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September 4, 2001

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
200 Madison St., Suite 100
Jefferson City, Missouri 65101

FILED²
SEP 4 2001 MS
Missouri Public
Service Commission

Re: **Case No. TO-2000-374**

Dear Judge Roberts:

Enclosed for filing with the Missouri Public Service Commission in the above-referenced case are an original and eight copies of the Response of Southwestern Bell to Staff's Motion to Establish Pooling Trials in the 314 and 816 NPAs.

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

Very truly yours,

Anthony K. Conroy /tm

Anthony K. Conroy

Enclosure

cc: Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³
SEP 04 2001 MS

Missouri Public
Service Commission

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.)

**RESPONSE OF SOUTHWESTERN BELL TELEPHONE COMPANY TO STAFF'S
MOTION TO ESTABLISH POOLING TRIALS IN THE 314 AND 816 NPAS**

COMES NOW Southwestern Bell Telephone Company (SWBT), for its Response to Staff's Motion to Establish Pooling Trials in the 314 and 816 NPAs, states to the Missouri Public Service Commission (Commission) as follows:

1. On April 17, 2001, the Commission issued its Order Extending the 314 NPA and 816 NPA Relief Plan Implementation Dates in this case. In this Order, the Commission extended the implementation dates for the 314 and 816 NPAs and directed the Technical Implementation Subcommittee to file a report no later than August 31, 2001, "providing information to determine whether relief may be extended again for either of the NPAs."

2. On July 13, 2001, Southwestern Bell Telephone Company (SWBT), Cingular Wireless, Verizon, Verizon Wireless, Sprint Missouri, Inc. d/b/a Sprint, AT&T, Lathrop Telephone Company, ALLTEL Missouri, Inc., Cass County Telephone Company, Spectra Communications Group, LLC, MCImetro Access Transmission Services, LLC (WorldCom) and the Staff of the Missouri Public Service Commission filed a Joint Motion to slightly modify the implementation dates originally ordered by the Commission in its April 17, 2001 Order to address various implementation issues.

3. The Technical Implementation Subcommittee Report filed August 31, 2001 provides data from the North American Numbering Plan Administrator (NANPA) that the 314

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NPA will not exhaust for several years based on the 151 codes currently available and an assignment rate of less than 1 code per month in 2001. Likewise, the 816 NPA is not projected to exhaust until 2004 and has an assignment rate of 4 codes per month in 2001 with 180 codes remaining.

4. Southwestern Bell requests that the Commission deny Staff's request for pooling trials in the 314 and 816 NPAs because such trials will result in Missouri consumers bearing the cost of state-sponsored number pooling trials while also bearing the cost of national number pooling. With the current assignment rate and inventory levels in the 314 and 816 NPAs, the national rollout of number pooling has adequate time to be implemented in these NPAs prior to exhaust. However, the FCC has determined that states conducting their own pooling trials must develop their own cost recovery schemes. See CC Docket Mo. 99-104, In the Matter of Numbering Resource Optimization, First Report and Order and Further Notice of Proposed Rulemaking, paragraph 171, March 31, 2000. Therefore, should the Commission choose to order pooling trials in 314 and 816, Missouri consumers will bear the cost of both the state pooling trial and the federal rollout of number pooling. Under the federal rollout, each state's consumers would share the costs nationally, rather than exclusively.

5. The pooling cost to implement a state number pooling trial at this time will be significant. New cost-saving software will likely be used with the national rollout of pooling which is not currently available for a state number pooling trial. This cost-saving software uses Efficient Data Representation ("EDR") to minimize the impact of pooling by consolidating one thousand separate records into one data record (an entire 1,000 block feeds as one line of information). Without EDR, carriers may experience capacity issues with Signal Transfer Points (STPs) as pooling demands increase. Number pooling trials already in place and pending trials

using the NPAC Release 1.4 requires the information to be fed line by line for each number in the 1,000 block. These would have to be converted to the NPAC 3.0/3.1 software packages for the national rollout. The costs associated with these conversions from the NPAC 1.4 release to EDR (NPAC Release 3.0/3.1) would also be borne by Missouri consumers and these costs must be recovered.

6. In its August 31, 2001, report to the Commission, the Subcommittee recommended an additional delay in the 314 and 816 NPA relief plans based upon more current information available to the Subcommittee. The Subcommittee also requested the Commission refrain from establishing new overlay dates and proposed that the Commission direct the Subcommittee to submit a second report to the Commission six weeks after the FCC releases its number pooling schedule. The Subcommittee believes the industry will be in a better position to make a final recommendation to the Commission on the overlay relief plans at that time.

7. Staff has consistently refrained from recommending that a state sponsored number pooling trial be implemented. For example, in its February 21, 2001 Report on State Number Pooling, Staff described the progress being made by the FCC to select a national number pooling administrator and noted that the FCC was "only a few weeks behind its original schedule." Staff recommended that the Commission, "in anticipation of the FCC's procurement of a National Number Pooling Administrator, not take any action toward obtaining a State Pooling Administrator at this time."

8. Likewise, in its April 5, 2001 Response to the Office of Public Counsel's (OPCs) request to begin number pooling in the 314 and 816 NPAs, the Staff requested the Commission to defer ruling OPC's motion concerning a state number pooling trial. Staff noted that the "FCC appears to be moving ahead with national pooling. Staff's Response, p. 3. Staff further stated

that it “anticipates the National Pooling Administrator will begin immediately with number pooling on February 1, 2002.” Staff’s Response, p. 4. Staff noted that it had contacted other state commissions, and according to these contacts, “it appears that a state pooling trial would possibly be commenced about six months after the selection of a state pooling administrator.” Staff’s Response p. 5. Staff also pointed out that under the FCC’s requirements, the state will be required to provide for the recovery of all costs associated with a state pooling trial, in addition to the cost recovery required to convert to federal number pooling.

9. Southwestern Bell reiterates to the Commission that currently there appears to be no immediate need to implement any relief in the 314 and 816 NPAs. In both the 314 and 816 NPAs, NXX codes have not been assigned at the levels previously forecasted by NeuStar and many unused NXX codes have been reclaimed in both NPAs.

10. On August 1, 2001, the industry provided NeuStar updated NXX code utilization and forecast information for 314 and 816. The industry, OPC, and Staff have urged NeuStar to adjust its forecast for both of these NPAs based on the low level of code assignments this year. It is anticipated that NeuStar will release new exhaust forecasts for 314 and 816 by the end of September. It is also anticipated that the proposed national number pooling schedule will be made public by the end of September. Southwestern Bell requests that the Commission wait until the revised forecasts are released before determining the need for state-sponsored number pooling. It is premature to make this decision at this time. In short order, the Commission will have the most accurate information available to determine when the overlays should be implemented in the 314 and 816 NPAs.

11. Southwestern Bell believes that the 314 NPA (the NPA most in need of relief in Missouri) will be a high priority on the FCC’s anticipated implementation schedule and meets

the three following guidelines to begin numbering pooling: 1) The 314 NPA is part of the Top 100 MSAs; 2) it is in jeopardy status; and 3) the current life of the NPA is greater than one year based on the number of available codes and the current assignment history. National number pooling is expected to begin early 2002, with the implementation of three NPAs per quarter per NPAC region. This means that national number pooling will be implemented in three NPAs every quarter in the five-state region where SWBT provides service (i.e., Missouri, Kansas, Arkansas, Oklahoma and Texas). There are only 13 MSAs in the SWBT region that are among the top 100 MSAs in the country so national number pooling should be implemented quickly in the MSAs in the SWBT region including St. Louis and Kansas City.

12. Southwestern Bell reiterates the fact that Missouri consumers will not see the benefit to state number pooling but will instead bear unnecessary costs resulting from a state trial as well as federal charges for pooling. In all likelihood, Missouri will have national number pooling and there will be no need to implement NPA relief in the near future. If the Commission believes number pooling will postpone 314 and 816 NPA relief, then the national rollout of pooling will address this concern and will not result in Missouri consumers paying for costs associated with duplicative number pooling.

WHEREFORE, for the reasons described above, Southwestern Bell requests the Commission to deny Staff's Motion to Establish Pooling Trials in the 314 and 816 NPAs.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

BY Anthony K. Conroy /tm

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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 July 4, 2001.


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