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April 27, 2000

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Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Room TW A325
Washington, DC 20554

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Re: Washington Utilities and Transportation Commission's Amended Petition for Additional Delegated Authority to Implement Number Conservation Measures CC Docket No. 99-200

Dear Ms. Salas:

Enclosed please find an original and five copies of the Washington Utilities and Transportation Commission's Amended Petition for Additional Delegated Authority to Implement Number Conservation Measures. Our original petition was filed on December 10, 1999, under Docket No. 96-98, NSD File No. L-97-42.

Please file-stamp one copy of the amended petition and return it to me in the enclosed envelope for our file. Thank you.

Very truly yours,

Shannon E. Smith
Assistant Attorney General
(360) 664-1192

Enc.

cc: Aaron Goldberger, via fax
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Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)
)
Numbering Resource Optimization) CC Docket No. 99-200
_____)

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION'S
AMENDED PETITION FOR ADDITIONAL DELEGATED AUTHORITY
TO IMPLEMENT NUMBER CONSERVATION MEASURES**

On December 10, 1999, the Washington Utilities and Transportation Commission (“WUTC”) filed a petition for additional delegated authority to implement number conservation measures. Pursuant to Paragraph 170 of the Commission’s *Report and Order*¹ in this proceeding, the WUTC supplements its petition and requests that the Commission delegate to the WUTC interim number pooling authority.

The WUTC makes this request as a “special circumstance,” because even though the telecommunications industry has added three area codes in the past five years and all five of Washington’s current area codes face the prospect of area code relief in the next two years, no area code in this state meets the specific requirements of Paragraph 170. The FCC requires that an area code be in jeopardy and yet still have at least a year before it is forecasted to reach

¹*In the Matter of Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, FCC 00-104 (March 20, 2000) (“Report and Order”).*

exhaustion. The 360 area code, which was created only five years ago, is in jeopardy and is scheduled to receive an overlay in February, 2001, but it does not have a remaining life of more than a year.² The 206, 253, and 425 area codes are scheduled to receive an overlay in March, 2002.³ They have a remaining life of more than one year, but even though relief measures are necessary, these area codes are not in jeopardy.⁴ Finally, the 509 area code is projected to reach exhaustion in April, 2002, and the industry is currently in the process of developing a relief plan.⁵ As with 206, 253, and 425, the 509 area code is not in jeopardy but faces the prospect of an additional area code due in large part to the inefficient use of existing prefixes.

The third criterion for interim number pooling authority is that an area code include one of the top 100 metropolitan statistical areas or include areas where the majority of wireline carriers are capable of local number portability. The Seattle MSA, which is among the top 100, includes rate centers in the 206, 425, 253, and 360 area codes. The Portland/Vancouver MSA, which also is among the top 100, includes rate centers in the 360 area code.

²NANPA declared the 360 NPA in jeopardy on March 8, 1999. It is scheduled to be in exhaust in 4Q2000. *See* Status of Active and Pending NPA Relief Projects (April 18, 2000), *available at* <<http://www.nanpa.com>>.

³*Id.* NANPA has estimated that area code 253 will reach exhaust in the first quarter of 2004. *See* NANPA's schedule of U.S. NPAs anticipated to exhaust in the next ten years, which can be found at <<http://www.nanpa.com>>. However, the industry agreed at a January 5, 2000, meeting to include area code 253 in the 206/425 overlay.

⁴ Status of Active and Pending NPA Relief Projects (April 18, 2000), *available at* <<http://www.nanpa.com>>.

⁵*Id.*

The *Report and Order* states that interim number pooling authority will be granted in special circumstances “where pooling would be of benefit in NPAs that do not meet all of the above criteria.” *Id.* ¶ 170. Such special circumstances exist in western Washington, where the Seattle MSA has gone from one area code in 1995 to four area codes in 2000 and now faces the prospect of at least one more area code in the next year. A new area code, 564, will be introduced as an overlay to 360 in February, 2001, and the WUTC is currently considering whether that same code should be used as the overlay code for 206, 425, and 253. While no area code meets the specific requirements for automatic delegation of number pooling authority, there can be no doubt as to the fact that the existing procedures are use of numbering resources is not working for the consumers and businesses of western Washington. In fact, the Number Administrator projects that the state of Washington will need 690 new prefixes every year, indefinitely, unless number conservation measures are introduced. Under this projection, Washington would need one area code almost every year until number conservation begins.

After such an explosion of area codes and numbering changes, the consumers and businesses of western Washington should (and do) expect that the industry make every reasonable effort to use the prefixes and telephone numbers already available before imposing additional burdens on them. At this point, most western Washington customers have now been forced to change their telephone numbers, and they now are about to be forced to begin 10-digit dialing for all local calls. If the dual burden of number changes and 10-digit dialing is to be imposed, consumers and businesses have a right to expect that the new overlay code (or codes) will not be consumed in the same inefficient fashion as the three split codes (360, 425, and 253) that preceded it.

The Commission's national number pooling requirement would eventually include western Washington, since Seattle and Vancouver are on the list of top 100 MSAs. However, the national implementation plan, which has not yet even been developed, cannot reasonably be expected to protect customers now. Waiting for the national rollout would unnecessarily perpetuate the inefficient use of numbering resources and extend those inefficient practices to include one and perhaps more new area codes.

The WUTC would consult with the industry and customers before determining a specific application of interim number pooling, but one plan currently under consideration is to implement mandatory number pooling in the Seattle consolidated metropolitan statistical area (consisting of King, Pierce, Kitsap, Island, Snohomish, and Thurston counties) beginning in February, 2001. This is the date at which the 564 overlay code is scheduled for implementation. Implementing number pooling at the same time would ensure that, to the greatest extent feasible, that new overlay code will be used efficiently. The overlay code will include numerous areas outside the Seattle MSA where wireline carriers are capable of local number portability, and consistent with the FCC's order, the WUTC would expect to broaden the footprint for number portability once the carriers have completed the initial Seattle implementation. Delaying number pooling implementation until February, 2001, will provide the industry with an opportunity to implement the new version 3.0 software, which would reduce the industry burden of number pooling.

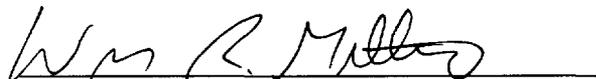
For the reasons set forth above, we believe that our request for additional delegated authority set forth in our original petition, as amended, will prolong the lives of all of the area codes in Washington. Perhaps more importantly, it is necessary to assure the consumers and

businesses of this state that regulators and the industry are doing everything possible to use existing numbering resources as efficiently as possible before imposing additional burdens on the public. For the reasons set forth in our petitions, we respectfully request that the FCC grant our request for additional delegated authority.

DATED this 27th day of April, 2000, at Olympia, Washington

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


RICHARD HEMSTAD, Commissioner


WILLIAM R. GILLIS, Commissioner

Washington Utilities and Transportation Commission
1400 S. Evergreen Park Dr. SW
Olympia, WA 98504-7250