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September 24 2001

The Honorable Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
301 West High Street, Floor 5A  
Jefferson City, Missouri 65101

FILED<sup>3</sup>

SEP 24 2001

Missouri Public  
Service Commission

Re: Case No. TO-2000-374

Dear Judge Roberts:

Enclosed for filing with the Commission in the above-referenced case is an original and eight copies of Joint Response of Southwestern Bell Telephone Company and Sprint Communications Company, L.P. to Staff's Reply to Responses from Southwestern Bell Telephone Company and from Sprint AND TO Staff's Report of Revised Projected Exhaust Date for 314 NPA.

Thank you for bringing this matter to the attention of the Commission.

Very truly yours,

*Mimi B MacDonald*  
Mimi B. MacDonald

Enclosure

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

**FILED<sup>3</sup>**  
SEP 24 2001

In the Matter of the Petition of the North )  
American Numbering Plan Administrator, )  
on Behalf of the Missouri Telecommunications ) Case No. TO-2000-374  
Industry, for Approval of NPA Relief Plan for )  
the 314 and 816 Area Codes. )

Missouri Public  
Service Commission

**JOINT RESPONSE OF SOUTHWESTERN BELL TELEPHONE COMPANY  
AND SPRINT COMMUNICATIONS COMPANY, L.P. TO  
STAFF'S REPLY TO RESPONSES FROM SOUTHWESTERN BELL  
TELEPHONE COMPANY AND FROM SPRINT AND TO  
STAFF'S REPORT OF REVISED PROJECTED EXHAUST DATE FOR 314 NPA**

COMES NOW Southwestern Bell Telephone Company ("SWBT") and Sprint Communications Company, L.P. ("Sprint"), for their Response to Staff's Reply to Responses from Southwestern Bell Telephone Company and from Sprint and to Staff's Report of Revised Projected Exhaust Date for 314 NPA, states as follows:

1. On September 14, 2001, the Staff of the Missouri Public Service Commission ("Staff") filed a Reply to Responses from Southwestern Bell Telephone Company and from Sprint. In the filing, Staff relies heavily on conversations it had with NeuStar.

2. On September 21, 2001, Staff filed a Report of Revised Projected Exhaust Date for 314 NPA.

3. First and foremost, however, is the need to determine if state pooling trials are really necessary in Missouri for the 314 and 816 NPAs or if Missouri consumers are better served by waiting for the rollout of national thousands-block number pooling. The current forecast reports from NeuStar, as the North American Numbering Plan Administrator ("NANPA"), show that exhaust is not imminent for either the 314 or 816 area codes. On September 21, 2001, NANPA revised the exhaust date for the 314 NPA to reflect that it is not projected to exhaust until the first quarter of 2004. Furthermore, the 816 NPA is similarly not

projected to exhaust until the first quarter of 2004. These projected exhaust dates should allow ample time for the rollout of national number pooling and avoid any burdens associated with state pooling trials. Moreover, NANPA's latest Code Assignment Activity Report shows 150 codes remain in the 314 NPA as of August 31, 2001. On average, there has been one code assignment per month in the 314 NPA in 2001. Likewise, the 816 NPA has 194 codes remaining as of August 31, 2001. Additional codes may also continue to be reclaimed by NANPA and may be made available for assignment. Thus, historical code usage patterns similarly reflect that there is ample time for the rollout of national number pooling and avoid any burdens associated with state pooling trials.

4. SWBT and Sprint strongly disagree with Staff's conclusion that: "it is quite possible that the 314 NPA will not be included in the initial phase of the national roll-out."<sup>1</sup> NeuStar's revision of the projected exhaust date for the 314 NPA, in fact, makes it more likely that the 314 NPA will be a high priority on the FCC's implementation schedule because it now, once again, meets all three criteria set by the FCC for being on the initial roll out schedule. Specifically: (1) the 314 NPA is in jeopardy; (2) the 314 NPA has a remaining life span of at least a year; and (3) the 314 NPA encompasses the City of St. Louis, one of the largest 100 MSAs.<sup>2</sup> Moreover, national number pooling is expected to begin in early 2002. The FCC explained that the schedule for each quarter will contain three NPAs from each of the seven NPAC regions that are within the largest 100 MSAs.<sup>3</sup> There are only 13 MSAs in the SWBT region that are among the top 100 MSAs in the country. Thus, even in the worst case scenario, if

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<sup>1</sup> (See Staff's Report of Revised Projected Exhaust Date for 314 NPA, paragraph 5).

<sup>2</sup> (See Order, In the Matter of Numbering Resource Optimization, CC Docket No. 99-200 and CC Docket No. 96-98, July 20, 2000, paragraph 35).

<sup>3</sup> (See Report and Order and Further Notice of Proposed Rule Making, In the Matter of Numbering Resource Optimization, March 31, 2000, paragraph 161).

the 314 NPA was the last MSA to be scheduled on the national roll out, thousand block number pooling should occur no later than the first quarter of 2003.

5. Since: (a) the forecast for exhaustion in both the 314 and 816 NPAs reflects that exhaustion is not expected to occur until the first quarter of 2004; and (b) thousand block number pooling should be completed no later than the first quarter of 2003, long before the exhaustion of either of these NPAs, the Commission should, at a minimum, wait until the national number pooling schedule has been released prior to making its decision on a state number pooling trial. By waiting to see if the national rollout will occur as expected, the Commission could avoid the burdens that a state trial would put on: (a) the Staff and the industry by way of lost productivity and inefficient use of resources; and (b) the consumers of the State of Missouri who would ultimately have to pay the associated costs of a state number pooling trial.

6. SWBT and Sprint note that it appears that Staff, unfortunately, has only received one side of the story from NeuStar. Specifically, it appears that Staff has only considered the anticipated costs and time constraints NeuStar would experience if a state number pooling trial were implemented. However, service providers such as SWBT and Sprint have costs and resource limitations that NeuStar is not capable of addressing. The Commission should not rely solely on the costs and resource projections of NeuStar as the Pooling Administrator.

7. Contrary to Staff's statements, processes involved with state pooling trials are not "the same process as national pooling, just on a smaller scale." It is incorrect that current state trials "are being maintained through a smaller version of the national pooling guidelines and procedures." The processes involved for SWBT and Sprint to implement a state trial are the

same processes required for the national rollout, and are not on a smaller scale. The guidelines for current state pooling trials are the same guidelines that will be used for national pooling.<sup>4</sup>

8. Service provider costs for state pooling trials must be recovered. The FCC has reiterated that "states conducting their own pooling trials must develop their own cost recovery mechanisms for the joint and carrier-specific costs of implementing and administering pooling trials within their states."<sup>5</sup> SWBT addressed many of its concerns in its comments that were filed on September 4 and Sprint voiced the same concerns in comments filed September 5. Although NeuStar's costs for software conversions may be borne on a regional basis, the costs incurred by service providers will be specific to each NPA and will need to be recovered by a mechanism developed by the Commission. Simply suggesting that NeuStar's costs may be insignificant does not mean that the service providers' costs will likewise be insignificant. In any case, whatever those costs are, they will be borne by Missouri consumers if the Commission orders the implementation of a state number pooling trial. Additionally, Missouri consumers will bear the costs of the national rollout as well. SWBT and Sprint submit that there is not a significant enough consumer benefit from a state number pooling trial to warrant Missouri consumers bearing the costs of two number pooling rollout implementations especially since national number pooling is so close at hand.

9. The FCC in its Numbering Resource Optimization Order planned an implementation schedule for three NPAs per quarter per Number Portability Administration Center (NPAC) region which results in one NPA per month to ensure it "does not strain resources of the national thousands-block number Pooling Administrator and is undertaken

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<sup>4</sup> The FCC ordered all state commissions to conform to the national pooling framework by September 1, 2000. See CC Docket Mo. 99-104, In the Matter of Numbering Resource Optimization, First Report and Order and Further Notice of Proposed Rulemaking, paragraph 159, March 31, 2000.

smoothly.”<sup>6</sup> Even if NeuStar as the national Pooling Administrator does not itself have significant resource limitations or costs associated with a state number pooling trial, this does not mean that this is also applicable to service providers such as SWBT and Sprint. Missouri is in the Southwest region which includes the five SWBT states – Missouri, Arkansas, Kansas, Oklahoma, and Texas. Likewise, Sprint’s local telephone operations in the Southwest region include Missouri, Kansas and Texas<sup>7</sup>. One pooling trial has already been implemented in Texas and four additional pooling trials are already scheduled for October, November, December 2001, and January 2002.

10. Multiple SWBT and Sprint organizations such as Code Administration, Information Technology and Operational Support Systems, and Project Management will need to be involved in activities that support the national rollout of thousands-block number pooling as well as any state pooling trials that may already be ordered.

11. SWBT’s and Sprint’s preparations to meet the national schedule would run concurrent with its preparations to meet the timelines demanded by any state trials. Whether preparing for a number pooling trial or national number pooling, the tasks involved are the same and affect the same work groups. Therefore, preparing for both a state trial and the national rollout simultaneously would put a tremendous strain on SWBT’s and Sprint’s resources. These tasks include verification of multiple operating support systems, billing systems, and central office switch systems to ensure that each of the databases are synchronized with each other. If any active working numbers are in thousands-blocks that will be donated to the pool, intra-service provider port orders must be created to accurately reflect these as “imported” in each of

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<sup>5</sup> DA 01-656, In the Matter of Missouri Public Service Commission’s Petition for Delegation of Authority to Implement Number Pooling in the 816 NPA, March 31, 2001.

<sup>6</sup> Id. at 159.

<sup>7</sup> Additionally, Sprint’s local operations span a total of 19 states and all seven NPAC regions.

the database systems. With the intense scrutiny that must occur to ensure customer connectivity, resources such as computer time and personnel are drained. Without an enormous reallocation of resources, SWBT and Sprint will not be able to undertake additional state trials while simultaneously preparing for the national rollout.

12. Staff states that it has been "informed that any state pooling trials implemented prior to national roll-out will be converted to national pooling over a weekend prior to the national roll-out." SWBT and Sprint are not aware of any documentation from NeuStar or the FCC that provides this information. NeuStar's processes are not inclusive of the conversion carriers must make from other versions of NPAC software to 3.0/3.1 to take advantage of Efficient Data Representation. Conversion to the latest software release will require updates to SWBT's and Sprint's current processes and systems as well as detailed testing.

13. SWBT and Sprint once again reiterate the fact that there is no immediate need for area code relief for the 314 and 816 area codes. Therefore, there is ample time to wait for the national rollout of number pooling in these NPAs even if the rollout is delayed for several more quarters. State pooling trials will not provide any additional benefit to the state commission or Missouri consumers. Instead, it will add additional costs to the telephone bills of Missouri consumers and further constrain the resources of service providers.

14. Finally, the FCC has already ordered the industry to assign numbers sequentially on a thousand-block by thousand-block basis for all growth resources as well as existing numbering resources.<sup>8</sup> Specifically, the FCC ordered as follows:

244. We adopt a flexible requirements which mandates that carriers first assign all available telephone numbers within an opened thousands-block before opening another thousands-block, unless the available numbers in the opened thousands-block are not sufficient to meet a customer request. We note that this

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<sup>8</sup> (See Report and Order and Further Notice of Proposed Rule Making, CC Docket No. 99-200, March 31, 2000, paragraphs 244 through 246).

requirement applies to a carrier's existing numbering resources as well as any new numbering resources it obtains in the future. We believe that such a requirement will adequately protect clean thousands-blocks from unnecessary contamination. We agree with commenting parties who express concern that the strictest sequential numbering requirement we discussed in the *Notice* may be too inflexible to meet customer needs. We believe, however, that the implementation of a requirement to manage thousands-blocks to maximize the availability of clean or lightly contaminated thousands-blocks will increase the efficiency of pooling.

245. Under our requirement, a carrier that opens a clean block prior to utilizing in its entirety a previously-opened thousands-block should be prepared to demonstrate to the state commission: (1) a genuine request from a customer detailing the specific need for telephone numbers; (2) the inability on the part of the carrier to meet the specific customer request for telephone numbers from the surplus of numbers within the carrier's currently activated thousands-block. We believe that this requirement will improve carrier efficiency in utilizing numbering resources, while maintaining carrier flexibility in meeting customer demand. We also acknowledge that this requirement has the potential to forestall other thousands blocks from becoming contaminated – and thus ineligible for possible donation to a pool. We also find the sequential number assignment may improve carrier efficiency in utilizing numbering resources, regardless of whether pooling is implemented.

246. We further require that existing delegations of sequential numbering authority conform to the provisions herein. State commissions are required to conform their existing sequential numbering assignment requirements by January 1, 2001. We recognize the potential inconvenience and confusion from the existence of disparate requirements, and believe that a uniform requirement will be more manageable. To the extent that this requirement and any other requirement articulated in this *Report and Order* conflicts with the Thousand Block Pooling Guidelines, all carriers are required to follow this mandate.<sup>9</sup>

Thus, all carriers are required to assign all available telephone numbers within an opened thousands-block before opening another thousands-block, unless the available numbers in the opened thousands-block are not sufficient to meet a customer request. *Id.* Because this requirement applies to existing numbering resources as well as any new numbering resources carriers obtain in the future, a delay in the rollout of national pooling will not prematurely contaminate blocks or accelerate the need for area code relief.

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<sup>9</sup> (See *Report and Order and Further Notice of Proposed Rule Making*, CC Docket No. 99-200, March 31, 2000, paragraphs 244 through 246).



WHEREFORE, for the reasons described above, Southwestern Bell Telephone Company and Sprint Communications Company, L.P. request the Commission to deny Staff's Motion to Establish Pooling Trials in the 314 and 816 NPAs.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

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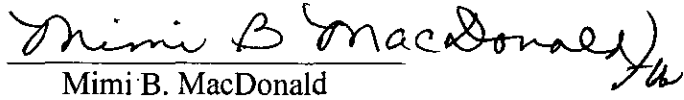
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**CERTIFICATE OF SERVICE**

Copies of this document were served on the following parties by first-class, postage prepaid, U.S. Mail on September 24, 2001.

  
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