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In the Matter of the Implementation of )  
Number Conservation Methods in the St. ) Case No. TO-99-14  
St. Louis, Missouri Area. )

On September 30, 1999, the Commission issued its Report and Order regarding the implementation of the number conservation methods in the St. Louis, Missouri area. On October 8, Southwestern Bell Telephone Company (SWBT) filed an application for rehearing pursuant to Section 386.500, RSMo (1994).

In its application for rehearing, SWBT stated that it is supportive of number conservation efforts but is concerned that individual state number conservation trials would be counterproductive, ineffective and will delay actual number conservation by redirecting resources needed for implementing the national solution. In addition, SWBT requested that the implementation of rate center consolidation option No. 1 be extended from December 31, 1999 to March 1, 2000 to ensure that SWBT can implement the rate center consolidation without any complications or risks that would be raised by Y2K concerns.

SWBT noted in its application that the Federal Communications Commission (FCC) has indicated that it will issue an order regarding number conservation by the end of this year. SWBT expects that as a part of the FCC's order, the FCC will likely mandate a national standard for thousand block number pooling. SWBT stated that the technology used for implementation of interim trials is not efficient and may give rise to additional cost that will be recoverable as carrier-specific cost.

On October 14, the Office of the Public Counsel (Public Counsel) filed its response to SWBT's application for rehearing. Public Counsel stated that it opposes the postponement of the date for implementing the rate center consolidation ordered by the Commission and recommended that if problems arise, SWBT could move for an extension when actually necessary. Public Counsel pointed out that six months' time can be key in dealing with an NXX-code exhaustion situation. Public Counsel also noted that SWBT should be able to proceed with business as usual from now through January 1, 2000 as it has provided assurances that it is Y2K compliant. Public Counsel also noted that SWBT's concerns seem to be mainly with the thousand block pooling trials while there are a number of other number conservation methods available, which include usage thresholds, requiring carriers to submit number utilization data, reclamation of unused and reserved NXX codes, and portions of those codes, sequential number assignments, and hearing and addressing claims of carriers requesting numbering resources outside of rationing procedures. Public Counsel recommended

that the Commission move ahead to file a petition and obtain authority from the FCC immediately.

On October 15, SWBT filed a Motion for Clarification noting that the Commission's Report and Order issued September 29 directed SWBT to implement Rate Center Consolidation Option No. 1 no later than December 31, 1999. SWBT noted that although it is the primary LEC affected by the order, other facilities-based LECs serving in SWBT's St. Louis metropolitan exchange will also need to comply with the order by matching SWBT's rate center consolidation efforts. Therefore, SWBT requests the Commission issue an order clarifying its September 29 order requiring all facilities-based LECs operating in the St. Louis metropolitan exchange to consolidate their rate centers in the manner consistent with SWBT.

In testimony, Craig Unruh stated that the Commission should order SWBT to implement the Option 1 rate center consolidation as quickly as possible. However, the Rate Center Consolidation Report refers to the impact of the rate center consolidation on the incumbent LEC and the competitive local exchange carriers (CLECs). On page 5, the Rate Center Consolidation Report states

The Commission has previously determined, in local certification cases, that competitive local providers must match the incumbent's exchange boundaries. Accordingly, any rate center consolidation plan that might involve exchange boundary modifications for an incumbent LEC would impact competitive local exchange carriers (CLECs) as well. In that regard, it is important to note that section 392.200.9 RSMo Supp. 1997 requires the consent of the affected incumbent

and competitive LECs prior to modifying exchange boundaries.

The Commission received no objections from any competitive LECs to the implementation of Option 1 included in the Rate Center Consolidation Report. Further, all competitive LECs had an opportunity to intervene in this case and participate as a party. With this information provided by the parties, the Commission expects that the changes made to rate centers by SWBT would be made by the competitive LECs to maintain compliance with the Commission's prior orders.

The standard for granting a rehearing or to reconsider an order is whether, in the Commission's judgment, there is sufficient reason to do so. Section 386.500, RSMo. (1994), 4 CSR 240-2.160. SWBT has failed to demonstrate sufficient reason to grant a rehearing requested by SWBT in its application filed October 8. However, the Commission will clarify that its directive to SWBT to implement option No. 1 included the requirement that the competitive local exchange carriers also implement Option 1 of the Rate Center Consolidation Report to continue matching the incumbent LECs exchange boundaries.

The Commission also finds SWBT had planned "programming blackout" from November 1999 through February 2000 as a part of its Y2K compliance plan to ensure a reasonably stable support system environment during the Y2K time frame. Therefore, the Commission will extend the deadline for implementation of the Rate Center Consolidation Option No. 1 to January 31, 2000. The time requested is shortened to avoid unnecessary delay. If additional time is required,

SWBT and the affected competitive LECs may seek an extension of this deadline as required.

**IT IS THEREFORE ORDERED:**

1. That the application for rehearing filed by Southwestern Bell Telephone Company on October 8, 1999, is denied.

2. That Option No. 1 of the Rate Center Consolidation Report shall be implemented no later than January 31, 2000, by Southwestern Bell Telephone Company and all facilities-based competitive local exchange companies operating in the affected service areas.

3. That this order shall become effective on October 28, 1999.

**BY THE COMMISSION**



**Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge**

(S E A L)

Lumpe, Ch., Murray, Schemenauer,  
and Drainer, CC., concur  
Crumpton, C., absent

Register, Regulatory Law Judge

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COMMISSION COUNSEL  
PUBLIC SERVICE COMMISSION