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August 14, 2000

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Mr. Dale Hardy Roberts  
Secretary/Chief Regulatory Law Judge  
Missouri Public Service Commission  
P. O. Box 360  
Jefferson City, MO 65102

RE: Case No. TO-2000-374

Dear Mr. Roberts:

Enclosed for filing in the above-captioned case are an original and eight (8) conformed copies of the **STAFF'S RESPONSE TO OFFICE OF THE PUBLIC COUNSEL'S MOTION REQUESTING COMMISSION TO PETITION FCC FOR NUMBER POOLING AUTHORITY IN THE 816 NPA.**

This filing has been mailed or hand-delivered this date to all counsel of record.

Thank you for your attention to this matter.

Sincerely yours,

*Julie A. Kardis*

Julie A. Kardis  
Assistant General Counsel  
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JAK/lb  
Enclosure  
cc: Counsel of Record

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

FILED<sup>2</sup>

AUG 14 2000

Missouri Public  
Service Commission

Case No. TO-2000-374

In the Matter of the Petition of the North )  
American Numbering Plan Administrator, )  
on Behalf of the Missouri )  
Telecommunications Industry, for )  
Approval of NPA Relief Plan for the 314 )  
and 816 Area Codes. )

STAFF'S RESPONSE TO OFFICE OF THE PUBLIC COUNSEL'S MOTION REQUESTING

COMMISSION TO PETITION FCC FOR NUMBER POOLING AUTHORITY IN THE 816 NPA

COMES NOW the Staff (Staff) of the Missouri Public Service Commission (Commission) and for its response in this matter respectfully states:

1. On August 3, 2000, the Office of the Public Counsel (OPC) filed with the Commission a *Motion Requesting Commission to Petition FCC for Number Pooling Authority in 816 NPA (Motion)*. In its *Motion*, OPC requests the Commission petition the Federal Communications Commission (FCC) for authority to conduct state-sponsored number pooling in the 816 NPA to the same extent the FCC granted the Commission authority in the 314 NPA on July 20, 2000 in the case styled *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-2000 (DA 00-1616).

2. OPC recommends the Commission, in its petition, advise the FCC that the 816 NPA meets two of the three criteria established by the FCC in its March 31, 2000 Order to qualify for pooling trials. *Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC RCD 7574 (2000). Specifically, the 816 NPA is included within the top 100 MSAs and has a remaining lifespan of more than one year. In

addition, OPC recommends the Commission advise the FCC that special circumstances, as provided for in the FCC's March 31, 2000 Order, exist to allow pooling in the 816 NPA.

3. Staff believes there is merit in the OPC's *Motion*. Initially, Staff was informed by FCC Staff that the FCC would choose a national pooling administrator by September. Consistent with that information, the March 31, 2000 FCC Order indicated that federally sponsored pooling trials would begin around June 2001 and that Missouri NPAs could be pooled possibly around this date, but definitely no later than June 2002. However, recently the FCC Staff informed Staff that the FCC has not released its request for proposal (RFP) for the national pooling administrator. If the FCC does not adhere to its original timeline, Staff may need to revise its estimates as to when Missouri NPAs will be pooled.

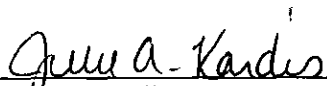
4. In order to implement a state pooling trial in the 816 NPA, the Commission will need to perform similar tasks as those currently being performed by the FCC and other states seeking to implement pooling trials. Such tasks include, but are not limited to, drafting an RFP, analyzing RFP responses and selecting an administrator, establishing pooling standards, negotiating the acquisition of a database software package that is expected to be available in February 2001, and determining a cost recovery mechanism. Missouri may be able to use some of the work performed by the FCC and those states to shorten the lead-time required to implement a pooling trial. Further, Staff notes that the amount of time required by the FCC to consider a petition for authority to conduct a pooling trial in the 816 NPA, even on an expedited basis, is unknown. If the FCC adheres to its original timeline, Staff estimates the time necessary to complete the aforementioned tasks will place the implementation of a pooling trial in the 816 NPA in advance of the federal rollout by, at least, a few months, and, at most, a year.

5. Staff recognizes that there are good reasons for implementing a number pooling trial in the 816 NPA as described in OPC's *Motion*. However, Staff believes that, if the FCC adheres to the original timeline, such a trial will precede the federal rollout by no more than a year and the benefits associated with state sponsored pooling implementation will not outweigh the costs.

6. Therefore, while Staff recommends that the Commission petition the FCC immediately for authority to implement a state-sponsored pooling trial in the 816 NPA, Staff believes that the Commission should wait until December before it decides whether to implement such authority. Staff believes that if the FCC has not issued an RFP to select a national administrator by December, the benefits of implementing state sponsored number pooling in the 816 NPA will begin to outweigh the costs, and, therefore, the Commission should then proceed with implementing number pooling or as soon as FCC authority is granted. In addition, Staff recommends that the RFP process should be initiated as soon as the FCC grants authority to this Commission for number pooling regardless of whether the FCC has issued its RFP. If the FCC has issued its RFP by the end of December, the Commission may consider terminating its RFP.

Respectfully submitted,

DANA K. JOYCE  
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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed or hand-delivered to all counsel of record as shown on the attached service list this 14th day of August 2000.

  
\_\_\_\_\_

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August 14, 2000**

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