, 2001. Staff is directed to bring a recommendation for a revised mandatory 10-digit dialing date in the future when a realistic exhaust date for this area can be determined with greater certainty.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the area code overlay which we ordered in Order No. PSC-00-1937-PAA-TL, issued October 20, 2000, now be partially implemented. It is further

ORDERED that the implementation of said overlay be consistent with the plan set forth in the body of this Order. It is further

ORDERED that this docket shall remain open.

By ORDER of the Florida Public Service Commission this 11th Day of July, 2001.

BLANCA S. BAYÓ, Director
Division of the Commission Clerk
And Administrative Services

By: Kay Flynn
Kay Flynn, Chief
Bureau of Records and Hearing
Services

(S E A L)

CLF

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code, if issued by a Prehearing Officer; (2) reconsideration within 15 days pursuant to Rule 25-22.060, Florida Administrative Code, if issued by the Commission; or (3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Director, Division of the Commission Clerk and Administrative Services, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.