

BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI

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Missouri Public  
Service Commission

In the Matter of the North American )  
Numbering Plan Administrator's Petition ) Case No. TO-2000-374  
For Approval of NPA Relief Plan for the )  
314 and 816 Area Codes )

**COMMENTS OF VERIZON WIRELESS  
REGARDING THE OFFICE OF THE PUBLIC COUNSEL'S  
MOTION TO FURTHER POSTPONE IMPLEMENTATION DATES  
FOR THE 314 NPA AND 816 NPA RELIEF PLANS**

Verizon Wireless submits comments regarding the Office of the Public Counsel's ("OPC") motion to further postpone implementation dates for the 314 NPA and 816 NPA relief plans. In support of its motion, the OPC states that the status of NXX utilization in both NPAs supports postponement and extension of the relief implementation dates. Verizon Wireless does not disagree in principle with the OPC's position that relief should be implemented only when needed. However, this position must be tempered by the recognition that planning and initial network preparation for relief implementation is necessary now, particularly for the 314 NPA, at least as a back-up measure. Several other states have ordered the industry and NANPA to proceed with planning for relief implementation and to initiate certain relief implementation activities, while delaying the actual cut-over to a new NPA and the related changes in dialing patterns.<sup>1</sup>

<sup>1</sup> Illinois and North Carolina have ordered relief as a back-up to conservation efforts such as thousands block number pooling. By allowing implementation planning and initial network preparation to proceed, these states have enabled relief to commence rapidly, including assignment of NXX codes from the new NPA, without the need for further industry planning. See Order by the Illinois Commerce Commission, Docket No. 98-0497, December 16, 1998; See Order Approving Overlay Option to Provide Area Code Relief by the North Carolina Utilities Commission, Docket No. P-100, SUB 137b, March 13, 2001.

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This approach is qualitatively different from wholesale abandonment of relief implementation until some later point in time as proposed by the OPC. Verizon Wireless supports continued implementation of a back-up relief plan for the 314 NPA because this will give the industry flexibility to implement relief immediately when needed, ensuring continued service to customers, while not disrupting current dialing patterns prematurely or introducing a new area code unnecessarily. One of the advantages of the overlay form of relief adopted by the Commission is that the industry can undertake a significant amount of network preparation without any impact to customers. Carriers should proceed with the necessary network preparation to ensure that relief can be turned up by the second quarter of 2002 if needed to meet the demands of Missouri customers.

**1. The Commission's Conservation Efforts Should Not Delay Implementation of Area Code Relief As A Back-Up Plan**

The OPC's specific proposal is that "the implementation dates be further postponed until such time as the remaining NXX codes in 314 reaches 90 and 100 in 816."<sup>2</sup> Without more justification or analysis, the OPC's specific threshold triggers for relief are arbitrary. The OPC's approach should be modified in several respects: (1) NANPA and the industry should participate in formulation of any revised implementation dates or relief "triggers" that would be based on the pace of demand and other factors affecting relief; and (2) the Commission should order relief implementation, subject to the relief triggers developed in consultation with the industry, at least as a back-up measure that can be finalized quickly when needed.

The FCC did not intend 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.<sup>3</sup> Instead, the FCC intended to give state commissions tools that may help prolong the lives of existing NPAs. Verizon Wireless is encouraged that the Missouri Commission's conservation efforts have helped delay the need for relief. However, the 314 NPA is still projected to require relief in less than one year (2Q2002). The Commission can fulfill its obligation to provide timely area code relief in the 314 NPA, without prematurely opening a new area code, by allowing back-up relief planning and implementation to proceed.

## **2. The Commission's Authority To Conduct Additional Trials Is Limited**

The FCC granted authority to the Commission to conduct mandatory thousands-block number pooling trials in Missouri, subject to certain conditions and safeguards originally enumerated in the *Pennsylvania Numbering Order*.<sup>4</sup> One criterion is that for any NPA which is in jeopardy in which the Commission implements a pooling trial, the Commission must take all necessary steps to prepare an NPA relief plan that may be adopted in the event that number resources in the NPA at issue are in imminent danger of being exhausted.<sup>5</sup> The stated purpose of this requirement is to ensure that state commissions be prepared to implement a back-up NPA relief plan immediately prior to exhaustion of numbering resources so that carriers are never prevented from providing service to prospective customers due to a lack of numbering resources. Further, this

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<sup>2</sup> Office of the Public Counsel Motion, Case No. TO-2000-374, filed July 23, 2001, at 2.

<sup>3</sup> *Numbering Resource Optimization, Order*, CC Docket Nos. 99-200 & 96-98, July 20, 2000, at ¶ 11 (addressing multiple state requests for delegated authority, including Missouri).

<sup>4</sup> *Numbering Resource Optimization, Order*, CC Docket Nos. 99-200 & 96-98, July 20, 2000, at ¶ 17 (addressing multiple state requests for delegated authority, including Missouri).

<sup>5</sup> *Id.*

criterion ensures that carriers continue to have numbering resources available to them in the event that the pooling trial does not stave off the need for relief.<sup>6</sup>

Verizon Wireless supports efforts to conserve numbering resources through number conservation measures such as reclamation and pooling. However, wireless companies will not be pooling-capable until November 24, 2002. While the Commission's interest in pooling is laudable, the Commission still has an obligation to provide full NXX blocks to non-pooling capable carriers with legitimate, customer-driven, need for numbering resources. Fulfillment of this obligation is especially critical for the 314 NPA because it is projected to exhaust by the second quarter of 2002. Pooling is not and should not be viewed as an adequate near-term solution for non-pooling capable carriers operating in the 314 NPA. Pooling may hold more promise for delaying relief in the 816 NPA, which will likely be part of the national pooling rollout.

### **3. NPAs Eligible For Number Pooling Should Be Part of The National Pooling Rollout**

While Missouri was granted interim authority to implement pooling trials in the 314 and 816 NPAs, it has not done so to date, and at this point, the Commission should yield to the national pooling initiative. In its First Report and Order,<sup>7</sup> the FCC concluded that thousands-block number pooling should be administered by a single national pooling administrator in order to ensure consistency and uniformity in pooling administration in a cost-effective manner. However, because of the delay in implementing nationwide pooling until a national administrator was selected, the FCC permitted states to

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<sup>6</sup> *Id.*

<sup>7</sup> *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (rel. Mar. 31, 2000) ("First Report and Order").

implement pooling trials through individual requests for delegation of authority.<sup>8</sup> The delegation of pooling authority was to continue only until national implementation occurred.<sup>9</sup> The interim delegation of authority to state Commissions is no longer necessary because the FCC selected NeuStar as its national pooling administrator on June 18, 2001. The first round of the national implementation is scheduled to begin in March 2002, with the first quarter rollout schedule to be established by NeuStar by August 2001.<sup>10</sup>

The FCC has stated repeatedly that the authority granted to state commissions was interim in nature. "As indicated in the *Numbering Resource Optimization Order*, and in the orders delegating thousands-block number pooling authority to state commissions, the national thousands-block pooling framework, including the technical standards and pooling administration provisions, will supercede these interim delegations of authority to state commissions."<sup>11</sup> State commissions have been on notice that any interim pooling authority would be superseded by national standards. Compliance with a national uniform framework for thousands-block number pooling will result in an efficient and cost-effective roll-out of pooling across the country, and thereby minimize the costs that consumers will eventually bear.<sup>12</sup>

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<sup>8</sup> First Report and Order, ¶ 128.

<sup>9</sup> First Report and Order, ¶ 169.

<sup>10</sup> See June 18, 2001, News Release, announcing selection of NeuStar as National Thousands-Block Number Pooling Administrator.

<sup>11</sup> *Numbering Resource Optimization, Order*, CC Docket Nos. 99-200 & 96-98, July 20, 2000, at ¶ 16 (addressing multiple state requests for delegated authority, including Missouri).

<sup>12</sup> *Numbering Resource Optimization*, Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 9-200 and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200, 16 FCC Rcd 306 at ¶ 46 (rel. Dec. 29, 2000) ("Second Report and Order").

## CONCLUSION

For the foregoing reasons, the Missouri Commission should allow relief implementation for the 314 NPA to proceed as ordered, at least on a back-up basis, so that numbering resources can be assigned when needed by carriers to meet customer demand.

Respectfully submitted,

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