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July 27, 2000

FILED³

JUL 27 2000

Missouri Public
Service Commission

The Honorable Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
301 West High Street, Floor 5A
Jefferson City, Missouri 65101

Re: Case No. TO-2000-374

Dear Judge Roberts:

Enclosed for filing with the Commission in the above-referenced case is an original and eight copies of Southwestern Bell Telephone Company's Supplemental Position Statement Pursuant To The Missouri Public Service Commission's Order Directing Responses and Supplemental Position Statements.

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

Very truly yours,

Mimi B. MacDonald /tm

Mimi B. MacDonald

Enclosure

cc: Attorneys of Record

BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI

FILED³

JUL 27 2000

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.)

Missouri Public
Service Commission

**SOUTHWESTERN BELL TELEPHONE COMPANY'S
SUPPLEMENTAL POSITION STATEMENT PURSUANT TO
THE MISSOURI PUBLIC SERVICE COMMISSION'S ORDER
DIRECTING RESPONSES AND SUPPLEMENTAL POSITION STATEMENTS**

Comes now Southwestern Bell Telephone Company ("SWBT") and, for its Supplemental Position Statement Pursuant to the Missouri Public Service Commission's Order Directing Responses and Supplemental Position Statements, states as follows:

1. On July 21, 2000, the Missouri Public Service Commission ("Commission") entered its Notice and Order Directing Responses and Supplemental Position Statements ("Notice and Order") in the above-referenced matter.

2. In the Notice and Order, the Commission noted that on July 20, 2000, the Federal Communications Commission ("FCC") issued its Numbering Resource Order in In the Matter of Numbering Resource Optimization, CC Docket No. 99-200 and No. 96-98, July 20, 2000, ("NRO"). The Commission further noted that the NRO grants the Commission interim authority to institute certain numbering resource optimization measures.

3. In the Notice and Order, the Commission indicates that the parties in this matter may file supplemental position statements with suggestions regarding the Commission's implementation of the NRO. The Commission stated that suggestions may address the procedures the Commission should follow to implement a particular numbering resource optimization strategy, the substantive implementation of a particular numbering resource

optimization strategy, and the impact on the issues of area code relief in this case. As requested, SWBT provides its suggestions herein.

4. In the NRO, the FCC conditionally granted the Commission the authority to institute thousands-block number pooling exclusively in the 314 NPA. NRO, paragraphs 2 and 35. Thousands-block numbering pooling involves the allocation of blocks of one thousand sequential telephone numbers within the same NXX code to different service providers. Id. at 8. The FCC concluded that the states to which it granted authority to institute thousand-block number pooling trials must conduct such trials in accordance with industry-adopted thousands-block pooling guidelines to the extent that the guidelines are not in conflict with the Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, March 31, 2000 ("Numbering Resource Optimization Order"). NRO, paragraph 19. The FCC specified that state commissions to which it granted authority to institute thousands-block numbering pooling trials are responsible for selecting a thousands-block number Pooling Administrator to allocate thousands-blocks to carriers within the area in the state where pooling is implemented. Id. at paragraph 20. The FCC further specified that states conducting their own pooling trials must develop their own cost recovery mechanisms for the joint and carrier-specific costs of implementing and administering pooling within their states. Id. at paragraph 21.

Between the time the Commission requested delegated authority regarding implementing a state number pooling trial in the 314 NPA, and the time the FCC issued its NRO, Neustar, North American Numbering Plan Administrator, revised its projected exhaust date of the 314 NPA from the third quarter of 2001 to the second quarter of 2001. With this revision and the FCC's delay in granting interim authority, the FCC requirement, as set forth in its Numbering Resource Optimization Resource Order, that the NPA in question has a remaining life span of at

least one year, cannot be met. Further, even if the Commission were to implement a state number pooling trial, it would take time to: (a) select a pooling administrator; (b) devise and implement number pooling including allowing sufficient time for carriers to modify their databases and update their switches; and (c) develop a cost recovery mechanism for the joint and carrier-specific costs of implementing and administering pooling. Additionally, implementing a state number pooling trial will not delay the imminent need for area code relief in the 314 NPA. Although SWBT does not believe that implementing a state number-pooling trial is feasible, SWBT supports the establishment of a number pooling technical committee to prepare for the implementation of national number pooling in Missouri.

5. In the NRO, the FCC also conditionally granted the Commission the authority to maintain rationing procedures for six months after area code relief is implemented. NRO, paragraphs 2 and 62. In conjunction with this grant of authority, the FCC conditionally granted the Commission the authority to hear and address claims of carriers seeking numbering resources outside of the rationing process. Id. at paragraph 53. SWBT believes that code rationing is not necessary after area code relief is implemented, particularly with overlays, to ensure that customers in Missouri will be able to obtain their choice of service providers. Nevertheless, these delegations of authority do not delay the immediate need for relief plans in the 314 and 816 NPAs.

6. Additionally, the FCC conditionally granted the Commission the authority to implement NXX code sharing. NRO, paragraphs 2 and 61. At this time, implementation of NXX code sharing should not be pursued because the industry is moving forward with nationwide number pooling. NXX code sharing is an alternative to number pooling and has not

been fully evaluated, as has number pooling¹. Therefore, SWBT urges the Commission to focus its resources and the resources of the industry on deploying national number pooling. Thus, this delegation of authority does not delay the immediate need for relief plans in the 314 and 816 NPAs.

7. Finally, the FCC conditionally granted the Commission the authority to conduct audits of carriers' use of numbering resources within the parameters established by the Numbering Resource Optimization Order. NRO, paragraphs 2 and 60. The FCC indicated that this authority is limited in duration until such time as the FCC enacts national rules or policies relating to auditing carriers' use of numbering resources. Id. at 60. SWBT supports this interim authority as conditioned by the Numbering Resource Optimization Order. SWBT notes, however, that as with the other delegations of authority, this authority does not relieve the need for immediate relief plans in the 314 and 816 NPAs.

8. Although SWBT supports many of the numbering resource optimization measures that are set forth in the NRO, SWBT reminds the Commission that the FCC's grants of authority in that Order are not intended to allow state commissions to engage in number conservation measures to the exclusion of, or as a substitute for, unavoidable and timely area code relief.

¹ The FCC noted in its order that studies regarding the technical and economic feasibility of NXX code sharing and its implications for the delivery of emergency services and network impacts should be conducted before a decision is made to code share (NRO at 61).

NRO, paragraph 11. Rather, the state commissions continue to bear the obligation of implementing area code relief when necessary and implementing such relief in a timely manner. Id. Thus, the Commission should order the implementation of relief plans for the 314 and 816 NPAs.

9. Finally, as requested in the Commission's Notice and Order, SWBT is prepared to address numbering resource optimization strategies and implementation at the hearing of this matter and in its post hearing briefs.

Respectfully submitted,

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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 27, 2000.

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