

State of Florida



Public Service Commission

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COMMISSION
CLERK

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RECEIVED-FPSC

DATE: NOVEMBER 7, 2001

TO: DIRECTOR, DIVISION OF THE COMMISSION CLERK &
ADMINISTRATIVE SERVICES (BAYÓ)

FROM: DIVISION OF COMPETITIVE SERVICES (ILERI, CASEY) *OK*
DIVISION OF LEGAL SERVICES (CHRISTENSEN) *OK*

RE: DOCKET NO. 981444-TP - NUMBER UTILIZATION STUDY:
INVESTIGATION INTO NUMBER CONSERVATION MEASURES.

AGENDA: 11/19/01 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: MARCH, 2002 - FCC'S NUMBER POOLING ROLL-OUT
SCHEDULE IS IMPLEMENTED

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMP\WP\981444E.RCM

CASE BACKGROUND

On September 15, 1999, the Federal Communications Commission (FCC) issued FCC Order No. 99-249 granting the Commission's Petition for Delegation of Additional Authority to Implement Number Conservation Measures.¹ In its Order, the FCC granted the Commission interim authority to, among other things, institute thousand-block number pooling. Since receiving interim authority in this original delegation order, the Commission has implemented six number pooling trials.

On March 31, 2000, the FCC issued its Number Resource Optimization (NRO) First Report and Order setting three criteria

¹ In the matter of Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures, CC Docket No. 96-98, FCC Order No. 99-249, NSF File No. L-99-23 (Released September 15, 1999)

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necessary to initiate a number pooling trial. The FCC directed state commissions seeking thousands-block number pooling authority to demonstrate that: (1) an NPA in its state is in jeopardy; (2) the NPA in question has a remaining life span of at least a year; and (3) that the NPA is in one of the largest 100 MSAs, or alternatively, the majority of wireline carriers in the NPA are LNP-capable.² The FCC recognized, however, that there may be "special circumstances" in which pooling would be beneficial in NPAs that do not meet all of the above criteria, and stated that it may authorize pooling in such an NPA upon a satisfactory showing by the state commission of such special circumstances.³

Although the 941 NPA has a remaining life span of at least one year, and the majority of wireline carriers are LNP capable, the 941 NPA is presently not in a jeopardy situation. Because of the high population growth in this NPA area, the Commission believed that "special circumstances" existed, and a number pooling trial was essential to conserve numbering resources in this area.

On May 8, 2001, the Commission filed an expedited petition with the FCC requesting authority to implement a number pooling trial in the 941 NPA. By FCC Order DA 01-2479, released October 24, 2001,⁴ the FCC granted the PSC authority to implement a number pooling trial in the 941 NPA, provided it is initiated prior to the commencement of national pooling, which is currently scheduled for March 2002.

This recommendation addresses the implementation of thousands-block number pooling in the 941 area code.

² First Report and Order, CC Docket No. 99-200, In the Matter of Numbering Resource Optimization, FCC Order No. 00-104, (Released March 31, 2000) at Paragraph 170. 15 FCC 7574 Rcd at 7652

³ Id. at 7652

⁴ Order, CC Docket No. 99-200; Docket No. 96-98; NSD-L-01-0109; NSD-L-01-74; NSD-L-01-87; In the matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Florida Public Service Commission Petition for Expedited Decision Authority to Implement Thousand-Block Number Pooling in the 941 NPA, CC Docket No. 96-98; Iowa Utilities Board Petition for Delegation of Additional Authority; Petition of the Public Service Commission of South Carolina for Delegation of Authority Pertaining to NXX Code Conservation Measures, FCC DA 01-2479 (Released Oct 24, 2001)

DISCUSSION OF ISSUES

ISSUE 1: Should a number pooling trial be implemented in the 941 area code, and if so, when should the number pooling trial be implemented?

RECOMMENDATION: Yes. A number pooling trial should be implemented in the 941 area code by all local number portability-capable wireline carriers. Staff recommends that the number pooling trial be implemented by Monday, February 11, 2002. The first implementation meeting, forecast report date, block protection date, block donation identification date, pooling administrator's assessment of industry inventory surplus/deficiency, block donation date, pool start/allocation date, should all occur prior to the mandated implementation date of February 11, 2002. (ILERI, CASEY)

STAFF ANALYSIS: By Order DA 01-2479, released October 24, 2001, the FCC granted the PSC's authority to implement a number pooling trial in the 941 NPA, provided it is initiated prior to the commencement of national pooling, which is currently scheduled for March 2002.

Staff recommends that a number pooling trial should be implemented by all local number portability capable wireline carriers in the 941 area code to promote efficient use of telephone numbers and prolong the life of the area code. Staff also recommends that the 941 number pooling trial should be implemented by Monday, February 11, 2002. The first implementation meeting, forecast report date, block protection date, block donation identification date, pooling administrator's assessment of industry inventory surplus/deficiency, block donation date, pool start/allocation date, should all occur prior to the mandated implementation date of February 11, 2002.

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ISSUE 2: Should this docket be closed?

RECOMMENDATION: No. Staff recommends that this docket should not be closed as other issues remain. However, any person whose substantial interests are affected by the proposed agency action may file a protest within 21 days of the issuance of the Commission's Order. If no timely protest of Issue 1 is filed, the Order will become final upon the issuance of a Consummating Order. If a protest is filed by a person whose substantial interests are affected, if possible, a (any) proceeding should be conducted pursuant to Section 120.57(2), Florida Statutes, or by other appropriate expedited process. (CHRISTENSEN)

STAFF ANALYSIS: Staff recommends that this docket should not be closed as other issues remain. However, any person whose substantial interests are affected by the proposed agency action may file a protest within 21 days of the issuance of the Commission's Order. If no timely protest of Issue 1 is filed, the Order will become final upon the issuance of a Consummating Order. If a protest is filed by a person whose substantial interests are affected, if possible, a (any) proceeding should be conducted pursuant to Section 120.57(2), Florida Statutes, or by other appropriate expedited process.