

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

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In the Matter of

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Maine Public Utilities Commission's
Petition for Additional Authority
To Implement Number Conservation
Measures

)
)
) NSD File No. 99-27
)
) CC DOCKET: 96-98
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Common Carrier Bureau
Network Service Division
Office of the Chief

REPLY COMMENTS
OF THE
UNITED STATES TELEPHONE ASSOCIATION

The United States Telephone Association (USTA) hereby files its reply comments to the comments filed on the Maine Public Utilities Commission (Maine) petition for additional authority to implement various number conservation measures in the above-captioned proceeding.¹ USTA filed comments on the petitioner's request.

In its petition, Maine sought delegated authority to establish number assignment and utilization standards, order interim unassigned number porting (UNP), and order thousand number block pooling. USTA's comments urged the Commission to deny the Maine petition and to address on a generic basis the matters raised by Maine and other individual states in their waiver petitions.

¹ Public Notice, DA 99-638, released April 1, 1999 (Public Notice).

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The comments filed on the Maine petition follow the pattern established in this and the California and Pennsylvania petitions before it, with a few notable instances commented upon below.

AT&T supports further exploration of unassigned number porting (UNP), but also offers caution in its implementation.² Specifically, AT&T states that, "At this point, however, UNP remains undeveloped and not yet ready to be implemented in any meaningful way. Moreover, once UNP is finally developed, it may not prove to be as cost-effective as thousands block number pooling."³ AT&T then continues to urge the Commission "to proceed forthwith with the creation of nationwide standards for thousands block pooling, and to ensure that those standards can be implemented before authorizing experiments with other less developed number conservation methods."⁴

USTA endorses this as good advice. It is consistent with USTA's position.⁵ The Commission should not authorize individual states to experiment with UNP, given the problems and uncertainty absent any national structure. This advice is valid in any of the jurisdictions that have asked for authorization to experiment with UNP. As with the other states' petitions seeking similar relief, this request should be denied.

² AT&T Comments at 8.

³ *Id.*

⁴ *Id.*

⁵ USTA Comments at 5-7.

In contrast to AT&T's prudent statement of caution, MCI Worldcom, a long time advocate of UNP, continues to advocate a "three-tiered approach" to UNP.⁶ Indeed, MCI Worldcom seeks to engage in debate with Maine in its comments as to the design of the experiment that Maine should conduct. MCI Worldcom provides its support for "authorizing the MPUC to establish a UNP trial for footprint establishment in cases where a carrier anticipates that it will require fewer than twenty-five numbers in a given rate area...."⁷ MCI Worldcom's comments descend into design considerations of UNP. Such advocacy is misplaced in this proceeding. It attests to the highly experimental and controversial nature of UNP and is in stark contrast to AT&T's prudent advice.

USTA takes note of the Joint Comments of the Pennsylvania Office of Consumer Advocate and the Maine Public Advocate Office (State Advocate Comments) in which these designated representatives of "public utility ratepayers" advocate minimal federal guidelines for number optimization methods, including thousand block pooling, UNP and rate center consolidation. The State Advocate Comments further maintain that "such guidelines should not restrict states in their implementation of number conservation methods but allow states to use the methods best geared toward resolving their local concerns leaving it entirely to the state commissions when and how to address their individual situations."⁸

The record of this proceeding is replete with statements of caution concerning the option of individual states to craft and require implementation of

⁶ Comments of MCI Worldcom at 7.

⁷ *Id.* at 7-8.

unique versions of conservation⁹ measures.¹⁰ The State Advocates ask the Commission to delegate to individual state jurisdictional powers that are totally undefined. If the ability to experiment with undefined "home grown" ideas is granted by the Commission, then other states will line up and ask for the same authority.¹¹ The result could lead to chaos on a national scale and, if this is permitted, may make it virtually impossible for the Commission to restore any semblance of order to the numbering conservation process in the future. It would also increase costs to the industry. Furthermore, it is possible that some of the suggestions made by the State Advocates, if implemented, could actually increase the usage of numbers. Such effects could prevent the industry from developing an accurate estimate of the life of the current 10 digit plan. None of these results would benefit public utility ratepayers in any state.

The industry is applying its best efforts to develop plans and measures that can be applied nationwide, and which are supported on a broad basis in the industry as workable methods for achieving number conservation. Such a process takes time, and cannot be immediately expected to respond to the pressures put on individual state commissions. USTA again implores the Commission to reject such

⁸ Comments of State Advocates at 9 (emphasis added).

⁹ In this context, USTA considers the term "conservation" to be consonant with effective use of numbering resources. Measures that artificially restrict assignment of adequate numbering resources for the legitimate business needs of telecommunications service providers constitute artificial constriction of supply. Such measures should only be implemented in extreme cases and cannot be sanctioned in the long term.

¹⁰ See, e.g., Comments of USTA at 2-4.

¹¹ Indeed, a number of states have already filed petitions seeking authority to implement a host of number conservation measures.

suggestions and "stay the course" toward development of a rational and effective program that does result in conservation of precious numbering resources.

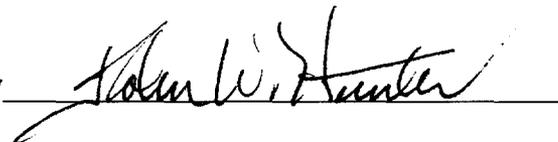
Consistent with this course of action, USTA again urges the Commission to take those procedural steps that may be required to stop what has the promise of becoming an endless parade of "me too" state petitions seeking expansive and unwarranted number conservation authority. The Commission urgently needs to affirm the conclusions of the Pennsylvania Order so that the industry can focus its attention on activities that will actually result in more efficient use of numbering resources on a national scale. Suggestions such as those made by the State Advocates should be rejected.

Conclusion

For the reasons stated above and in USTA's comments, the petition of Maine should be denied.

Respectfully submitted,

UNITED STATES TELEPHONE ASSOCIATION

By 

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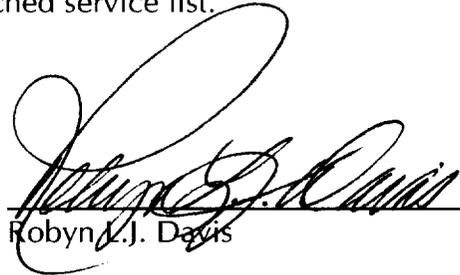
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CERTIFICATE OF SERVICE

I, Robyn L.J. Davis, do certify that on May 17, 1999, Comments of the United States Telephone Association were either hand-delivered, or deposited in the U.S. Mail, first-class, postage prepaid to the persons on the attached service list.



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