October 1, 1999

Ms. Magalie Roman Salas
Commission Secretary
Federal Communications Commission
Portals II, 445 12th Street S.W. Suite TW-A325
Washington, D.C. 20554

RE: CC Docket No.96-98, NSD File No. L-99-65
IN THE MATTER OF PETITION OF THE ILLINOIS COMMERCE COMMISSION FOR EXPEDITED TEMPORARY WAIVER OF 47 C.F.R. SECTION 52.19(c)(3)(ii)

Dear Ms. Salas:

The Illinois Governmental and Consumer Intervenors, comprised of the Citizens Utility Board, the People of the State of Illinois and the City of Chicago, respectfully request that your office accept the attached Reply Comments in the above-captioned proceeding, originally due to be filed on September 30, 1999. Due to unforseen computer formatting problems, the undersigned were unable to file this pleading on a timely basis. Because these are Reply Comments, no party should be prejudiced by the one-day delay in the filing of this document.

Thank you for you attention to this matter.

Respectfully submitted,

/s/ Karen Lusson

Karen L. Lusson
Attorney for the Citizens Utility Board

Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington D.C. 20554

In the Matter of	)	
	)	
Petition of the Illinois Commerce Commission	)	CC Docket No. 96-98
for Temporary Waiver of 47 C.F.R. Section	)	NSD File No. L-99-65
52.19(c)(3)(ii)	)	

REPLY COMMENTS OF THE ILLINOIS GOVERNMENTAL AND CONSUMER INTERVENORS IN THE MATTER OF PETITION OF THE ILLINOIS COMMERCE COMMISSION FOR EXPEDITED TEMPORARY WAIVER OF 47 C.F.R. SECTION 52.19(c)(3)(ii)

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The Citizens Utility Board (ACUB≅), through its attorney; the People of the State of Illinois, ex rel. James Ryan, Attorney General of the State of Illinois and the City of Chicago, hereafter referred to as the Illinois Governmental and Consumer Intervenors (AIGCI≅); hereby file their Reply Comments in the above-captioned proceeding addressing the Comments of the Ameritech Corporation (AAmeritech≅), MCI WorldCom, Inc. (AMCI≅), United States Telephone Association (AUSTA≅), AT&T Corp. (AAT&T≅), Winstar Communications, Inc. (AWinstar≅), SBC Communications, Inc. (ASBC≅), the Association for Local Telecommunications Services (AALTS≅) and Sprint Corporation (ASprint≅).

I. Introduction

Of the eight sets of Comments submitted in response to the Illinois Commerce Commission=s (AICC≅) Petition for a temporary waiver of the 10-digit dialing requirement, the USTA, Ameritech (the incumbent provider of local exchange

telephone service in the Chicago area) and SBC support the FCC granting the waiver until all-service overlays are implemented in all five Chicago-area Number Planning Areas (ANPAs≅ or Aarea codes≅). MCI, AT&T, the ALTS and Winstar oppose any granting of the waiver outright. Sprint opposes the granting of what they term an Aopen-ended≅ waiver of the 10-digit dialing requirement, arguing that any extension of a waiver beyond April 1, 2000 will harm competition, and in particular, new entrant carriers.

For the reasons discussed below, IGCI urge the Federal Communications Commission (AFCC≅) to dismiss the hollow arguments of these waiver opponents and grant the ICC=s waiver request on an expedited basis.

II. Special Circumstances *Do* Exist In the Chicago Area That Justify The Grant Of A Ten-Digit Dialing Waiver.

In their Comments, the 10-digit dialing waiver opponents argue that the ICC Petition fails to show special circumstances that would justify deviating from Section 52.19(c)(3)(ii)=s 10-digit dialing requirement. These waiver opponents also argue that the ICC has not shown the existence of special circumstances that require additional time to develop customer education programs about the implementation of 10-digit dialing. *Id.* at 4. These arguments miss the mark for several reasons.

First, unlike any other state in the country, Illinois has had in place mandatory number conservation in all five NPAs since June of 1998. ICC Docket Nos. 97-0192 and 97-0221 (consolidated), Order of May 11, 1998 (A*Number Pooling and Conservation Order*≅). In addition, the ICC implemented mandatory number pooling

for all wireline carriers in the 847 NPA in June of 1998, and a scheduled roll-out of number pooling in the 630 NPA beginning July 15, 1999; in the 312 NPA beginning August 16, 1999; in the 773 NPA beginning October 1, 1999; and in the 708 NPA beginning at the conclusion of the Y2K stabilization period designated by the ICC, or about second quarter of 2000.[1] Wireless carriers were ordered to implement number pooling in all five NPAs as soon as technically feasible.[2] These groundbreaking measures have significantly altered the utilization of numbering resources in the Chicago area and mitigated the problem of dialing disparity. For more than a year, pooling in the 847 NPA has been providing thousand-blocks to new and existing wireline carriers, and full NXX blocks to new and existing wireless carriers. Under the industry=s 847 relief petition filed with the ICC in April of 1997, these new wireline and wireless carriers would not have received any 847 number blocks because the 847 NPA would have exhausted in early 1998. In fact, over the last year, pooling and conservation have made about 150 full NXX codes available to wireline and wireless, and existing and new carriers.

More specifically, thousand-block number pooling is a system that allows up to ten different carriers to share the ten NXX-X or thousand-blocks (blocks of one

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[1] *See* Number Pooling and Conservation Order at 20, 26; ICC Docket No. 98-0847, Order of July 1, 1999 at 14, 17.

[2] *Id.*

thousand telephone numbers) within an NXX. As noted above, the Illinois model of thousand-block number pooling is mandatory and includes a requirement that carriers deposit into the number pool any thousand-block that has a fill rate of 10% or less.

Long-term number conservation as implemented in Illinois consists of a set of rules and procedures that makes the thousand-block the basic unit of number administration. Simply put, a goal of long-term number conservation is to increase the fill rates of thousand-blocks and NXXs allocated to carriers. A second goal is to protect blocks for pooling. These rules constitute long-term conservation because they transcend the status of any particular NPA. They apply when an NPA is not in a jeopardy situation as well as when it is in jeopardy and even after exhaust. These rules and procedures were developed to be implemented by all carriers, wireline and wireless (including CMRS and paging), that use North American Numbering Plan (ANANP≅) numbering resources.

Under Illinois= number pooling and conservation rules, phone numbers are allocated to carriers by thousand-block only, carriers cannot open for assignment more than one thousand-block at a time in a rate area; carrier must have a 90% fill rate in a rate area to open a new block; carriers must have a 75% fill rate in a rate area to request a new block; and carriers cannot assign any numbers from any thousand-block with a fill rate of 10% or less until all other thousand-blocks in the carriers possession in a rate area have fill rates of 90% or more.

Because of the implementation of these measures, claims by 10-digit dialing waiver opponents that competitive local exchange carriers (ACLECs≅) and wireless

providers will be placed at a competitive disadvantage should a dialing waiver be granted despite the implementation of an all-service overlay have been diffused. As noted above, both competitive and incumbent and new and existing carriers are enjoying access to both thousands blocks and full NXX codes needed for customer distribution in the NPAs approaching exhaust.

The FCC has recognized the special status of Illinois as the leader in implementing number pooling and conservation. In its September 28, 1998 Memorandum Opinion and Order on Reconsideration in FCC Docket No. 98-224 (*In the Matter of Petition for Declaratory Ruling and Request for Expedited Action On the July 15, 1997 Order of the Pennsylvania PUC Re: Area Codes 412, 610, 215 and 717 [NSD File No. L-97-42 and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 (CC Docket No. 96-98] Consolidated) (AFCC Pennsylvania Area Code Order≅),* the FCC specifically authorized Illinois to continue its number pooling and conservation initiatives, specifically highlighting the nondiscriminatory nature of the measures.[3] In light of this unique telephone number utilization landscape in the Chicago area, a temporary waiver of the 10-digit dialing requirement will clearly *not* place new and existing CLECs and wireless providers at a competitive disadvantage should one or more all-service overlays be put into effect without mandatory 10-digit dialing. This fact constitutes a requisite Aspecial circumstance≅ needed for waiver of the 10-digit dialing requirement in the Chicago

[3]FCC Pennsylvania Area Code Order at par. 30.

area.

The waiver opponents also argue that requiring Chicago-area customers to dial 10 digits at staggered intervals fails to constitute a special circumstance worthy of a dialing waiver because Chicago-area customer already are used to dialing separate area codes across the borders of the five regional NPAs. *See*, e.g., Winstar Comments at 3-4. However, in doing so, the waiver opponents inappropriately deny the increased burden placed on telecommunications consumers when mandatory 10-digit dialing is implemented within the local exchange. The fact remains that the majority of calls made by residental customers in the Chicago area fall within their designated local calling area B a habit that requires the dialing of only seven digits, not ten.

Moreover, this Commission has specifically recognized the unappealing nature of having to dial more digits when placing a local call when it noted that consumers are less likely to choose a carrier that could only assign telephone numbers from a new NPA, thereby necessitating that such customers dial 10-digits for every call within the overlay NPA. In the *Second Report and Order,* the FCC tied its decision to require mandatory 10-digit dialing, and thereby avoid the alleged Alocal dialing disparity≅, to the implementation of an overlay area code:

> We are requiring mandatory 10-digit dialing for all local calls in areas served by overlays to ensure that competition will not be deterred in overlay area codes as a result of dialing disparity. Local dialing disparity would occur absent mandatory 10-digit dialing, because all existing telephone users would remain in the old area code and dial 7 digits to call others with numbers in that area code, while new users with the overlay code would have to dial 10 digits to reach any customers in the old code.

> Customers would find it less attractive to switch carriers because competing exchange service providers, most of which will be new entrants to the market, would have to assign their customers numbers in the new overlay area code, which would require those customers to dial 10 digits much more often than the incumbent=s customers, and would require people calling the competing exchange service provider=s customer to dial 10-digits when they would only have to dial 7 digits for most of their other calls.[4]

The FCC=s own reasoning for mandating 10-digit dialing specifically recognized that asking customers to dial 10 digits for all or most of their calls was repugnant, having noted that customers would be less likely to choose carriers that could offer only telephone numbers from the new NPA precisely because those customers would have to dial 10 digits Amuch more often than the incumbent=s customers≅. *Id.* Moreover, it is self-evident that requiring some Chicago area customers to dial 10-digits for every call placed within their home NPA and not requiring other customers to do the same will create significant customer confusion.

The confusion inherent in rolling out a staggered implementation of 10-digit dialing for all local calls within the Chicago area is especially acute within the city of Chicago, which currently is served by two area codes: 312 for the downtown ALoop≅ area, and 773 for the surrounding neighborhoods. Should NPA 773 exhaust prior to

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[4]*See Second Report and Order and Memorandum Opinion and Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996,* 11 FCC Rcd 19392, par. 287.

NPA 312, as currently projected, it is virtually certain that customers making calls within the City will be unsure as to where and when dialing 10 digits is required.

Moreover, the problem of customers having different area codes within the same municipality is not limited to the city of Chicago. Prior ICC decisions created geographic area code splits within some Chicago-area suburbs, in which residents in one part of town maintain a different area code from the remaining residents. To impose a 10-digit dialing requirement for all local calls on only some of a municipality=s residents will most certainly lead to customer confusion.

Finally, MCI argues that the ICC Petition fails to show why the three-month period previously designated by the ICC for customer education about overlay NPAs and 10-digit dialing arrangements is no longer appropriate. MCI Comments at 4-5. This argument misses the forest for the trees. The ICC Petition does *not* allege a waiver of 10-digit dialing is necessary because three months is too short a period for appropriate customer education. Rather, the Petition points out that piecemeal implementation of requisite 10-digit dialing overlay will create 10-digit dialing Aislands≅ within the metropolitan area and certain customer confusion as to when and where 10-digit dialing is necessary. The ICC Petition outlines the integrated nature of Chicago and its surrounding suburbs. To wit, the area=s local service residential customers are served by one monopoly local exchange service carrier (which, as it turns out, supports the ICC=s waiver request): Ameritech. Over the last four years, these customers have experienced the confusion, expense and inconvenience of three geographic NPA splits. Given these facts, the implementation of 10-digit dialing on a piecemeal basis in

accordance with the exhaust of each of the five Chicago-area NPAs will unnecessarily augment the confusion and inconvenience already encountered by residential and business customers in this region. Granting a waiver of the 10-digit dialing requirement until all five NPAs exhaust so that only *one* three-month customer education period is conducted simply makes sense for both customers and the monopoly local exchange service carrier alike.

Indeed, assertions by waiver opponents that the Illinois Petition fails to demonstrate special circumstances justifying a temporary waiver of the 10-digit dialing requirement in the Chicago area ignore the fact that the area is served by five area codes, an amount that can only be reasonably described as excessive, and the integrated nature of the region, as discussed above. It is not unreasonable to suggest that postponing the burdensome 10-digit dialing requirement for as long as possible and educating the region=s customers about the impending dialing change on a one-time basis is in the public interest.

Finally, MCI argues that the Commission=s decision to grant New York a waiver of mandatory 10-digit dialing in New York City is distinguishable from the Illinois situation. MCI asserts that technical network modifications required in New York City are not needed in the Chicago area and, unlike New York City, the Chicago area Adoes not face an extreme number exhaust crisis≅ due to the implementation of number pooling and conservation in the region. MCI Comments at 5-6. These arguments should also be dismissed.

First, in its decision to grant a temporary 10-digit dialing waiver in the New York

City waiver docket, the FCC specifically highlighted the fact that Aboroughs of New York City comprise a single geographically-defined unit, with two existing wireline area codes≅, as well as a separate, wireless-only area code, and ruled that it would be Aless disruptive and confusing to businesses and residents to permit a temporary delay in implementing mandatory ten-digit dialing.≅ *In the Matters of New York Department of Public Service Petition for Expedited Waiver of 47 C.F.R. Section 52.19 (c)(3)(ii), NSD File No. L-98-03,* Order of July 20, 1998, par. 15-16. In the instant case, as noted above, the city of Chicago is currently served by two NPAs, 773 and 312. The same confusion and disruption the FCC sought to avoid in New York City would occur in Chicago if the requested temporary waiver is not granted.

Second, as noted above, the ICC=s implementation of number pooling and conservation in the Chicago area *supports* the ICC waiver request, not negates it. Because of the successful implementation of both number pooling and conservation in the 847 NPA, exhaust has been postponed indefinitely from the original April 1998 projected exhaust date. As such, there simply is no need to impose the burdensome 10-digit dialing requirement upon business and residential customers when the evidence suggests that number pooling and conservation can, at least temporarily, obviate the need for traditional area code relief. In addition, as noted earlier in these Reply Comments, the implementation of number pooling and conservation has permitted competitive local exchange carriers to obtain significant supplies of telephone numbers in the existing NPAs to offer to future customers. Accordingly, MCI=s

arguments against the waiver are not persuasive.

III. Waiver Opponents= Suggestion To Impose Mandatory 10-Digit Dialing Throughout the Chicago Area On Or Before the Exhaust of the First Overlay NPA Would Be A Draconian and Unnecessary Measure.

In its Comments, MCI avers that there need not be any piecemeal implementation of 10-digit dialing in the Chicago area because the ICC can require ten-digit dialing throughout the region Aat any time between now and implementation of the first overlay code.≅ *MCI Comments at 3.* AT&T, Sprint and the ALTS offer similar arguments. AT&T Comments at 5; Sprint Comments at 6; ALTS Comments at 7. First, MCI=s recommendation that the Illinois Commission order the implementation of 10-digit dialing *prior to* the implementation of the first or any other overlay code contradicts the spirit of Section 52.19(c)(3)(ii) and no less than two prior ICC orders that specifically prohibited the implementation of all-service overlay codes in Chicago area NPAs until the last NXX from the area code about to exhaust had been assigned to a carrier.[5] Clearly, in establishing the 10-digit dialing mandate, the FCC in no way intended to impose the more burdensome dialing arrangement earlier than it deemed necessary. Indeed, in other decisions involving 10-digit dialing waiver petitions filed by state commissions, the FCC has never ruled that the burdensome dialing arrangement be initiated prior to the implementation of an overlay NPA.

Second, the ICC specifically ordered in ICC Docket No. 98-0497 and ICC Docket No. 98-0847 that the irreversible act that will trigger the implementation of all-service

[5] *See* ICC Docket No. 98-0497, Order of December 18,1998 at 23, 25-26; ICC Docket No. 98-0847, Order of July 1, 1999 at 3.

overlays and mandatory 10-digit dialing is the assignment by the local number administrator of the first NXX code from the new overlay NPA, a step that the Commission ordered must not occur until the last NXX from the exhausted NPA in question had been assigned.[6]

IV. Carrier Claims That Mandatory 10-Digit Dialing Is Necessary To Prevent Discriminatory Dialing Arrangements Are False.

Sprint argues that permitting a waiver of the 10-digit dialing requirement beyond April 1, 2000 will harm competition, and in particular, new entrants such as Sprint PCS.[7]

AT&T launches similar arguments it its Comments, citing past rulings of this Commission that highlight the alleged anti-competitive effect of permitting some incumbent local exchange carrier customers to dial 7 digits and customers of new competitive local exchange carriers (ACLECs≅) to dial 10 digits when making local calls. AT&T Comments at 1-4. Sprint objects, in particular, to the open-ended, multi-year characteristic of the ICC=s requested waiver, which, if granted, it claims Awould be devastating to competition.≅ Sprint Comments at 5.

These arguments are completely unsupported and should be rejected. First,

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[6]*See* ICC Docket No. 98-0497, Order of December 18, 1998 at 23, 25, 26; ICC Docket No. 98-0847, Order of July 1, 1999 at 3.

[7]*See* Comments of Sprint at 1.

neither Sprint, AT&T nor any other carrier in opposition to the requested waiver provides any evidence or data whatsoever to demonstrate that it has been negatively impacted by the delayed implementation of 10-digit dialing in overlay NPAs, despite the fact that temporary waivers in New York and Texas were granted by this Commission last year. Sprint and other opposing carriers have had the time to compile such data, given the fact that the New York City waiver was granted nearly a full year ago. Yet, no such data revealing anti-competitive effects has been supplied.

The Illinois Governmental and Consumer Intervenors believe there is a very good reason why no such data has been supplied by 10-digit dialing waiver opponents: the anti-competitive argument is an outdated, fallacious one. For example, the FCC=s conclusion that Acompeting exchange service providers . . . would have to assign their customers numbers in the new overlay area code,≅ cannot be upheld in light of one of the most significant facts about the proliferation of NPAs: the primary cause or catalyst of the current epidemic of premature NPA exhaust is the acquisition of NXX codes by Anew entrants≅ seeking NXX codes with which to compete with the incumbent wireline carriers. By the end of 1998, competitive wireline carriers had acquired 13,996 NXX codes (15% of all the NXXs allocated to that point). *NANPA Number Utilization and Forecast Trends* report. With close to 140 million phone numbers in their possession, competitive wireline carriers do not have to worry about the deterrent to competition of having to assign numbers from an overlay. <u>In the five existing Chicago area NPAs CLECs have over one-third of all the wireline NXX and the incumbent has less than two-thirds. AT&T alone has over 200 wireline NXX. MCI WorldCom has about 150 and</u>

WinStar, about 50.

In addition, at the time that the FCC=s *Second Report and Order* decision was handed down, the FCC recognized that LNP would mitigate the dialing disparity problem.

> We recognize that the implementation of permanent service provider number portability will reduce the anti-competitive impact of overlays by allowing end users to keep their telephone numbers when they change carriers.

Paragraph 290. p. 123.

Today, number portability is a reality. As expected, LNP has largely eliminated the competitive necessity of having access to telephone numbers from the older NPAs as a device to entice customers to switch service providers. When the FCC first ruled that mandatory 10-digit dialing was needed upon implementation of an all-service overlay, number pooling had not yet been developed or tested. In fact, number pooling can provide all carriers, including new entrants, greater access to numbers in existing NPAs. The number pooling Atrial≅ in the Chicago area=s 847 NPA demonstrates the dramatic benefits of number pooling.

When pooling began in June 1998, there were approximately 100 unallocated NXXs in the 847 area code. Over time, about 50 NXXs were reclaimed for a total of approximately 150 available NXXs. After deducting the 25 NXXs used to replenish the pool, the number pool has experienced a net gain of 125 NXXs and the savings are growing as pooling continues. If the ICC had not ordered mandatory number pooling in the 847 NPA, 847 would have exhausted some time ago.

Because LNP allows customers to keep their existing numbers when they switch to a new carrier and because pooling provides access to 847 thousand-blocks, every carrier has significant reserves of 847 phone numbers. AT&T, for example, which claims at page 3 of its Comments that it and other CLECs will have inferior access to numbers in the existing NPAs, has a significant reserve of unused telephone numbers, as evidenced by information contained in the Local Exchange Routing Guide. In addition, new wireline entrants will be able to get 847 thousand-blocks. Thus, the problem of customers not being willing to switch carriers because of Adialing disparity≅ has been resolved.

The language quoted from paragraph 287 of the *Second Report and Order* appears to reflect the FCC=s additional conviction that it must order 10-digit dialing in areas served by overlays in order to prevent the creation of a Adisadvantaged≅ class of customers who will be forced to dial 10 digits for a majority of their calls, as opposed to those customers whose calls largely require only 7-digit dialing. But the FCC is attempting to address a false dichotomy. While the FCC may be concerned that an overlay situation might necessitate some customers dialing disproportionately larger amounts of 10-digit telephone calls than other customers, to a great extent, the demand for numbers in the underlay code will be largely addressed by the efficiencies of number conservation and number pooling. This is because the demand for numbers is currently driven more by the demand for new services by existing customers, rather than growth in the absolute number of brand-new customers. Therefore, any burdens of 10-digit dialing will not be disproportionately visited on one group of consumers as

opposed to another if an overlay is imposed.

In short, waiver opponents= unsupported rhetoric about the anti-competitive effects of delaying the implementation of 10-digit dialing in overlay NPAs should be rejected.

V. Waiver Opponents= Claims To the Contrary, Mandatory Ten-Digit Dialing in the Local Calling Area is Burdensome and Unpopular.

Waiver opponents= dismissal of the burden of 10-digit dialing is equally suspect. To claim that 10-digit dialing is not burdensome to consumers is a contradiction of their claim that without mandatory 10-digit dialing they will suffer a competitive disadvantage. On the one hand, the waiver opponents claim that dialing disparity exists. On the other, they claim that having to dial 11 digits to make a call is no more burdensome than dialing 7 digits. The FCC has rejected this contradictory view. The essense of dialing disparity in the view of the FCC is that one customer dials 7 digits while another dials 11 digits.[8]

As noted above, this jaded viewpoint ignores the FCC=s own recognition that mandatory ten-digit dialing is a burden, is unpopular with the public, and state regulatory commissions are extremely reluctant to impose it. In fact, some states have resorted to NXX-wasting measures to avoid it:

[8] *See Second Report and Order and Memorandum Opinion and Order, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996,* 11 FCC Rcd 19392, par. 287.

> There is often significant customer resistance to ten-digit dialing, which may explain why more state commissions have chosen to implement splits rather than overlays. In fact, to preserve seven-digit dialing for inter-NPA calls within a community of interest, many states have authorized the use of "protected codes.≅[9]
>
> *Disruptive effects*. Ten-digit dialing, however, does present certain disruptive effects, particularly for consumers. Consumers often object to the inconvenience and confusion associated with having to remember and dial three extra digits. Also, some research raises a concern that the young, elderly and the memory impaired may be particularly affected by the change to ten-digit dialing, especially where 911 has not been implemented. Businesses may also incur costs associated with changing advertising and stationery, updating databases, and reprogramming customer premises equipment (CPE). Although the industry cost of implementing this measure will vary according to each geographic area and service provider, some carriers could experience substantial costs associated with modifications to switch translations and OSS, directory publishing, changes to announcement systems, and customer education.[10]

Undoubtedly, mandatory ten-digit dialing is a burden for consumers. Further, as noted above, it is unnecessary in an LNP and pooling environment. The FCC must consider the negative impact that mandatory ten-digit dialing will have and the price that the public has already paid for repeated NPA splits. Customers that have been forced to endure the addition of countless area codes to their local calling area are already carrying more than their share of the load amid the ongoing proliferation of carriers and telecommunications services. The FCC should be looking for ways to

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[9] CC Docket No. 99-200 at par. 122, *In the Matter of Numbering Resource Optimization*, Notice of Proposed Rulemaking, (June 2, 1999).

[10] Id. at par. 125.

lighten this load. Granting the ICC=s reasonable request for a temporary waiver of the mandatory ten-digit dialing requirement will go a long way to accomplishing this in the Chicago area.

VI. Conclusion

For all of the reasons stated above, the Illinois Governmental and Consumer Intervenors respectfully request that the FCC grant the Illinois Commerce Commission=s request for a temporary waiver of the 10-digit dialing requirement in 47 C.F.R. 52.19(c)(3)(ii) for the 847, 312, 773, 630 and 708 NPAs in the Chicago metropolitan area until the last of the four newly assigned area code overlays is activated.

Respectfully submitted,

THE CITIZENS UTILITY BOARD

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CERTIFICATE OF SERVICE

I, Karen Lusson, do certify that on October 1, 1999, Reply Comments of the Illinois Governmental and Consumer Intervenors were deposited in the U.S. Mail, first class, proper postage prepaid to the persons on the attached service list.

/s/ Karen Lusson
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