

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION
JEFFERSON CITY**

October 25, 2001

CASE NO: TO-2000-374

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Enclosed find certified copy of a ORDER in the above-numbered case(s).

Sincerely,

A handwritten signature in black ink that reads "Dale Hardy Roberts". The signature is written in a cursive style with a large, stylized "D" and "R".

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a Session of the Public Service
Commission held at its office in
Jefferson City on the 25th day
of October, 2001.

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

)
)
) **Case No. TO-2000-374**
)
)

**ORDER DENYING THE OFFICE OF THE PUBLIC COUNSEL'S MOTION
FOR CORRECTION AND CLARIFICATION
OF THE ORDER DELAYING IMPLEMENTATION OF 314 NPA
AND 816 NPA OVERLAY RELIEF PLANS**

Syllabus:

This order denies the Office of the Public Counsel's motion for correction and clarification filed on October 2, 2001.

Discussion and Decision:

The Public Counsel filed its October 2, 2001 motion for correction and clarification saying that the Commission had incorrectly stated Public Counsel's position at page 3 of the September 25, 2001 order, where the Commission found that: "In filing in support of the Committee's recommendation, the Public Counsel effectively abandoned a previous position advocating a trigger for implementing NPA relief based upon a set number of codes for assignment."

In this proceeding the Public Counsel has advocated that implementation of area code relief for the 314 NPA be delayed until 90 central office codes remained and

similarly that relief for the 816 NPA be delayed until 100 central office codes remained.¹ On July 23, 2001, the Public Counsel filed its Motion to Further Postpone Implementation of Dates for the 314 NPA and 816 NPA Relief Plans "in accordance with Public Counsel's original suggestions." (Page 9 of the motion to postpone implementation dates.)

On August 31, 2001, the Technical Implementation Subcommittee filed its report and recommended, "An indefinite delay in both the 314 and 816 NPA overlay relief plans." On August 31, 2001, the Public Counsel filed Suggestions in Support of the Technical Implementation Subcommittee Report to the Commission on the Extension to the Implementation Dates for the 314 NPA and the 816 NPA Relief Plan urging the Commission to "approve the recommendations of the Technical Implementation Subcommittee Report to the Commission on the Extension to the Implementation Dates for 314 NPA and 816 NPA Relief Plans filed on August 31, 2001."

The Commission accepted the subcommittee's recommendation and ordered an indefinite suspension of the overlay relief plans. The information presented to the Commission showed that the rate of code assignments had slowed dramatically from the time that the relief plans were first ordered.

Public Counsel endorsed the recommendation for an indefinite delay which is contrary to its original position advocating "90" and "100" code trigger points. Public Counsel's recommendation for "90" and "100" code trigger points is not appropriate in

¹ In the Matter of the Petition of the North American Numbering Plan Administrator, on Behalf of the Missouri Telecommunications Industry for Approval of the NPA Relief Plan for the 314 and 816 Area Codes, Case No. TO-2000-374, *Report and Order*, issue date October 24, 2000, effective date November 3, 2000, pages 11 and 12.

light of the present rate of code assignments because these trigger points would require the expense and burden of code relief prior to the time relief is actually needed.

The Commission's September 25, 2001 Order Delaying Implementation of the 314 NPA and 816 NPA Overlay Relief Plans and Dismissing a Party expressly authorizes any party, including the Public Counsel, to move for the Commission's action and for appropriate relief when the facts and circumstances warrant action. The Public Counsel is free to advocate implementation, further delay or any sort of trigger threshold it deems appropriate when, and if, the Commission is asked to take this matter up again.

IT IS THEREFORE ORDERED:

1. That the Office of the Public Counsel's Motion for Correction and Clarification of the Order Delaying Implementation of 314 NPA and 816 NPA Overlay Relief Plans filed on October 2, 2001, is denied.
2. That this order shall become effective on November 4, 2001.

BY THE COMMISSION



Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

(SEAL)

Simmons, Ch., Murray, Lumpe,
and Gaw, CC., concur.

Thornburg, Regulatory Law Judge



ALJ/Secretary: Thornburg/Ryce
Date Circulated 10-23 CASE NO. TD-2000-374
KS
Simmons, Chair
Murray, Commissioner
Lumpe, Commissioner
Gaw, Commissioner
Commissioner
Agenda Date 10-25
Action taken: 4-0 NS
Must Vote Not Later Than _____

STATE OF MISSOURI

OFFICE OF THE PUBLIC SERVICE COMMISSION

I have compared the preceding copy with the original on file in this office and
I do hereby certify the same to be a true copy therefrom and the whole thereof.

WITNESS my hand and seal of the Public Service Commission, at Jefferson City,
Missouri, this 25th day of Oct. 2001.

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



