

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
)
New York Department of Public Service)
Petition for Additional Authority to)
Implement Number Conservation)

NSD File No. L-99-21

CC DOCKET 96-98

BELLSOUTH COMMENTS

BellSouth Corporation,¹ on behalf of itself and its affiliated companies (BellSouth), by counsel, hereby comments on the issues raised in Petitioner's request for delegated authority to implement various number conservation measures²

I INTRODUCTION

Petitioner requests delegated authority to order the implementation of mandatory thousand block pooling, individual number pooling, and interim unassigned number porting.³ Petitioner also seeks delegated authority to adopt and enforce number assignment standards including fill rates, NXX code reclamation procedures, utilization surveys, NXX code rationing, enforcement and auditing.⁴ BellSouth, like many other carriers, operates in a number of state

¹ BellSouth Corporation (BSC) is a publicly traded Georgia corporation that holds the stock of companies which offer local telephone service, provide advertising and publishing services, market and maintain stand-alone and fully integrated communications systems, and provide mobile communications and other network services world-wide.

² *Common Carrier Bureau Seeks Comment on New York Department of Public Service Petition for Additional Authority to Implement Number Conservation Measures*, NSD File No. L-99-21, Public Notice DA 99-462 (March 5, 1999) (*Public Notice*).

³ *Public Notice* at 1.

⁴ *Id.*

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jurisdictions. While numbering resource optimization methods are clearly necessary, BellSouth is concerned that states acting pursuant to individual grants of delegated authority may reach inconsistent conclusions to numbering resource problems. These inconsistent conclusions, in turn, would pose complicated and expensive operational and compliance barriers to multi-state and multi-regional carriers.

A national number resource optimization solution is needed. As the Bureau is well aware, the telecommunications industry is currently addressing solutions in the form of developing national standards for thousand block pooling, uniform central office code audit procedures, revised central office code assignment guidelines, and uniform number definitions for enhanced number utilization reporting. The Commission must be selective in its granting of any additional authority to any state so as to avoid undermining the work that has been done at a national level to achieve uniform number resource optimization solutions.

II. PETITIONER HAS NOT DEMONSTRATED THAT MANDATORY THOUSAND BLOCK POOLING IN NEW YORK SHOULD PRECEDE THE PROMULGATION OF UNIFORM NATIONAL THOUSAND BLOCK POOLING GUIDELINES.

Petitioner has prudently and appropriately worked with the industry to implement voluntary thousand block pooling.⁵ Petitioner also recognizes that pooling is not a substitute for area code relief in exhaust situations.⁶ Indeed, if number pooling is to have any real utility, it needs to be implemented at the earliest possible moment in the "life" of an NPA, and not at a point near to or at actual area code exhaust. The INC has recognized this principle:

It does appear however that the benefit associated with pooling -- that is, the ability to better utilize numbering resources and delay the need for NPA relief -- is

⁵ Petition at 6.

⁶ *Id.* at 8.

better realized if pooling is initiated “early in the life” of a given NPA, when there exist a large number of NXX codes still unassigned. It further appears that the implementation of pooling “late in the life” of an NPA, for example when the code is already in a jeopardy situation, is likely to provide relatively little delay in the need for NPA relief.⁷

Yet it appears that the petitioner is seeking authority to order mandatory pooling extremely late in the life of the NPAs in which voluntary pooling is now taking place.⁸ The industry recognizes that the greatest potential benefit from pooling will occur when it is done early in the life of the NPA. Based on forecast data, number pooling trials should be initiated in NPAs at a point in time in which implementation will actually result in prolonging the life of the NPA.

BellSouth serves areas that, like New York, have experienced accelerated central office code exhaust and have implemented a variety of area code relief options over a relatively short period of time. BellSouth therefore is sympathetic with Petitioner’s attempt to arrive at an appropriate resource optimization method. Number pooling, unfortunately, is too little too late for the 212 and 718 numbering plan areas.

A general grant of delegated authority to Petitioner could also lead to a state order mandating number pooling in areas where it is not needed. BellSouth believes that if and when number pooling is implemented, it must be done in a controlled manner so that the results of pooling can be properly assessed to ensure that the benefits derived from pooling are truly in line with the costs incurred. This can only be accomplished if national standards and guidelines are in place and the industry continues to focus on a national solution. Allowing individual states to

⁷ *Initial Report to the North American Numbering Council (NANC) on Number Pooling, Version 2* (Dec. 4, 1997), p. 45, § 14.0.

⁸ Area code 212 has an “expected life of 0 years” while area code 718 has an “expected life of 1 year.” Petition at n. 9.

mandate pooling before the proper assessment can be conducted and before national standards are in place will only hinder the ultimate goal of meaningful number optimization.

III. PETITIONER SHOULD NOT BE GRANTED AUTHORITY TO CONDUCT INDIVIDUAL TELEPHONE NUMBER POOLING.

Thousands-block pooling offers a potential solution to number administration and assignment problems caused by relatively inefficient utilization of NXX codes in a competitive wireline telecommunications market by creating a reservoir of numbers, within each rate center, to fill service provider demand. Thousands-block pooling, rather than individual telephone number pooling, should be deployed in targeted, limited trials. The industry needs to focus its resources on one methodology in order to ensure proper implementation. On various occasions, and in various forums, the industry has agreed that thousands block pooling is the form of pooling that should be implemented. Individual telephone number pooling will be much more expensive, and will take much longer to implement. Thousands block pooling, once uniform standards are adopted, can probably be implemented within a period of two years. It is only after additional trials of thousands block pooling have been conducted, and after additional data has been collected, that any incremental benefits of individual telephone number pooling can be evaluated in light of the costs of implementation.

IV. PETITIONER SHOULD NOT BE GRANTED DELEGATED AUTHORITY TO ORDER UNASSIGNED NUMBER PORTING.

The porting of unassigned telephone numbers is not a number conservation measure. Both the INC and CLC Ad Hoc Committee on Short Term NXX Exhaust concluded that unassigned number porting was not a number conservation method and that it was not worthy of further evaluation. The NRO Report states that individual telephone number pooling will require

five to seven years before it can be implemented.⁹ Petitioner is requesting the use of unassigned number porting as a stop-gap measure “until ITN pooling becomes widely available.”¹⁰ The last thing the industry needs is to be required to implement a five to seven year stop-gap measure that has already been rejected by the industry.

Unassigned number porting does not allow any service provider inventory. While this is bad for all carriers, it is particularly critical to wireless carriers, whose subscribers are accustomed to and expect instant activation. Unassigned number porting will, if implemented, cause chaos in the industry. It will result in poor forecast data because carriers would be required to take into account possible number “raiding” from other carriers, and thus be incented to pad forecasts. This in turn could actually accelerate NXX exhaust. In addition, unassigned number porting could further result in contests among carriers for vanity numbers. It is a largely manual process and is prone to systemic error. It simply adds no value in an NPA jeopardy situation and should never be deployed.

V. THE COMMISSION NEED NOT DELEGATE THE ENFORCEMENT AUTHORITY SOUGHT BY PETITIONER

The enforcement authority sought by the Petitioner is the proper function of the Commission and the industry. The industry itself needs to resolve issues such as NXX fill rates, utilization and inventory levels. Significant negative impacts on customer service could result if fill rates are not determined appropriately. Related to the concept of fill rates is the issue of sequential block usage. BellSouth supports voluntary industry efforts to move toward sequential block usage in areas where thousands block number pooling is deployed on a trial basis. Such

⁹ Petition at 10.

¹⁰ *Id.*

assignments would help identify contaminated and non-contaminated blocks in preparation for pooling, and minimize contamination of additional thousands blocks.

These issues, together with modifications to the central office code assignment guidelines relating to reclamation, utilization, forecasts, audits, jeopardy and aging procedures are best examined in the current fora. Also, the critical issues of number pooling administration and number pooling impacts on the Number Portability Administration Centers (NPACs) are under investigation. In summary, all these critical issues are currently being addressed by working groups under the North American Numbering Council (NANC) or by the Industry Numbering Committee (INC). At this point in time, industry work at the national level must be allowed to continue in a manner that will not divert limited industry numbering resources.

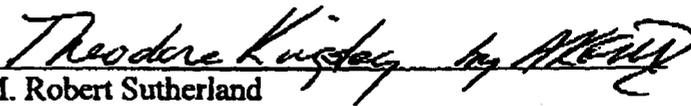
Furthermore, the NANPA should be charged with obtaining and managing telephone number utilization data in a uniform nationwide manner. States such as Petitioner should have the ability to review aggregated data when necessary for the states to perform their delegated roles for area code relief. Data collected through forecasts, audits and during the normal course of performing code administration should be treated as confidential in any context.

CONCLUSION

Important work currently being accomplished at the national level must not be undermined by inconsistent state requirements. The grants of authority requested by Petitioner appear to be so broad as to potentially result in inconsistent number resource optimization requirements. The petition should therefore be denied.

Respectfully submitted,

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Date: April 5, 1999

CERTIFICATE OF SERVICE

I certify that I have this 5th day of April, 1999 served all parties to this action with a copy of the foregoing BELLSOUTH COMMENTS by hand delivery or by placing a true and correct copy of the same in the United States Mail, postage prepaid, addressed to the parties listed below:

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