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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington DC 20554

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Common Carrier Bureau
Network Service Division
Office of the Chief

Massachusetts Department of)
Telecommunications and Energy's)
Petition for Waiver of Section 52.19)
To Implement Various Area Code)
Conservation Methods in the 508,)
617, 781, and 978 Area Codes.)

File No. NSD-L-99-19

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Comments of Focal Communications Corporation of Massachusetts

APR - 7 1999

Focal Communications Corporation of Massachusetts hereby submits its

Federal Communications Commission
Office of Secretary

comments in response to the Petition by the Massachusetts Department of

Telecommunications and Energy (DTE) seeking additional authority to implement

various area code relief options in the eastern portion of Massachusetts.

The Massachusetts DTE has requested authority from the FCC to (1) reclaim unused and reserved exchange codes; (2) maintain the current central office code rationing measures for at least six months after implementation of all area code relief plans; (3) revise rationing procedures; (4) hear and address claims of carriers seeking additional codes outside of the rationing plan; (5) set code allocation standards; (6) institute thousands block pooling; (7) implement extended local calling areas; (8) implement inconsistent rate centers; and (9) implement unassigned number porting.

As discussed below, while Focal does not agree with all of the DTE's proposals, Focal nevertheless salutes and supports the DTE's efforts to tackle the sometimes difficult subject of NXX conservation and allocation while balancing the various needs of consumers and competitors. Focal therefore generally supports the DTE's request for additional authority to investigate and implement NXX conservation methods.

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(1) Authority to reclaim unused and reserved codes. (Focal supports)

There is evidence that some carriers have not activated all of the exchange codes that they have been assigned in eastern Massachusetts. If a carrier does not have an operational or technical reason for activating the code, then the code should be returned in accordance with the Central Office Code Assignment Guidelines¹. If a carrier does not, for whatever reason, return the unactivated codes to the code administrator, Focal urges the FCC to grant the DTE authority to require that such unactivated codes be returned to the code administrator. Return of such unactivated codes has already extended the life of area codes in Illinois and the same practice would assist in Massachusetts.

(2) Maintain the current central office code rationing measures for at least six months after implementation of all area code relief plans. (Focal does not support)

Focal is concerned that maintaining the current code rationing measures once an area code is relieved would prohibit carriers from obtaining codes. Instead of maintaining the current code rationing practices following relief, the DTE should be instead implement number pooling, which is generally considered to have a greater effect on lengthening an area code's life if it is introduced in the beginning of an area code rather than at the end. Focal therefore recommends that the DTE not be granted additional authority to maintain existing rationing measures following relief.

¹ INC 95-0407-008, Reissued January 27th, 1999, Section 6.3.3.

(3) Revise rationing procedures (Focal supports)

Due to the dynamic nature of the telecommunications sector, the numbering situation could very easily change in eastern Massachusetts, especially if carriers return un-activated codes and number conservation measures are put in place. The DTE should therefore have the ability to change or eliminate rationing procedures as conditions change and such requirements become less necessary or ineffective. Without such authority, ineffective rationing procedures would remain in place and hamper the efforts of carriers to obtain numbers to serve their customers.

(4) Hear and address claims of carriers seeking additional codes outside of the rationing plan (Focal supports)

Carriers who need to seek additional codes outside of the rationing process should be able to address such claims to the DTE for resolution. This should be a quicker process for resolution of carriers' claims, rather than going to the FCC, in large part because the DTE would have greater understanding of the local numbering situation and would be in a better position to hear and dispose of that specific claim.

(5) Set code allocation standards (Focal does not support)

Focal is concerned as to what the DTE might intend by "code allocation standards." Except in an extreme jeopardy situation, a carrier should be able to receive codes that they request as long as the carrier needs the code to provide service and receives the code in accordance to accepted allocation guidelines. Uniformity in the North American Numbering Plan (NANP) is crucial in providing fair and equitable phone service nation wide. Although there can be some latitude given to

state commissions in the case of a jeopardy NPA, the overall order and consistency of the NAPA should not be compromised by varying local rules.

(6) Institute thousands block pooling. (Focal supports)

Number pooling has been implemented so far in two other areas in the country: Illinois and New York. It has been the experience of Focal that number pooling has enabled carriers to get numbering resources that are necessary to serve customers needs in a shorter period of time by using thousands block pooling. Pooling also eliminates the need to get a whole NXX if a smaller amount of numbers will suffice for the foreseeable future. Number pooling has, in the case of NPA 847, in combination with other conservation measures forestalled the exhaust of 847 and the implementation of the 224-overlay code. Number pooling has also made numbering resources possible in NPA 212 where NXX codes have not been available for over a year. Number pooling will give carriers access to numbering resources and will help to forestall exhaust in eastern Massachusetts.

(7) Implement extended local calling areas for CMRS. (Focal takes no position)

(8) Implement inconsistent rate centers. (Focal does not support)

Although the Massachusetts DTE has allowed CLECs to designate rate centers that are inconsistent with those of the incumbent, this method may cause more problems than it would cure. A CLEC could designate the entire portion of LATA

128 to be one rate center. Any other company, be it the incumbent or another CLEC, would have difficulty in rating calls made by their end users to end users in the inconsistent rate centers. A better method would be to consolidate the incumbent's rate centers, which will likely cause the market to follow.

(9) Implement unassigned number porting. (Focal supports)

Unassigned Number Porting (UNP) is the ability of one carrier to request unassigned numbers from another carrier's inventory in order to meet a customer's request.

The greatest benefit would be that the exhaust of an NPA would be forestalled by greater utilization of the existing numbering resources. For example, a carrier may need three hundred numbers for a customer in a certain rate center where such carrier does not have an NXX code. If a carrier could port the three hundred numbers from another carrier with available numbers, rather than requesting an entire NXX code with 10,000 numbers, the NXX would be saved for use in another part of the NPA or for a new entrant.

A further benefit is that carriers would be able to acquire numbering resources in a much quicker time frame than the current standard for a new central office code of 66 days. This would help carriers who need numbers for a customer in a rate center where they do not have an open NXX.

An additional benefit for customers is that they could more likely receive numbers meeting their dialing plan needs. For example, if a business customer wishes to expand its DID block and its current carrier does not have available phone numbers