

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

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In the Matter of)
)
Implementation of the Local Competition)
Provisions in the Telecommunications Act)
of 1996)
)
Massachusetts Department of)
Telecommunications and Energy)
Petition for Delegation of Additional)
Authority to Implement Number)
Conservation Measures in Massachusetts)

CC Docket No. 96-98

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

NSD File No. L-00-169

COMMENTS OF WORLDCOM, INC.

The Massachusetts Department of Telecommunications and Energy ("MDTE") has sought additional authority to implement number conservation measures. The Commission previously delegated to the MDTE authority to implement certain number conservation measures in the 508, 617, 781, and 978 NPAs.¹ The MDTE now seeks statewide authority to implement number conservation measures; in particular, authority for the 413 NPA, which serves western Massachusetts, and the four overlay relief area codes that will be implemented in the eastern half of the state by April 2001. In these Comments, WorldCom, Inc. ("WorldCom") urges the Commission to ensure that any

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¹ In the Matter of Massachusetts Department of Telecommunications and Energy Request for Additional Authority to Implement Various Area Code Conservation Measures in the 508, 617, 781, and 978 Area Codes, CC Docket No. 96-98, *Order* (rel. Sept. 15, 1999) (*Massachusetts Delegation Order*).

additional delegation is consistent with national numbering policies established in the *NRO Order*² and other decisions.

According to the MDTE, “[t]he authority requested by the Department is virtually identical to the authority delegated to the Department by the FCC in the existing area codes in the eastern regions of Massachusetts.”³ In fact, the MDTE here seeks some authority that it was previously denied. More importantly, the MDTE does not appear to recognize that the previous delegation was largely superseded by the *NRO Order*, and that any new delegation must conform to the national framework established therein.

By its petition, the MDTE seeks authority to: (1) institute thousands-block pooling trials; (2) reclaim reserved NXX codes and portions of those codes; (3) set numbering allocation standards; (4) set and/or revise rationing procedures; (5) hear and address claims of carriers seeking numbering resources outside the rationing process; and (6) maintain rationing procedures for six months following area code relief.⁴ As the Commission has recognized, since the *NRO Order* establishes national rules for reclamation and code allocation, it is no longer necessary to deal with these issues in a state-specific manner.⁵ Indeed, the Commission has granted states such as Massachusetts all the authority they need to reclaim unused NXX codes.⁶ Moreover, the Commission has committed to establishing a national utilization threshold for non-pooling carriers by January 1, 2001.⁷ There is no reason for the Commission to reconsider its conclusion that code allocation standards should be governed by a national rule.

² In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, *Order* (rel. March 31, 2000).

³ MDTE Petition at 1.

⁴ *Id.* at 7.

⁵ In the Matter of Petitions for Additional Authority to Implement Number Optimization Measures, CC Docket No. 99-200, *Order*, (rel. July 20, 2000).

⁶ *NRO Order* at ¶ 237.

⁷ *Id.* at ¶ 115.

The Commission has demonstrated that it will continue to authorize state implementation of pooling. WorldCom will not rehash all of the policy considerations associated with state-initiated pooling, but strongly recommends that the Commission condition any grant of pooling authority in the same manner as it conditioned other delegations made subsequent to the *NRO Order*. Those delegations suggest that the Commission will approve state commission requests for authority to extend rationing for six months following relief. WorldCom does not believe that such extensions serve any valid purpose, but will not reiterate arguments previously made in opposition to similar requests. WorldCom also expects the Commission to approve the MDTE's request for authority to hear and consider code requests outside of rationing.

The Commission must deny the MDTE's request for authority to set and/or revise rationing procedures. The Commission previously denied a request for similar authority by the MDTE.⁸ Since then, nothing has changed. The MDTE claims that "although western Massachusetts faces an impending number shortage, the participating members did not vote in favor of rationing at the June 20, 2000 Implementation Meeting and there is no indication that they will establish a rationing plan in the future."⁹ One reason why the participants did not vote in favor of rationing at the June 20 meeting is because no vote was taken on rationing at that meeting. No vote was taken because the June 20 meeting was an Industry Relief Planning Meeting, not an Implementation Meeting. In the normal course, rationing is not considered until after jeopardy is declared. The MDTE appears to suggest that industry has inexplicably refused to adopt rationing in the

⁸ *Massachusetts Delegation Order* at ¶ 43.

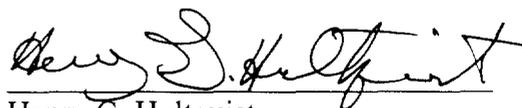
⁹ MDTE Petition at 15.

413 NPA. In fact, it is wholly unremarkable that the question of rationing has not yet come up in that NPA.

WorldCom recommends that the Commission deny the MDTE's request for authority to set and/or revise rationing procedures. The MDTE has not shown any circumstances that would justify granting such authority. WorldCom expects the Commission to address the MDTE's other requests in a manner consistent with its July 20, 2000 Order, as described above.

Respectfully submitted,

WorldCom, Inc.

A handwritten signature in cursive script, appearing to read "Henry G. Hultquist", written over a horizontal line.

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September 27, 2000

CERTIFICATE OF SERVICE

I, Vivian Lee, do hereby certify that copies of the foregoing Comments of WorldCom, Inc. were sent via first class mail, postage, paid, to the following on this 27th day of September 2000.

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