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August 31, 2001

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P. O. Box 360
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FILED
AUG 31 2001
Missouri Public
Service Commission

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 SECOND PARTIAL RESPONSE TO OFFICE OF THE PUBLIC COUNSEL'S MOTION, AND STAFF'S RESPONSE TO TECHNICAL SUBCOMMITTEE REPORT.**

This filing has been mailed or hand-delivered this date to all counsel of record, and to the Co-chairs and attorney for the North American Portability Management LLC.

Thank you for your attention to this matter.

Sincerely yours,

William K. Haas
Deputy General Counsel
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WKH:sw
Enclosure
cc: Counsel of Record

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

FILED

AUG 31 2001

Missouri Public
Service Commission

In the Matter of the North American)
Numbering Plan Administrator's Petition)
for Approval of NPA Relief Plan for the)
314 and 816 Area Codes.)

Case No. TO-2000-374

**STAFF'S SECOND PARTIAL RESPONSE TO OFFICE OF THE PUBLIC COUNSEL'S MOTION,
AND STAFF'S RESPONSE TO TECHNICAL SUBCOMMITTEE REPORT**

COMES NOW the Staff of the Missouri Public Service Commission and for its response states:

1. On October 24, 2000, the Missouri Public Service Commission issued a Report and Order that adopted an all services distributed overlay as the method of relief for both the 314 and 816 number plan areas (NPAs). The Commission approved implementation schedules for the 314 NPA on December 26, 2000, and for the 816 NPA on February 15, 2001. On April 17, 2001, the Commission issued an Order extending the 314 and 816 NPA relief plan implementation dates. That Order further provided that the technical implementation subcommittees for the 314 and 816 NPAs shall file reports no later than August 31, 2001, providing information to determine whether relief may be extended again for either of the NPAs and suggesting proposed extension dates, if any. The Order also directed the Staff either to file a Report no later than August 31, 2001, providing information to determine whether relief may be extended again for the 314 NPA and 816 NPA, or to indicate its agreement or concurrence in the reports filed by the technical implementation subcommittees.

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2. On July 23, 2001, the Office of the Public Counsel filed a motion asking the Commission to revise the 314 and 816 NPA relief plans implementation schedule. Public Counsel's motion suggests that any further relief planning should cease until the number of available codes falls to 90 in the 314 NPA and to 100 in the 816 NPA. Public Counsel's motion also encouraged the Commission to commence, as a precautionary measure, the process for trial number pooling in the 314 NPA.

3. On July 30, 2001, the Staff filed a motion asking the Commission to extend to August 31, 2001, the deadline for responses to Public Counsel's motion, in order to coincide with the filing deadline for the technical committees' reports. On August 1, 2001, Public Counsel submitted a letter to advise the Commission that Public Counsel has no objection to the Staff's motion.

4. The Staff responded to Public Counsel's request for a number pooling trial in a pleading filed on August 24, 2001, and will address the overlay implementation schedules in this pleading.

5. When the industry met in November 1999 to discuss NPA relief, the 314 NPA was projected to have a demand of 123 codes per year and the 816 NPA was projected to have a demand of 115 codes per year. As Public Counsel's motion notes, a net of only about 10 codes have been used in the 314 NPA in the past three quarters, and there were 151 codes available at the end of June 2001. There were still 151 codes available at the end of July 2001. As Public Counsel also notes, a net of only about 3 codes have been used in the 816 NPA since the end of July 2000, and there were 185 codes available at the end of June 2001. There were 180 codes available at the end of July 2001.

6. Because of the current slow rate of NXX utilization described in Public Counsel's motion, the Staff agrees with Public Counsel's request to revise and extend the implementation schedules of the overlays of the 314 and 816 NPAs. The Staff disagrees with Public Counsel's request that the overlay implementation dates should be tied to the number of assignable codes. The Commission's October 24, 2000 Report and Order already rejected Public Counsel's proposal that relief implementation be delayed until 90 codes remained in the 314 NPA and 100 codes remained in the 816 NPA. (pp. 11-12, 29).

7. In its Report, the technical subcommittee recommends an indefinite delay in implementing both the 314 and 816 overlay relief plans. The technical subcommittee proposes that it file a second report six weeks after the FCC releases its review of the national pooling schedule. The technical committee notes that some parties, including Staff, would urge NeuStar to adjust its forecast for the 314 NPA exhaust.

8. Because of the uncertainty of the rate of NXX usage to be expected in the future and because of the possibility to postpone the exhaust dates through pooling trials, the Staff recommends that it and the other parties should continue to monitor the situation and inform the Commission when circumstances warrant scheduling the implementation of the overlays.

WHEREFORE, the Staff supports the technical subcommittee's recommendation to postpone the overlays and its efforts to have NeuStar adjust its forecasted exhaust for the 314 NPA, but Staff continues to recommend the implementation of state pooling trials in the 314 and 816 NPAs as set forth in the Staff's pleading of August 24, 2001.

Respectfully submitted,

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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 31st day of August, 2001.

Wm K Haas

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Revised: August 31, 2001 (SW)

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