ORIGINAL

KELLEY DRYE & WARREN LLP
A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS
1200 19TH STREET, N.W.
SUITE 500
WASHINGTON, D. C. 20036
(202) 955-9600

NEW YORK, N.Y.
LOS ANGELES, CA.
MIAMI, FL.
CHICAGO, IL.
STAMFORD, CT.
PARSIPPANY, N.J.

BRUSSELS, BELGIUM
HONG KONG

AFFILIATED OFFICES
NEW DELHI, INDIA
TOKYO, JAPAN

FACSIMILE
(202) 955-9792

JUDITH ST.LEDGER-ROTY
DIRECT LINE (202) 955-9879
E-MAIL: jstledgerroty@kelleydrye.com

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AUG 31 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

August 31, 1999

VIA HAND DELIVERY

Magalie R. Salas, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Notice of *Ex Parte* Presentation by the Personal Communications Industry Association

***Numbering Resource Optimization* – CC Docket No. 99-200, RM No. 9258, NSD File Nos. L-99-17, L-99-36 and L-99-55**

Dear Ms. Salas:

Pursuant to Sections 1.1206(b)(1) and (2) of the Commission's Rules, the Personal Communications Industry Association ("PCIA"), by their attorneys, submit this notice in the above-captioned docketed proceeding of an oral *ex parte* presentation made and written *ex parte* materials distributed on August 27, 1999 during a meeting with Yog Varma – Bureau Chief Common Carrier Bureau, Blaise Scinto, – Department Chief, Common Carrier Bureau, Jared Carlson – Network Services Division, Common Carrier Bureau, and David Furth, Senior Legal Advisor, Wireless Telecommunications Bureau. The presentation was made by Robert L. Hoggarth, Senior Vice President, Paging and Messaging, PCIA, and Harold Salters, Director of Government Relations, PCIA, Judith St. Ledger-Roty and Todd D. Daubert, both of Kelley Drye & Warren LLP. Copies of the written materials distributed at the meeting are attached hereto.

During the presentation, PCIA discussed concepts presented in and raised by the attached position paper entitled "Numbering Administration: Next Steps." PCIA discussed ways in which the Commission could move expeditiously to ensure efficient number utilization, the need

for encouraging the states to maximize rate center consolidation, and resolution of the pending state petition for additional authority to implement number conservation methods.

Pursuant to Sections 1.1206(b)(1) and (2), an original and two copies of this *ex parte* notification (with attachments) are provided for inclusion in the public record of the above-referenced proceeding. We would be pleased to provide additional copies of the paper and its appendix, upon request. Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

Judith St. Ledger-Roty

cc: International Transcription Services
Yog Varma
Blaise Scinto
Jared Carlson
David Furth

PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION

PRESENTATION IN

NSD FILE NO. L-99-55

CC DOCKET NO. 96-98

Robert L. Hoggart
Senior Vice President

Harold Salters, Director
Government Relations

Personal Communications Industry Association

Judith St. Ledger-Roty
Todd D. Daubert
Kelley Drye & Warren LLP
1200 19th Street, N.W.
Suite 500
Washington, D.C. 20036
(202) 955-9600

Its Attorneys

NUMBERING ADMINISTRATION: NEXT STEPS

I. THE FCC SHOULD DEMONSTRATE TO THE STATES AND THE INDUSTRY ITS COMMITMENT AND ABILITY TO MOVE EXPEDITIOUSLY TO ENSURE EFFICIENT NUMBER UTILIZATION.

A. The FCC should take immediate steps to ensure the accuracy of information on which numbering decisions are based.

Reporting Requirements

- Make mandatory reporting of information to NANPA effective immediately.

- Immediately adopt the hybrid COCUS model, modified to require LNP capable carriers to report utilization by 1000 block.

- Adopt uniform definitions (for reserve codes, available numbers, etc.) so that reporting is consistent throughout the nation.

- Require reporting in this manner nationally as soon as industry and NANPA believe achievable with accuracy (e.g., Dec. 1, 1999).

Code Reclamation

- Require carriers to return excess codes to NANPA by December 1, 1999.

- Grant NANPA the express authority to reclaim unused NXX codes and (or 1000 Blocks where 1000 Block pooling has been implemented) and to deny codes to carriers who do not report code utilization or do not meet utilization thresholds.

Enforcement

- Announce that spot "audits" to judge compliance with the FCC's rules may begin on February 1, 2000.

B. The FCC should announce their commitment to adopt a national numbering plan by year's end.

- Rate Center Consolidation
- Pooling
- % Utilization Criteria
- Unassigned Number Porting
- Further Expansion of NANP

II. THE FCC SHOULD STRONGLY ENCOURAGE STATES TO ORDER RATE CENTER CONSOLIDATION IMMEDIATELY IN ORDER TO ACHIEVE MAXIMUM NUMBERING UTILIZATION.

III. AFTER THE FCC IMPLEMENTS THE ABOVE, IT SHOULD ACT ON THOSE STATE PETITIONS SEEKING ADDITIONAL AUTHORITY RE "CONSERVATION" METHODS.

A. The measures PCIA proposes would moot most of the currently pending state petitions.

- Moots Texas, Connecticut, Wisconsin requests for NXX code and 1000 Block Number Reclamation.

- Moots audits and enforcement requests.

B. Other State Petitions Should Be Denied Because They Request Authority to Implement Measures That Discriminate Unreasonably Against Specific Industry Segments, or Carriers Within Those Segments.

- Requests to Relitigate Technology Specific Overlays (e.g., California's and Connecticut's) Should Be Denied.

- Requests for waivers of the 10 digit dialing requirement should be denied.

  - The solution to Illinois' concern about implementing 10 digit dialing on a piecemeal basis is to implement it at the same time in all areas.

- Deny additional rationing and lottery authority requests (e.g. Florida's) as moot. Both of these measures are intended, at least in substantial part, to curb what the state of Florida refers to as the "artificial increase" in demand. However, rationing and lotteries deprive consumers of needed numbers without affecting demand – they affect only supply, and typically only for non-ILECs. But if utilization measures are enforced, there could be no artificial increase in demand.

CERTIFICATE OF SERVICE

I, Beatriz Viera, hereby certify that a true and correct copy of the foregoing **Notice of *Ex Parte* Presentation** on behalf of Personal Communications Industry Association, was delivered by hand this 31st day of August 1999, to the individuals on the following list:

Mr. Yog Varma
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Ms. Blaise Scinto
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Mr. Jared Carlson
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Mr. David Furth
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

International Transcription Services
1231 20th Street, N.W.
Washington, DC 20037

B. Viera

Beatriz Viera

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