



County of Volusia

ORIGINAL

LEGAL DEPARTMENT

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January 25, 2002

VIA FEDERAL EXPRESS

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

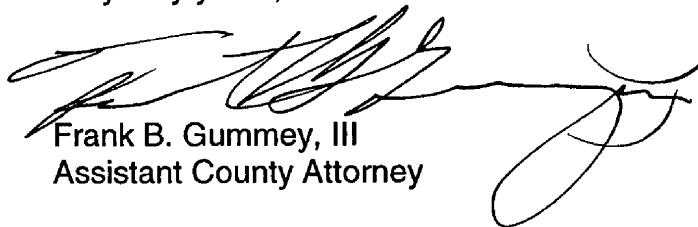
Re: Docket No.: 010743-TL

Dear Mrs. Bayo:

Enclosed please find an original and 15 copies, together with diskette of the Prehearing Statement of County of Volusia.

Copies of these documents have been served to the parties shown on the attached Certificate of Service.

Very truly yours,



Frank B. Gummey, III
Assistant County Attorney

FBG:cd
Enclosure (as stated above)

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FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of
proposed numbering plan relief
for the 407/321 area codes.

DOCKET NO.: 010743-TL

Filed January 25, 2002

PREHEARING STATEMENT OF COUNTY OF VOLUSIA

County of Volusia ("Volusia") in compliance with the Order Establishing Procedure (Order No. PSC-99-2145-PCO-TL), issued by the Florida Public Service Commission (FPSC) on September 24, 2001, as modified by Order Establishing Procedure (Order No. PSC-01-2190-PCO-TL, issued by the Florida Public Service Commission (FPSC) on November 8, 2001, and further modified by Order Updating Schedule (Order No. PSC-01-2369-PCO-TL) on December 7, 2001, hereby submits its Prehearing Statement for Docket No. 010743-TL.

A. Witnesses

Volusia proposed to call the following witness to offer direct and rebuttal testimony on the issues in this docket:

<u>Witness</u>	<u>Issues</u>
Ann McFall (Direct)	All
Robert M. Weiss (Rebuttal)	All

Volusia reserves the right to call additional witnesses, witnesses to rebut staff testimony not yet filed, witnesses to respond to Commission inquires not addressed in direct testimony, witnesses to rebut service hearing testimony and witnesses to

address issues not presently designated that may be designated by the Prehearing Officer at the prehearing conference to be held on March 4, 2002.

B. Exhibits

None.

Volusia reserves the right to file exhibits to any additional testimony that may be filed under the circumstances identified in Section "A" above. Volusia also reserves the right to introduce exhibits for cross-examination, impeachment, or any other purpose authorized by the applicable Florida rules of Evidence and Rules of this Commission.

C. Statement of Basic Position

There is strong support by the County of Volusia government and the residents and business people of Southwest Volusia for the establishment and implementation of the overlay of 386 NPA in the 407 NPA in southwest Volusia. The government, residents and business people oppose the overlay of another NPA on the 407 NPA in Volusia. Additionally, the greatly fragmented circumstance in Southwest Volusia, which is now divided by municipal, LEC, LATA, and NPA boundaries, all of which are in conflict, needs a measure of relief by the overlaying of 386 NPA which serves the remainder of Volusia County.

Issue 1: What method of area code relief plan should the Commission approve for the 407/321 area codes?

Position: No position except as to Volusia as set forth in Issue 4 below.

Issue 2: What should the dialing pattern be for the method of relief chosen for the following types of calls?

- a. Local
- b. Toll
- c. EAS
- d. ECS

Position: No position except as to Volusia as set forth in Issue 4 below.

Issue 3: When should area code relief be implemented for the 407/321 area codes?

Position: No position except as to Volusia as set forth in Issue 4 below.

Issue 4: What type of mechanisms, not previously considered, if any, should the Commission approve to address Volusia County's area code and local dialing issues, and if so, when?

Position: The 386 NPA should be overlaid on the 407 NPA in Southwest Volusia consistent with standard overlay number assignment practices as soon as practicable. No changes in local dialing requirements are requested.

Issue 5: Pursuant to the Florida Statutes, FCC delegated authority, or both, does the Commission have the authority to require telecommunications carriers to place 386 numbers in their Sanford exchange to allow customers in the Osteen area to get new lines and migrate their existing services to the 386

numbers?

Position: The Commissioner has the power to overlay the 386 NPA in the 407 NPA in Southwest Volusia.

Issue 6: Should this docket be closed?

Position: No Position.

D. Volusia's Questions of Fact

Question 1: Do customers prefer the 386 NPA being overlayed?

Answer: Volusia asserts that the majority of customers prefer the 386 NPA to another NPA being overlayed in 407 NPA Southwest Volusia to avoid creating 3 NPA's in Volusia County.

Question 2: Will an overlay of a new NPA exacerbate confusion in Southwest Volusia?

Answer: Volusia believes the establishment of a third NPA in Southwest Volusia would add to the confusing service circumstance in Southwest Volusia.

E. Questions of Law

Pursuant to the Florida Statutes, FCC delegated authority, or both, does the Commission have the authority to require telecommunications carriers to place 386 numbers in their Sanford exchange to allow customers in the Osteen area to get new lines and migrate their existing services to the 386 numbers?

Position: Volusia asserts that this is the appropriate time to include Southwest Volusia in the 386 NPA existing in the remainder of Volusia County before further fragmentation would occur with the imposition of a third NPA.

F. Policy Questions

Issue 1: Should the FPSC act to relieve the confusion existing and to be compounded by the addition of a third NPA in Southwest Volusia?

Position: Volusia asserts that this is the appropriate time to include Southwest Volusia in the 386 NPA existing in the remainder of Volusia County before further fragmentation would occur with the imposition of a third NPA.

G. Stipulations

Volusia is not aware of any stipulations.

H. Pending Motions

Volusia has no pending motions.

I. Pending Requests

None known.

J. Other Requirements

None known.

K. Decisions

None known.

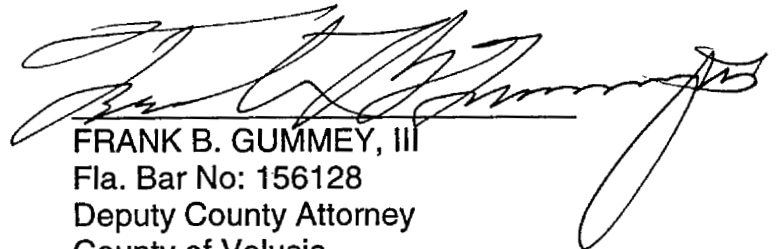
L. Witness Qualification Objections

None known.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been furnished by U.S. Mail to **all parties on the attached service list**, this 25th day of January, 2002.

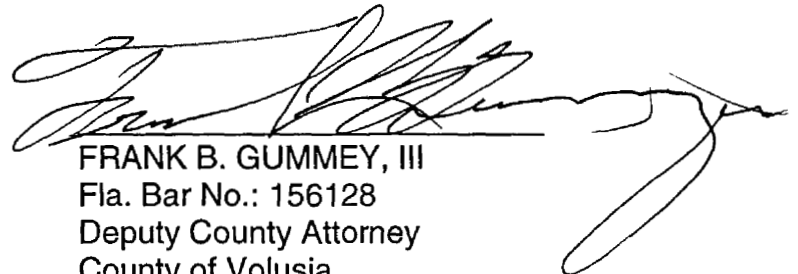
COUNTY OF VOLUSIA



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(386) 736-5950

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail this 25th day of January, 2002 to: Alarm Association of Florida, Inc., Bob Neely, 1802 North University Drive, #329, Plantation, FL 33322-4115; BellSouth Telecommunications, Inc., James Meza III/Nancy B. White, c/o Nancy H. Sims, 150 S. Monroe Street, Suite 400, Tallahassee, FL 32301; City of Deltona Fritz Behring, City Manager, P. O. Box 5550, Deltona, FL 32728-5550; Florida Cable Telecommunications Assoc. Inc., Michael A. Gross, 246 E. 6th Ave., Suite 100, Tallahassee, FL 32303; Florida Public Telecommunications Assoc., Angela Green, General Counsel, 2292 Wednesday Street, Tallahassee, FL 32308-4334; Fowler, Barice Law Firm Carole J. Barice/James A. Fowler, 8 W. Central Blvd., Orlando, FL 32801; Jonathan W. Kyleskwy, III, P. O. Box 7836, Ft. Lauderdale, FL 33329; Katz, Kutter Law Firm, Patrick Wiggins/Natalie Futch, P.O. Box 1877, Tallahassee, FL 32302-1877; Messer Law Firm, Floyd R. Self, Esq., P. O. Box 1876, Tallahassee, FL 32302-1876; Morrison & Foerster Law Firm, Kimberly D. Wheeler, 2000 Pennsylvania Ave., NW, Washington, DC 20006-1888; NeuStar, Inc., Thomas C. Foley, 820 Riverbend Blvd., Longwood, FL 32779; Pennington Law Firm, Peter Dunbar/Karen Camechis, P. O. Box 10095, Tallahassee, FL 32301; Sprint-Florida Incorporated, Mr. F.B. Poag, (MC FLTLHO0107), Tallahassee, FL 32316-2214; Time Warner Telecom of Florida, L.P., Ms. Carolyn Marek, c/o Time Warner Telecom, 233 Bramerton Court, Franklin, TN 37069-4002; VCOG, Marry Curran, 1190 Pelican Bay Drive, Daytona Beach, FL 32119-1381; and Verizon Wireless, Anne Hoskins, 1300 'Eye' Street NW, Suite 400W, Washington, D.C. 20005; and Dana Smith, Verizon Wireless, Six Campus Circle, Room 8322D, Westlake, TX 76262.



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