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August 24, 2001

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

FILED²

AUG 24 2001 M

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 PARTIAL RESPONSE TO OFFICE OF THE PUBLIC COUNSEL'S MOTION, AND STAFF'S MOTION TO ESTABLISH POOLING TRIALS IN THE 314 AND 816 NPAS.**

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

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

FILED²

AUG 24 2001 (m)

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 PARTIAL RESPONSE TO OFFICE OF THE PUBLIC COUNSEL'S MOTION, AND
STAFF'S MOTION TO ESTABLISH POOLING TRIALS IN THE 314 AND 816 NPAs**

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

1. This case addresses the need to provide additional telephone numbers in the 314 and 816 Number Plan Areas (NPAs) as well as the consideration and implementation of numbering resource optimization strategies to make more efficient use of limited numbering resources.

2. 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 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 NPA 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. On July 13, 2001, several parties filed a joint motion asking the Commission to

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make minor modifications to the relief implementation dates, for example, to avoid holidays. The motion stated that it was separate from the subcommittees' report due no later than August 31, 2001.

3. 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 also encouraged the Commission to commence, as a precautionary measure, the process for trial number pooling in the 314 NPA.

4. 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.

5. The Staff will address number pooling trials in this pleading and will address the overlay implementation schedules in a later pleading.

6. On August 2, 2001, Southwestern Bell Telephone (SWBT) filed its response to Public Counsel's motion. As regards state number pooling trials, SWBT states that it may be possible to implement national number pooling in both the 314 and 816 NPAs prior to the need for implementing the overlays.

7. On August 3, 2001, Verizon Wireless filed comments regarding Public Counsel's motion. As regards state number pooling trials, Verizon Wireless states that the Commission should yield to the national pooling initiative in which the first round of pooling is scheduled to begin in March 2002.

8. In an Order released on July 20, 2000, the Federal Communications Commission (FCC) delegated to the Missouri Commission the authority to implement thousands-block number pooling in the 314 NPA.¹ In a separate Order released on March 14, 2001, the FCC granted the Missouri Commission the authority to implement a thousands-block number pooling trial in the 816 NPA.² That Order also provides that a state may expand pooling to another Metropolitan Statistical Area (MSA) only after having implemented thousands-block number pooling in the initial MSA and after allowing carriers sufficient time to undertake necessary steps to accommodate thousands-block number pooling.³

9. On June 18, 2001, the FCC named NeuStar as the national pooling administrator.⁴

10. Previously, the Staff has been reticent about proceeding with thousands-block number pooling trials.⁵ At the time of Staff's previous Response, the FCC was close to choosing a National Pooling Administrator (PA) with a potential award date in April. However, the National Pooling Administrator, NeuStar, was not chosen until June 2001. Once selected the PA was required to establish and submit the initial rollout schedule to the FCC's Common Carrier Bureau within sixty days.⁶ NeuStar submitted the schedule to the FCC on August 14, 2001. Based on conversations with NeuStar and other states, Staff has been informed that the FCC will complete a preliminary review of the schedule but will not release it for state review until sometime in mid-September 2001. Various contacts have indicated that once the FCC releases the schedule for state review, there may be a comment/reply cycle. Staff has not been able to

¹ In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, DA 00-1616, ¶ 35.

² In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, DA 01-656, ¶ 28.

³ *Id.* at ¶ 14.

⁴ FCC News Release, June 18, 2001.

⁵ See, Staff's Response to Office of the Public Counsel's Motions Regarding the 314 and 816 NPAs and Staff's Additional Report on Pooling, April 5, 2001.

⁶ Report and Order, CC Docket No. 99-200, FCC 00-104 Released: March 31, 2000, ¶ 166

confirm this information. NeuStar has also indicated it has been unable to confirm with the FCC whether the schedule will be released for comments.

In addition, on August 20, 2001, all state pooling trials, with the exception of one, were transferred from their state pooling administrator to the national pooling administrator. These trials, and any future state pooling trials, will be maintained under the same methodology and technology as national pooling on a smaller scale. Therefore, all state pooling trials will automatically be converted to national pooling separate from the national pooling roll-out schedule. In order to participate in state pooling trials, the trial must be implemented prior to March, 2002.

Implementing pooling trials will extend the lives of the 314 and 816 NPAs, and delay the need for the overlays and the resulting 10-digit local dialing.

For the reasons stated above and the continued delays and uncertainties which, time-wise, are nearing the point of precluding state pooling trials, the Staff now recommends that the Commission implement thousands-block pooling trials in both the 314 and 816 NPAs.

11. Experience in other states has shown that a pooling trial can be implemented approximately three to four months after the first implementation meeting.

12. The Staff proposes that thousands-block number pooling trials be implemented in the 314 NPA on January 2, 2002, and in the 816 NPA on February 1, 2002. Experience in other states has shown that a one-month interval allows carriers sufficient time between implementing pooling trials.

13. The North American Portability Management, LLC, (LLC) was established to manage the Number Portability Administration and membership in the LLC consists of

telecommunications carriers. The LLC represents its member carriers in negotiating state pooling trial contracts with the state pooling administrator selected by the state commissions.

14. So that NeuStar may proceed to implement the pooling trials, the Staff requests the Commission to order the following:

- a) All Local Number Pooling Portability (LNP)-capable code holders in the 314 NPA shall participate in a mandatory thousands-block pooling trial.⁷
- b) All LNP-capable code holders in the 816 NPA shall participate in a mandatory thousands-block pooling trial.
- c) The industry, as represented by the North American Portability Management, LLC, shall enter into a contract with NeuStar for pooling administration services for the two pooling trials.
- d) All code holders in the 314 and 816 NPA shall attend an implementation meeting to be held by NeuStar, as the Pooling Administrator, no later than October 5, 2001.
- e) Thousands-block pooling in the 314 NPA shall be implemented according to the timelines developed at the implementation meeting, with a mandated start date of January 2, 2002.
- f) Thousands-block pooling in the 816 NPA shall be implemented according to the timelines developed at the implementation meeting, with a mandated start date of February 1, 2002.⁸

⁷ Number Pooling can be implemented only where LNP has been deployed.


⁸ Staff has discussed the proposed implementation dates and meeting dates with NeuStar.

- g) Pooling in the 314 and 816 NPAs will be conducted according to the INC
Thousand-Block Pooling Guidelines, as adopted and hereafter modified by
the FCC.
- h) The industry shall file a proposal to allocate and recover the costs of the
pooling trials.

WHEREFORE, the Staff requests the Commission to implement number pooling trials in
the 314 and 816 NPAs.

Respectfully submitted,

DANA K. JOYCE
General Counsel



William K. Haas
Deputy General Counsel
Missouri Bar No. 28701

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

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

AFFIDAVIT OF SARA BUYAK

STATE OF MISSOURI)
) ss
COUNTY OF COLE)

Sara Buyak, of lawful age, being duly sworn upon oath, states as follows:

1. I am employed by the Missouri Public Service Commission as a Research Analyst in the Telecommunications Department.
2. I have read the foregoing Staff's Partial Response To Office Of The Public Counsel's Motion, And Staff's Motion To Establish Pooling Trials In The 314 And 816 NPAs, and know the contents thereof.
3. The statements and matters alleged therein are true to the best of my knowledge, information and belief.



Sara Buyak
Sara Buyak

Subscribed and sworn to before me this 24th day of August, 2001.

DAWN L. HAKE
Notary Public - State of Missouri
County of Cole
My Commission Expires Jan 9, 2005

Dawn Hake
Notary Public

My commission expires _____

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 24th day of August, 2001.

Wm K Hooa

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Case No. TO-2000-374

Revised: August 24, 2001 (SW)

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