

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

In the Matter of

Petition of Wisconsin Public Service
Commission

NSD-L-99-64
CC Docket No. 96-98

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 Wisconsin Public Service Commission (“WPSC”) 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 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.

deny the WPSC 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 WPSC seeks can be granted only by the Commission.⁶

It would be counter-productive for the Commission to grant the WPSC's request to institute mandatory thousands-block pooling before the Commission has decided on the national standards.⁷ The Commission has already tentatively concluded that thousands-block number pooling should be implemented in major markets throughout the country.⁸ State-specific trials would consume resources that could otherwise be dedicated to developing and implementing thousands-number block pooling. Carriers cannot be expected to change their networks to accommodate different practices in every state. This would be inconsistent with the Commission's finding in the *Pennsylvania Order* that there is a need for a uniform national numbering system:

“[Number conservation] attempts, however, cannot be made on a piecemeal basis without jeopardizing telecommunications services throughout the country. 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. Such inconsistency could interfere with, or even prevent, the routing of calls in the United States. The lack of uniformity also could hamper the industry's efforts to forecast and plan properly for exhaust of the North

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 WPSC 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 Wisconsin than in other states that the normal rules should not apply there.

⁷ Petition at 8-9.

⁸ *Numbering Resource Optimization*, CC Docket No. 99-200, Notice of Proposed Rulemaking ¶ 138, rel. June 2, 1999.

American Numbering Plan, and therefore ultimately could accelerate unnecessarily the introduction of a new nationwide numbering plan. Introduction of a new plan would mean costly network upgrades to accommodate a new dialing scheme that would be confusing to consumers. Upgrades would be necessary for carriers' networks as well as for privately owned systems such as private branch exchanges (PBXs)."⁹

The Commission should keep focused on the ultimate goal of achieving national standards for thousands-block pooling that can help relieve numbering crises throughout the country.

The Commission should also not permit any state to require unassigned number porting ("UNP")¹⁰ because it is inconsistent with, and would divert industry and regulatory resources from, thousands-block pooling. In recommending thousands-block pooling, the NANC concluded that UNP would require new processes, system development, guidelines and administration. Attempting to implement UNP with thousands-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.

The Commission should not permit the WPSC to impose its own individual number administration and conservation practices described at pages 7 through 9 of the petition. These proposals are inconsistent with the Commission's rules, and the WPSC provides no reason why the rules should not apply in Wisconsin. 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

⁹ *Pennsylvania Order* ¶ 21 (footnotes omitted).

¹⁰ Petition at 7.

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.”¹¹

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

Conclusion

Bell Atlantic agrees with the WPSC 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 thousands-block number pooling, with appropriate cost recovery mechanisms. In the meantime, the Commission should consider only those state petitions for additional authority that contain specific proposals designed to further uniform national number administration practices.

Respectfully submitted,

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¹¹ *Pennsylvania Order* ¶ 33.