

Docket No.
96-98

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FEDERAL COMMUNICATIONS COMMISSION

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

**PETITION OF THE COLORADO PUBLIC UTILITIES COMMISSION
FOR ADDITIONAL DELEGATED AUTHORITY TO IMPLEMENT
NUMBER RESOURCE OPTIMIZATION MEASURES**

As allowed in Paragraphs 30 and 31 of the Federal Communications Commission's ("FCC's") September 28, 1998 *Memorandum Opinion and Order* and *Order on Reconsideration (Pennsylvania Order)*, and consistent with the delegations of authority in the area of number resource optimization granted to other state commissions, the Colorado Public Utilities Commission ("COPUC") submits this Petition for Additional Delegated Authority to Implement Number Resource Optimization Measures. The COPUC requests authority to implement policies consistent with the FCC's efforts over the past year, namely to: 1) implement mandatory thousand block number pooling; and 2) reclaim unused and reserved central office codes, or portions of those codes. COPUC seeks this authority to conserve numbers, thereby slowing the pace of area code relief, without having anticompetitive consequences or favoring one segment of the industry over another. This authority will also help protect Colorado telecommunications customers against the disruption as well as the economic and social costs of implementing new area codes.

BACKGROUND

In 1997 and 1998, the COPUC investigated the need for area code relief in the 303 area code. This investigation led to the overlay of 720 in the entire 303 geographic area and conversion to ten-digit dialing. At the time of the overlay, the new 720 area code was projected to last until 2004. Currently, the North American Numbering Plan Administrator ("NANPA") is predicting exhaust will occur 2nd quarter of 2003. The exhaust date is not caused by a shortage of individual telephone numbers within the 720 area code. Rather the problem stems from inefficient allocation of numbering resources. Even if a carrier has very few working lines in a rate center, that carrier must still be allocated entire central office code of 10,000 numbers.

The COPUC in the past three years has undertaken two significant steps towards efficient number utilization in Colorado. First, the COPUC ordered a large rate center consolidation reducing the number of rate centers in the 303 area code from 43 to 16. Second, the COPUC has

a rule, 4 CCR 723-49 *Rule Regarding the Efficient Use of Telephone Numbers*, that became effective May 30, 1998. The rule established, with certain exceptions, that telecommunication carriers operating in Colorado must assign numbers from a single thousand block within an NXX until that thousand block is within 60 days of exhaust. Even with these two steps, the COPUC needs the additional authority sought in this petition to take the next step towards prolonging the life of area codes within Colorado.

While there is time left before the projected exhaust of the 720 area code, the COPUC believes that the implementation of number conservation measures such as thousand block number pooling will have the greatest impact if implemented before an area code is exhausted. Furthermore, the COPUC needs the time to plan and schedule thousand block pooling with ample industry participation, rather than jumping into an order when faced with an area code in jeopardy.

THOUSAND BLOCK NUMBER POOLING

The COPUC requests the authority to implement mandatory thousand block number pooling in Colorado. The COPUC is aware of the conditions the FCC has placed on the authority given to other state commissions to date. The COPUC is willing to abide by those conditions. Specifically, the COPUC would: 1) conduct thousand block pooling in accordance with industry adopted pooling guidelines; 2) consult with industry participants before implementing any changes to those guidelines; 3) insure adequate transition time be provided to carriers to implement thousand block pooling in their switches and administrative systems; 4) address cost recovery issues; and 5) establish fill rates and allocation standards for the thousand blocks; and 6) initially confine a pooling trial to one NPA, in rate centers where LNP has been deployed.

RECLAIM UNUSED AND RESERVED CENTRAL OFFICE CODES, OR PORTIONS OF THOSE CODES

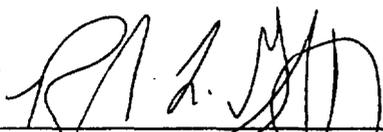
The COPUC requests the authority to require the reclamation of unused central office codes or thousand number blocks from carriers with excess number resources and carriers who have acquired codes in violation of industry guidelines or any other applicable rules or regulations to the area code administrator, NANPA. The COPUC requests the authority to reclaim unused thousand number blocks from code holders in Colorado in conjunction with thousand block pooling. These thousand blocks, with no or little contamination, could be used to extend the life of an area code by adding to the inventory of the assignable pool. As has been

granted to other state commissions, the COPUC seeks the authority to order NANPA to reclaim central office codes that have not been activated within the time frames set in industry guidelines. The COPUC seeks the authority to order the return of reserved and protected central office codes and/or thousand blocks if it can be done without causing disruption to the network.

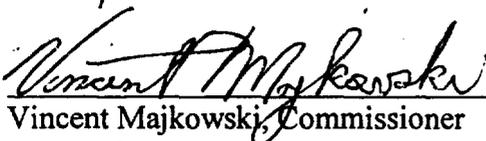
CONCLUSION

The COPUC continues to support the FCC's efforts to address the number resource exhaust problem facing the North American Numbering Plan. The COPUC hopes that national standards for efficient number allocation and other optimization measures will soon be established with the FCC's order in CC Docket No. 99-200. The COPUC respectfully requests the additional delegated authority requested in this petition, to begin working towards these efficiency measures now. The COPUC's interest in beginning this work is two fold: 1) to spare the citizens of Colorado the inconvenience and expense of area code changes that could be pushed out; and 2) to work with central office code holders and other affected parties in Colorado in a proactive manner to establish realistic time lines for pooling implementation. The COPUC believes, as has been ordered by the FCC, that its efforts could readily be conformed to national standards, rules or guidelines once established.

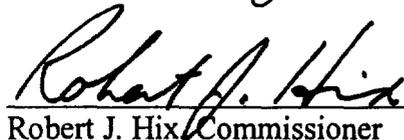
Respectfully Submitted:



Raymond L. Gifford, Chairman



Vincent Majkowski, Commissioner



Robert J. Hix, Commissioner