

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of
Petition of Maine Public Utilities Commission

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NSD-L-99-27

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OPPOSITION OF BELL ATLANTIC

In the *Pennsylvania Order*,¹ the Commission invited states to request “additional, limited, delegation of authority” to implement specific telephone number conservation plans.² The Commission recognized that states, after consultation with the North American Numbering Council (“NANC”), could serve as important laboratories for testing new ideas, but emphasized the need for a uniform national numbering system.³ The Maine Public Utilities Commission (“MPUC”) petition, however, seeks numbering administration authority far beyond what the Commission contemplated in the *Pennsylvania Order*, in that it does not ask for “additional, limited delegation,” but rather describes a variety of number administration methods and asks for broad authority to adopt any or all of them. Bell Atlantic,⁴ therefore, urges the Commission to

¹ *Memorandum Opinion and Order on Reconsideration*, 13 FCC Rcd 19009 (1998) (“*Pennsylvania Order*”).

² *Pennsylvania Order* ¶ 31.

³ *Pennsylvania Order* ¶ 31 and ¶ 21, noting that “substantial social and economic costs would result if the uniformity of the North American Numbering Plan were compromised by states imposing varying and inconsistent regimes for number conservation and area code relief.”

⁴ Bell Atlantic-Delaware, Inc.; Bell Atlantic-Maryland, Inc.; Bell Atlantic-New Jersey, Inc.; Bell Atlantic-Pennsylvania, Inc.; Bell Atlantic-Virginia, Inc.; Bell Atlantic-Washington, D.C., Inc.; Bell Atlantic-West Virginia, Inc.; New York Telephone Company; New England Telephone and Telegraph Company; and Bell Atlantic Mobile.

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deny the MPUC petition, but to remain open to consideration of specific proposals that would advance the ultimate goal of a uniform national approach to number administration.⁵

In addition, because the petition asks for relief not delegated to the Bureau in paragraphs 31 and 57 of the *Pennsylvania Order*, the Bureau does not have authority to grant this petition, and the relief the MPUC seeks can be granted only by the Commission.⁶

The MPUC asks for authority to adopt its own NXX code assignment rules, including mandatory fill rates and “needs-based” criteria, and to reclaim codes under a variety of circumstances.⁷ This request is inconsistent with the *Pennsylvania Order* and should be rejected for the reasons given by the Commission:

“If each state commission were to implement its own NXX code administration measures without any national uniformity or standards, it would hamper the NANPA’s efforts to carry out its duties as the centralized NXX code administrator. In that event, the NANPA would have the potentially impossible task of performing its NXX code administration and area code relief planning functions in a manner that is consistent with both Commission rules and industry guidelines, as well as fifty-one different regimes for overall NXX code administration. Further, a lack of consistency in NXX code administration could interfere with forecasting and projections for exhaust of the North American Numbering Plan and could force implementation of a new plan earlier than would otherwise be necessary to ensure that numbers are always available for telecommunications service providers.”⁸

If the Commission finds it appropriate to reform the number administration guidelines, it should direct the NANPA to work with the industry to develop technologically and commercially feasible alternatives nationwide.

⁵ Details and specifics are essential for the industry and the Commission to determine whether a particular proposal will advance the development of nationally applicable number administration measures.

⁶ The MPUC also has not made the factual showing necessary to support a waiver of Commission rules. It has not shown, for example, that conditions are so different in Maine than in other states that the normal rules should not apply there.

⁷ Petition at 5.

⁸ *Pennsylvania Order* ¶ 33.

The Commission should also not permit the MPUC to implement unassigned number porting ("UNP")⁹ because it is inconsistent with, and would divert industry and regulatory resources from, thousand-block pooling. In recommending thousand-block pooling, the NANC concluded that UNP would require new processes, system development, guidelines and administration. Attempting to implement UNP with thousand-block pooling would only complicate and delay that effort, while providing no appreciable optimization benefits. For example, UNP would undermine efforts of carriers to preserve uncontaminated blocks of numbers for donation to number pools. Pooling will be most effective if uncontaminated blocks are available when it is implemented.

Conclusion

Bell Atlantic agrees with the MPUC that number utilization can and must be improved, but we differ on the path to a solution. Bell Atlantic urges the Commission to take action on a consistent nationwide plan for thousand-block pooling, with appropriate cost recovery mechanisms. In the meantime, the Commission should only consider state petitions for limited authority to undertake specific plans designed to further uniform national number administration practices.

Respectfully submitted,



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Dated: May 3, 1999

CERTIFICATE OF SERVICE

I, Mary Liz Hepburn, hereby certify that on this 3rd day of
May 1999, a copy of the foregoing Bell Atlantic Opposition was served
by US Mail on the following parties. Where indicated with an asterisk,
service was via hand-delivery.


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