



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE  
REFER TO OUR FILE

July 30, 1999

Magalie Roman Salas, Secretary  
Federal Communications Commission  
Portals II  
445 12 Street, S.W.  
TW-B204F  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL  
RECEIVED

AUG 02 1999

FCC MAIL ROOM

Re: Number Resource Optimization Notice of Proposed Rulemaking  
CC Docket No. 99-200  
NSD File No. L-99-17  
NSD File No. L-99-36

Dear Secretary Salas:

Enclosed for filing and consideration in the above-captioned proceeding is the Comment on Numbering Resource Optimization on behalf of the Pennsylvania Public Utility Commission. An original and four (4) copies are included. Additionally, I have enclosed a copy to be time-stamped and returned to me in the attached self-addressed envelope.

Our comments are crucial to the Commission's consideration of the filing, and address important underlying issues of state concern.

Very truly yours,

David E. Screven  
Assistant Counsel

Enclosures

cc: As per Certificate of Service

No. of Copies rec'd 0+4  
List ABCDE

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Connecticut Department of Public	)	RM No. 9528
Utility Control Petition for Rulemaking	)	
to Amend the Commission's Rule	)	
Prohibiting Technology-Specific or	)	
Service-Specific Area Code Overlays	)	
	)	
Massachusetts Department of	)	NSD File L-99-17
Telecommunications and Energy	)	
Petition for Waiver to Implement a	)	
Technology-Specific Overlay in the	)	
506, 617, 781, and 978 Area Codes	)	
	)	
California Public Utilities Commission	)	NSD File L-99-36
and the People of the State of California	)	
Petition for Waiver to Implement a	)	
Technology-Specific or	)	
Service Specific Area Code	)	

**RECEIVED**  
AUG 02 1999  
**FCC MAIL ROOM**

**COMMENT on NUMBERING RESOURCE OPTIMIZATION on behalf of the  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**I. Introduction and Overview**

The Pennsylvania Public Utility Commission ("PaPUC") submits its comment to the Federal Communications Commission ("the Commission") in the above-captioned proceeding. The PaPUC is the state regulatory body charged with the regulation of wireline telecommunications carriers providing service in the Commonwealth of Pennsylvania and has previously commented to this Commission on matters related to numbering exhaust and the increased consumption of numbering resources by telecommunications carriers.

On June 2, 1999, the Commission issued a Notice of Proposed Rulemaking ("NPRM") examining a variety of measures that would ensure the increased efficiency with which telephone numbering resources are utilized so as to prolong the life of the North American Numbering Plan ("the NANP"). The Commission recognized that promoting the efficient utilization of numbering resources and establishing effective conservation measures would curtail the rate that new area codes from the NANP are assigned.

In the context of the NPRM, the Commission seeks comment from interested parties in an effort to resolve the underlying issues contributing to the premature exhaust of the NANP. This issue is of great interest and importance to the PaPUC, therefore, we submit this comment as a means to aid the Commission in establishing national standards for effectively maximizing the utilization of numbering resources so that the cost and inconvenience associated with rapidly implementing new area codes can be avoided.

#### I. Administrative Measures

The Commission acknowledged in the NPRM that there are certain administrative as well as technical measures that could be implemented to promote the more efficient use of numbering resources. The PaPUC is of the belief that the absence of effective administrative controls on the manner in which telecommunications carriers obtain numbering resources from the North American Numbering Plan Administrator ("the NANPA") is one of the many significant factors contributing to the inefficient use of numbering resources.

- A. The industry-developed guidelines need to be revised so that the NANPA is empowered to ensure the efficient utilization of NANP numbering resources

Numbering administration is an area over which the FCC has declared sole jurisdiction.<sup>1</sup> Pursuant to Section 251(e)(1) of the Telecommunications Act of 1996 ("TA-96 or the Act"), 47 U.S.C. § 251(e)(1), the Commission created the NANPA, an independent and impartial non-government entity, and delegated to it the function of administering NANP numbering resources.<sup>2</sup> The Federal rules, as well as TA-96, mandate that the NANPA administer the NANP numbering resources in a fair, equitable, and efficient manner.<sup>3</sup> To fulfill this task, Section 52.13(b) of the Code of Federal Regulations, 47 C.F.R. § 52.13(b), states in pertinent part that, "It [the NANPA]. . . shall assign and administer NANP [numbering] resources. . . consistent with [the] industry-developed guidelines and Commission regulations."

Consequently, the mechanism that the NANPA primarily relies on in administering and allocating NANP numbering resources is the industry-developed guidelines. Therefore, the guidelines should ensure the efficient utilization of the NANP numbering resources. The guidelines, however, have done little to constrain the ability of carriers to hoard numbers or to obtain numbers without a showing of immediate need. The guidelines lack the appropriate provisions to ensure the efficient utilization of numbering resources and are truly ineffective in their current form.

---

<sup>1</sup> 47 U.S.C. § 251(e)(1), 47 C.F.R. § 52.3.

<sup>2</sup> 47 C.F.R. § 52.13.

<sup>3</sup> 47 C.F.R. § 52.9(a) 1-3.

The PaPUC recognizes that it is the laxness of the industry guidelines which prohibits the current third party, the NANPA, from effectively administering the NANP numbering resources. Nonetheless, a third party must be empowered to ensure the efficient utilization of numbering resources by telecommunications carriers. As a result, many states have expressed the need for a greater role in the administration and allocation of numbers and believe they are in a better position to administer numbering resources. The PaPUC believes, however, that the NANPA should continue to function as the neutral code numbering administrator as envisioned and directed by the Commission and as long as the NANPA is given the necessary tools to allocate numbering resources efficiently.

The PaPUC asserts that the industry guidelines must be strengthened so that a greater degree of discipline is incorporated into the process of allocating and administering numbering resources. Indeed, under the current system coupled with the advent of competition, it is difficult for any industry participant to have the sufficient incentive to use numbers efficiently. Since the members of the industry have not shown the propensity to police themselves or the self-control to discontinue abusing the numbering process to advance their own self-interests, the PaPUC recommends that the guidelines be modified so that they are more prescriptive in form.

Accordingly, the Commission must take this necessary action so as to ensure that the NANPA evolves into the independent industry body that can effectively administer such a limited and important public resource as the NANP numbers. The PaPUC believes that once the NANPA is given the appropriate provisions in the guidelines it will begin to ensure the increased efficiency with which telecommunications carriers use scarce telephone numbering resources. The PaPUC, therefore, urges the Commission to direct the North American Numbering Council ("the NANC") to modify the guidelines immediately so that

the NANPA can maximize efficiency in the manner that numbers are allocated and assigned to carriers. However, in the likelihood that the NANPA hesitates to assume this role, or the authority is not granted, state commissions should be allowed to petition the Commission and request the delegation of authority to assume numbering administration duties.<sup>4</sup>

- B. The industry-developed guidelines need to be revised so that the NANPA can impose adequate constraints on the ability of telecommunications carriers to obtain NXX codes efficiently.

As the administrator of the NANP, NANPA's duties also entail functioning as the Central Office Code Administrator ("the CO Code administrator").<sup>5</sup> In performing these duties, the NANPA assigns CO or NXX codes to telecommunications carriers upon receipt of their application. The PaPUC notes that the current industry guidelines prohibit the NANPA from requiring the carrier to provide any additional explanation or justification for any item it has certified.<sup>6</sup> Only in those rare circumstances where certification by itself does not provide the NANPA with sufficient information to fulfill the code assignment request is the NANPA permitted to request additional dialog or written documentation from the carrier.<sup>7</sup> Based upon this, the PaPUC believes that the guidelines need to be modified immediately so that the NANPA is given the appropriate authority to initiate verification measures as to be able to administer the NANP numbering resources effectively.

---

<sup>4</sup> See generally 47 U.S.C. § 251(e)(1) and 47 C.F.R. § 52.9(b).

<sup>5</sup> 47 C.F.R. § 52.15.

<sup>6</sup> CO Code Guidelines at §2.10 (rev. April 26, 1999).

<sup>7</sup> Id.

For instance, according to the CO Code Guidelines, in order to obtain an initial CO/NXX code or growth code, all the applicant needs to demonstrate to the NANPA is that the applicant has obtained the proper authorization from the regulatory body for the area where the NXX code is to be utilized.<sup>8</sup> Since the NANPA essentially is precluded from verifying the carrier's information, it is sufficient for the carrier merely to self-certify to the NANPA that they possess the proper certification, and the NANPA must assign a NXX code to the carrier. Due to this practice, the PaPUC learned, afterward, that some unscrupulous carriers had obtained NXX codes even though the PaPUC had never certified them to provide service in Pennsylvania.

The PaPUC subsequently informed the NANPA about the carriers and based upon these experiences, the NANPA made an independent internal policy change and recently began initiating contact with the PaPUC to verify whether a carrier is certified to provide service in Pennsylvania. The PaPUC notes that this policy change is not reflected in the current guidelines, nevertheless, the PaPUC believes that this is not an enormous obligation upon the NANPA. Moreover, it has been our experience that PaPUC staff takes no more than two business days to respond to the NANPA's inquiry. The PaPUC, therefore, urges the Commission to modify the guidelines immediately so that this policy change of independently verifying a carrier's information with the appropriate state commission prior to issuing the carrier a NXX code is properly incorporated.

Still, ensuring that carriers have the proper certification from the regulatory body before they are issued a NXX code is just a small step towards preventing the inefficient allocation of numbers. In addition, the PaPUC believes that allowing carriers to obtain a 10,000 block of numbers before their network is ready to

---

<sup>8</sup> CO Code Guidelines at §§ 2.4 and 4.1.4 (rev. April 26, 1999).

provide service to a single customer needs to be addressed since this practice also is a major contributor to the inefficient allocation of scarce numbering resources.

Section 253(a) of the TA-96 states in pertinent part, "No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." To be in accord with this section of the Act, the PaPUC modified its traditional entry and certification procedures regarding telecommunications providers seeking to provide service in Pennsylvania. As a result, upon the proper filing and service of its application, a telecommunications provider seeking to provide intrastate or interstate service is issued a Secretarial Letter which grants "provisional authority". Provisional authority is a term coined by the PaPUC and it is a unique regulatory status that "certifies" the telecommunications carrier and permits it to commence the provision of service in Pennsylvania. It should be noted that when provisional authority is granted to the carrier, its application has not yet been approved by the PaPUC and no certificate of public convenience issued.

Moreover, in this "certification" process, the PaPUC does not inquire whether the applicant has any existing facilities to provide service to the public as it would for other jurisdictional utilities seeking to provide service. Consequently, the carrier's network or facilities may not even be established when it is granted provisional authority. Notwithstanding, since the carrier is "certified," it can still obtain a NXX of 10,0000 numbers from the NANPA for any local exchanges within which the CLEC wishes to compete. Since the carrier would be merely holding the code in its inventory until its network is finally completed and ready to provide service, this results in the highly inefficient distribution of numbering resources.

The PaPUC is of the belief that Section 253 is not applicable to the NANPA. The Commission mandates through the Federal rules that the NANPA assign NANP resources in an efficient manner. To this end, the PaPUC urges that the guidelines be revised so that the NANPA is empowered to impose adequate constraints on a carrier's ability to obtain numbers for which it has no immediate need. The NANPA, therefore, should be permitted either to withhold allocating an initial code or growth code from an applicant until the applicant has verified to the NANPA that it has established facilities to provide service and has the ability to activate the code or be permitted to allocate codes numbers in partial blocks of thousands to meet the carrier's current demand for the numbers. Additionally, the PaPUC also believes that activating a NXX code or placing it "in service" should entail more than just the activation of the code through the transmission of the Local Exchange Routing Guide ("the LERG"), but also should require that the carrier has begun to assign the numbers within the NXX code to end-users. If not, the NANPA should have the authority to reclaim the codes as will be discussed below.

1. The current needs-based test in the industry-developed guidelines is an inadequate constraint on the ability of telecommunications carriers to obtain numbers without having an immediate need for them.

The PaPUC asserts that the lack of a true "needs-based" test in the allocation of additional codes or growth codes also allows carriers to stockpile numbers for which they have no immediate need. Although the current guidelines require that the applicant for a NXX code "certify a need" to the NANPA in order to obtain NANP numbers, this so-called "needs-based" test is extremely inadequate. Essentially, all the NANPA ensures is that the applicant has properly

filled out its growth code(s) request form and then merely fulfills the applicant's request.

Hence, carriers are literally able to wipe out the available numbers in a newly created NPA. For example, in Pennsylvania, the 724 NPA came into existence when the PaPUC approved a geographical split of the 412 NPA in western Pennsylvania. The geographical split was commenced in February of 1998 and fully implemented by the end of April of 1998. Thus, the 724 NPA has been in existence less than two years. Meanwhile, according to the CO Code Administrator, upon its activation, one carrier received 82 CO codes and a second carrier received 31 CO codes in the 724 NPA. These two assignments alone consumed over one million numbers to serve any or an unknown number of customers. At the time the 724 NPA was created, it was projected to last approximately six (6) years. However, based upon 1999 COCUS projections, the 724 NPA will exhaust in the third quarter of 2001, three years earlier than expected, and NPA relief planning activities have already commenced. This is a prevailing dilemma facing the states, and this scenario will continue to occur because telecommunications providers are allowed to request and obtain codes without any evidence of immediate need to serve any existing customers.

The PaPUC agrees with the Commission that the current needs-based test is an inadequate mechanism for oversight, and urges the Commission to modify the guidelines immediately so that applicants are required to provide data that supports their need to obtain additional numbering resources throughout the life of a particular NPA. Moreover, the NANPA should be instructed to no longer allocate any additional numbering resources to an applicant, unless the applicant's data demonstrates a satisfactory showing of need.

2. Carriers should be required to submit the utilization level of the NXX codes they possess because it is an objective measurement of the carriers' need for additional codes.

When attempting to determine an applicant's need for additional numbers, the PaPUC believes that the NANPA should rely on an objective measurement such as a utilization threshold level. It has been the experience of the PaPUC that a Months-to-Exhaust Worksheet is too subjective and not an accurate indicator of a carrier's need.

For instance, a carrier recently filed a petition with the PaPUC alleging that it was facing imminent exhaust of its numbering supply in a NPA in which it conducted business.<sup>9</sup> The NPA in which the carrier alleged that it needed additional numbers had been declared to be in jeopardy by the NANPA and a numbering relief plan had already been proposed and subsequently approved by the PaPUC. Nevertheless, the carrier alleged that the exhaust of its numbering supply would occur months before the implementation of the new area codes and the activation of the NXX codes from them. Therefore, the carrier requested that the PaPUC order the neutral code administrator to release to it two NXX codes in the old area code. To support its claim, the carrier submitted exhibits with its petition, including a Months-to Exhaust Worksheet, as evidence that it was facing the imminent exhaustion of numbers in the NPA and immediately needed two NXX codes. Staff from the PaPUC, in order to verify the carrier's claim,

---

<sup>9</sup> The PaPUC was granted the authority by the Commission to address the claims of those carriers requesting NXX codes outside the current number conservation rationing plan. *See Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Order Regarding Area Codes 412, 610, 215, and 717, and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration, FCC 98-224, CC Docket No. 96-98, NSD File No. L-97-42, (rel. September 28, 1998)(Pennsylvania Numbering Order).*

performed an independent evaluation on the data that the carrier had provided by comparing it with the historical usage reports that the carrier had been instructed to submit to the PaPUC in the past months.<sup>10</sup> Based upon these reports, the PaPUC determined that the conclusions of the Months-to-Exhaust Worksheet the carrier had submitted as evidence, and which was based strictly upon the carrier's marketing projections, were inaccurate. The PaPUC, however, was able to confirm that the carrier was in need of one additional NXX until the NXX codes from the newly implemented area codes were released.

On the whole, relying upon a utilization threshold level is superior to a Months-to-Exhaust Worksheet as a means of verifying a carrier's need for numbers since it more accurately reflects a carrier's actual historical experience rather than just relying on the carrier's "good faith" marketing projections. Additionally, a utilization threshold level also serves as a check on the ability of carriers to hoard numbers or otherwise obtain excessively large inventories of numbers. Accordingly, the PaPUC believes that carriers should be required to have achieved a "fill rate" or utilization threshold level prior to requesting growth codes from the NANPA. A minimum fill rate will enhance the ability of the NANPA to require more efficient and effective use of numbering resources and decrease the rates that new NXXs will have to be assigned. Therefore, the PaPUC believes that the Commission should establish mandatory national utilization threshold levels for all telecommunications carriers so that the NANPA can verify their need for numbers throughout the life of a particular NPA.

---

<sup>10</sup> See Secretarial Letter dated September 11, 1997; *Opinion and Order, Petitions of NPA Relief Coordinator re: 412, 215/610, and 717 Area Code Relief Plan Dockets P-00961027, -00961061, -00961071, entered October 23, 1997.*

- C. Telecommunications providers should be instructed to submit utilization and forecast data so the NANPA can accurately forecast the exhaust of NXX codes and verify a carrier's need for additional codes in a NPA.

The guidelines need to be revised immediately so that the NANPA is authorized to collect information on the utilization of numbering resources in order to project future demand for numbering resources by carriers and forecast NPA exhaust dates reliably. Currently, carriers are asked to provide only their forecast data to the NANPA via the Central Office Code Utilization Survey (COCUS). The COCUS requests information on the total number of NXX codes assigned to a carrier in each NPA, and the carrier's forecasted demand over the next five years. However, since there is no requirement on the industry to respond to the COCUS, many carriers fail to submit one. As a result, the COCUS is an unreliable indicator of number resource optimization in NPAs. The PaPUC urges the Commission to modify the guidelines so that all users of numbering resources must supply forecast data as well as utilization data to the NANPA.

In order to allocate numbering resources efficiently and to accurately forecast NPA exhaust dates, the utilization and forecast data submitted to the NANPA should be submitted on a quarterly basis. The PaPUC also believes that in order for the utilization report to be truly effective it should reflect data at the rate center level. The PaPUC, therefore, urges that the Commission include in the federal rules that all users of numbering resources must supply forecast and utilization data to the NANPA not only so the NANPA can allocate numbering resources efficiently but also for reporting and record-keeping purposes.

Concerning the confidentiality of this data, the PaPUC believes that the Federal rules require the NANPA to provide adequate safeguards to protect the

proprietary nature of any utilization or forecast data it receives from carriers.<sup>11</sup> Moreover, state commissions have no incentive to disclose any confidential data they acquire about a carrier. Thus, states should be allowed to obtain utilization data submitted by all carriers from the NANPA. States should have access to aggregate utilization data at any time, since it does not show carrier-specific information. Additionally, states should also have access to carrier-specific utilization data. For instance, when the PaPUC collects utilization data from carriers, if a carrier indicates that its utilization data is to be kept confidential, the PaPUC uses the same procedures it customarily follows to protect proprietary tariff information.

- D. The timelines in the reclamation rules of the industry-developed guidelines should be revised to ensure better recycling of NXX codes.

The PaPUC believes that modifications need to be made to the current timelines in the industry-developed guidelines so that better recycling of unused NXX codes is achieved and carriers are unable to hold on to numbers. In order to initiate the reclamation process, the NANPA should be permitted to verify whether a carrier has activated the NXX code. The current guidelines allow a carrier to hold a code as long as it will be placed "in service" within six months of the code's assignment.

The PaPUC, however, urges the Commission to revise the guidelines so that the NANPA is instructed to initiate the reclamation of a NXX code that has not been activated within three months of the code's assignment to the carrier. The reclamation process should be initiated by the NANPA thirty days after the expiration of the three-month activation date of the NXX code. This essentially

---

<sup>11</sup> 47 C.F.R. § 52.13(c)(7).

gives the carrier a 30-day grace period to activate the code and assign numbers from the code to end-users. Additionally, if the carrier has failed to request an extension before the activation date has expired, the PaPUC believes it should be deemed as waiving its right to request an extension of time.

Likewise, the timeline for activation of codes that have been reserved by carriers for various reasons should also be revised. Furthermore, when a local exchange carrier abandons service, the regulatory body should inform the NANPA of the abandonment so that if the carrier received any NXX codes, the NANPA can reclaim them.

Moreover, when the guidelines are revised, those carriers that have obtained codes without showing immediate need, or hold an excessive number of unused and underutilized NXX codes in their inventory, or have not established facilities and activated their codes, should not be "grandfathered". The NANPA should be able to reclaim such codes on a retroactive basis. Furthermore, the NANPA should be able to reclaim partial NXX codes if a mandatory national thousands-block pooling scheme is implemented as described below.

## II. Technical and Number Conservation Measures

The PaPUC commends the Commission for attempting to address the numbering crisis and recognizing that more efficient and longer-term solutions are necessary so as to ensure the efficient optimization of telecommunications numbering resources. The PaPUC, therefore, encourages the Commission to implement the above-mentioned administrative and regulatory measures which take definite and immediate steps to ensure that telecommunications numbering resources are effectively administered by the NANPA and allocated more efficiently to telecommunications carriers.

However, because of the overwhelming costs associated with attempting to expand the NANP and crafting solutions to resolve the number exhaust problem,

the PaPUC believes that the Commission should also introduce conservation methods that effect optimization of scarce numbering resources. In other words, in addition to any stricter administrative measures the Commission establishes, the Commission must also establish uniform national numbering conservation strategies that optimize the use of finite numbering resources.

The PaPUC recognizes that effective number conservation measures can improve number use in NPAs, prolonging their lifespans, and also enhance competition. Consequently, the PaPUC asserts that the Commission establish a nationwide roll-out of mandatory thousands-block pooling that is initially limited to the largest 100 Metropolitan Statistical Areas ("MSAs") where local number portability has been implemented. Number pooling allows service providers in a given area to receive numbers in blocks smaller than the traditional 10,000. Through number pooling, participating carriers can effectively share resources from one 10,000 block NXX code in a rate center rather than receiving an entire 10,000-block NXX code for which it may not have the ability to use. Additionally, the PaPUC also urges the Commission to extend the deployment of mandatory thousands-block to those areas outside the 100 largest MSAs when local number portability becomes available as a requirement.

The PaPUC strongly urges the Commission to immediately establish national guidelines for mandatory thousand-block pooling and select a Pooling Administrator. The PaPUC is also of the belief that only state commissions should have the sole authority to opt in or opt out of the nationwide thousands-block pooling for those NPAs under their jurisdiction. Further, when mandatory thousands-block pooling is implemented, state commissions should be permitted to order reclamation of underutilized and unused NXX codes in single thousand number blocks to the NANPA.

Additionally, the PaPUC believes that individual telephone number pooling (“ITN pooling”) is an even more effective numbering resource optimization measure than thousands-block pooling. Therefore, the PaPUC urges that thousands-block pooling be implemented in manner that will ease a transition to ITN pooling when ITN pooling becomes a viable solution in the future.

The PaPUC recognizes that number conservation is not a substitute for those areas in need of immediate area code relief. Indeed, because of the inability to order effective number conservation measures, the Pennsylvania Public Utility Commission has considerable experience with the increasing exhaust of area codes. At this time, the PaPUC stands unarmed against the dilemma of NXX codes being depleted in the 412 and 724 NPAs. The PaPUC is in the unenviable position of standing on the sidelines and watching two area codes under its jurisdiction exhaust three years ahead of their projected lifespans.

The Commission has delegated only limited authority to state commissions for numbering relief planning purposes. In its *Pennsylvania Numbering Order*<sup>12</sup>, the Commission again reiterated its position that state commissions’ authority in number conservation matters is limited to implementing only three forms of area code relief: overlays, geographic splits, and boundary alignments.

Notwithstanding, the PaPUC is of the belief, consistent with its pending Petition for Reconsideration to the Commission’s *Pennsylvania Numbering Order*, that states should be delegated authority to implement additional conservation measures that address numbering concerns when the industry is unable or unwilling to address them satisfactorily. Similarly, the Commission should

---

<sup>12</sup> *Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Order Regarding Area Codes 412, 610, 215, and 717, and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration, FCC 98-224, CC Docket No. 96-98, NSD File No. L-97-42, (rel. September 28, 1998).*

delegate additional authority for the states to implement other number conservation measures and should establish national standards for them. States must be permitted to implement effective number optimization measures which should be instituted at the outset of the implementation of NPAs so that the NXX codes within the NPA are used efficiently. Therefore, states should be allowed to implement those conservation measures that are responsive to their local needs such as code-sharing, mandatory sequential numbering of NXX codes, and authorizing unassigned number porting between carriers.

Moreover, the PaPUC also desires this Commission to allow states the option of exercising such authority, both before and after area code and numbering relief plans have been implemented. State commissions have no motivation for using numbering resources in a discriminatory or anti-competitive manner. Likewise, state commissions are better suited to weigh the competing interests among the industry and public and render a decision on numbering relief that is beneficial to both to telecommunications carriers and the public.

Therefore, the PaPUC encourages the Commission to act in an expeditious manner on these issues so states facing numbering concerns are equipped with the weapons to reduce the rapid implementation of new area codes within their jurisdiction and prevent the premature exhaust of the NANP.

Respectfully submitted,



David E. Screven  
Assistant Counsel

Frank B. Wilmarth  
Deputy Chief Counsel

Bohdan R. Pankiw  
Chief Counsel

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Dated: July 30, 1999

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Connecticut Department of Public	)	RM No. 9528
Utility Control Petition for Rulemaking	)	
to Amend the Commission's Rule	)	
Prohibiting Technology-Specific or	)	
Service-Specific Area Code Overlays	)	
	)	
Massachusetts Department of	)	NSD File L-99-17
Telecommunications and Energy	)	
Petition for Waiver to Implement a	)	
Technology-Specific Overlay in the	)	
506, 617, 781, and 978 Area Codes	)	
	)	
California Public Utilities Commission	)	NSD File L-99-36
and the People of the State of California	)	
Petition for Waiver to Implement a	)	
Technology-Specific or	)	
Service Specific Area Code	)	

**Certificate of Service**

I, David E. Screven, hereby certify that I have this 30th day of July, 1999, served an original and four correct copies of the Comment on Numbering Resource Optimization on behalf of the Pennsylvania Public Utility Commission upon the Secretary of the Federal Communications Commission by Federal Express and the other persons listed below by first class mail:

Federal Express:

Magalie Roman Salas, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12 St., S.W.  
Suite TW-B204F  
Washington, D.C. 20554

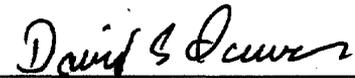
First Class Mail:

Alvin McCloud  
Network Services Division  
Common Carrier Bureau  
445 12 St., S.W.  
Room 6-A423  
Washington, D.C. 20554

International Transcription Services, Inc.  
1231 20th Street, N.W.  
Washington, D.C. 20036

Karlen J. Reed, Esquire  
Commonwealth of Massachusetts  
Department of Telecommunications  
One South Station  
Boston, MA 02110

Lawrence G. Malone  
General Counsel  
Public Service Commission  
of the State of New York  
Three Empire State Plaza  
Albany, NY 12223-1350



---

David E. Screven  
Assistant Counsel

Pennsylvania Public Utility Commission  
P.O. Box 3265  
Harrisburg, PA 17105-3265

Dated: July 30, 1999