

FEB 12 2001

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of	)	
	)	
Petitions of the	)	
Minnesota Pub. Util. Commission	)	NSD File Nos.: L-00-206
Vermont Public Service Board	)	L-01-272
Indiana Util. Regulatory Commission	)	L-01-273
West Virginia Pub. Serv. Commission	)	L-01-274
Missouri Pub. Serv. Commission	)	L-01-275
Oklahoma Corporation Commission	)	L-01-276
Tennessee Regulatory Authority	)	L-01-277
For Additional Delegated Authority to	)	
Implement Number Conservation Measures	)	
	)	
and	)	
	)	
Implementation of the Local Competition	)	CC Docket No. <u>96-98</u>
Provisions of the Telecommunications Act	)	
of 1996	)	
	)	
and	)	
	)	
Number Resource Optimization	)	CC Docket No. 99-200

**COMMENTS OF SBC COMMUNICATIONS INC.**

SBC Communications Inc., on its own behalf and on behalf of its local exchange carriers,<sup>1</sup> (SBC) files these comments to the petitions of various state commissions seeking additional delegated authority to implement number conservation measures.

**I. Background**

In the face of concerns about numbering resources, the Commission has been permitting state commissions to petition it for delegated authority to trial numbering optimization schemes, such as mandatory number-pooling trials.<sup>2</sup> In these proceedings, several states have sought the

<sup>1</sup> These local exchange carriers include the Ameritech operating companies (Illinois Bell Telephone Company, Indiana Bell Telephone Company, Michigan Bell Telephone Company, The Ohio Bell Telephone Company, and Wisconsin Bell Telephone Company), Nevada Bell Telephone Company, Pacific Bell Telephone Company, Southern New England Telephone, Southwestern Bell Telephone Company, and SBC Telecom.

<sup>2</sup> *In the Matter of Number Resource Optimization*, CC Docket No. 99-200, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 00-104, ¶ 169 (rel. March 31, 2000) (*NRO 1<sup>st</sup> Report and Order*).

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same or similar delegated authority. At the Commission's request for comments, SBC files its concerns about these petitions.

## **II. Argument and Citation of Authorities**

SBC supports in general the Commission's efforts to conserve telephone numbering resources and it supports in particular number pooling in areas where its deployment will significantly extend the life of the numbering plan area (NPA) and where cost recovery is permitted. Yet, SBC opposes any further delegation to state commissions to implement number-pooling trials. SBC's opposition springs from policy concerns, as well as practical considerations associated with accelerating the implementation of number pooling.

The Commission recognizes the benefits of instituting uniform requirements.<sup>3</sup> To allow individual states to continue to implement number pooling in NPAs within their jurisdictions at this time, without considering the impacts of such actions on the Commission's national rollout, could jeopardize the uniform application of number pooling and unnecessarily increase the costs of number pooling to service providers. While their petitions are framed as requests to "trial" number pooling, these states are in fact seeking advanced implementation of number pooling. The effect of advancing national number pooling in a hodge-podge manner is to endanger its orderly implementation.

In anticipation of the rollout of the Commission's national number pooling, SBC's efforts are focused on enhancing its operational support systems, deploying modifications to its network, and installing and testing the NPAC 3.0 and Efficient Data Representation (EDR) software. Any further adoption of state trials will have an adverse impact on the resources associated with these efforts.

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<sup>3</sup> *In the Matter of Numbering Resource Optimization: Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717*, CC Docket No. 99-200 and CC Docket No. 96-98, *Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200*, FCC 00-429, ¶ 45 (rel. Dec. 29, 2000) (*NRO 2<sup>nd</sup> FNPRM*).

SBC and other members of the industry will incur additional expense with the increased number of state trials using the non-EDR format and unnecessarily adding STP/SCP capacity.<sup>4</sup> Conversion of the non-EDR format to the EDR format with the rollout out of the national program will be costly and potentially cause number porting delays when the STPs/SCPS are reconfigured to the EDR format. Therefore, the Commission should deny the petitions and instead focus its attention on expediting the selection of the national number pooling administrator, issuing its national rollout schedule, and developing an appropriate and fair cost-recovery mechanism.

Cost recovery is an issue, as well. To support a national number pooling cost-recovery mechanism, SBC is preparing to file detailed cost data on February 14, 2001. As directed by the Commission, SBC will not include any costs directly associated with state number pooling trials. SBC, however, will not make any adjustments to the cost data to exclude potential state number pooling trials in Oklahoma, Indiana, Missouri, or in any other state within SBC's operating territories in which the state commission is petitioning the Commission for delegated authority to trial number pooling. Nor would it be appropriate to do so, pending the outcome of the Commission's decision regarding these petitions.

SBC projects that the rollout of national number pooling will begin by the fourth quarter of this year. This is reasonable because the Commission has already released its requirement document to potential providers of the national number pooling administration system "to facilitate an expeditious implementation of national thousand-block number pooling."<sup>5</sup> The Commission will soon make its selection of the national pooling administrator — probably before spring. Shortly thereafter, the Commission will publish its proposed number pooling

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<sup>4</sup> In a non-EDR environment every pooled telephone number requires individual record storage in the STP/SCP. EDR allows for a single record to represent 1,000 individual telephone records; this significantly reduces the record storage requirements of the STPs/SCPs.

<sup>5</sup> *NRO 2<sup>nd</sup> FNPRM.*, ¶ 35.

deployment schedule.<sup>6</sup> As efforts are well underway to implement national number-pooling standards, implementation of national number pooling could begin by early in the fourth quarter of this year. Consequently, it is unlikely that the petitioning states will have their state trials in place long enough before the national program begins to justify the associated additional expense to the service providers, which will ultimately be borne by consumers, or the divergence of their limited resources away from the national effort to rollout number pooling. In other words, granting these petitions will not do much good but it will do harm by misdirecting the carriers' efforts away from the rollout of nationwide number pooling.

In addition, the Commission requires states seeking authority to implement number pooling to demonstrate that

- an NPA in the state is in jeopardy;
- the NPA in question has a remaining life span of at least one year; and
- the NPA is in one of the largest 100 MSAs.<sup>7</sup>

Certain state commissions may not have clearly demonstrated these conditions or other “special circumstances” necessary for the Commission’s authorization to trial number pooling.<sup>8</sup>

The Oklahoma, Minnesota, and West Virginia state commissions request other delegated authority from the Commission to implement additional number conservation measures. These requests include asking for the authority to reclaim unused codes, conduct audits of carriers’ numbering resources, enforce national standards, mandate utilization studies and sequential number assignments, and hear and address claims by carriers for numbering resources outside of the lottery. With the exception of the last item, the Commission has addressed all of the other

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<sup>6</sup> The Commission requires that the selected national number pooling administrator submit to the Common Carrier Bureau for approval its initial rollout schedule within 60 days after being selected. *NRO 1<sup>st</sup> Report and Order*, ¶ 166.

<sup>7</sup> *Id.*, ¶ 170.

<sup>8</sup> Specifically, SBC believes the petitions filed by the States of Indiana, Missouri, Minnesota, Oklahoma, and Vermont are deficient in this regard.

requests.<sup>9</sup> The Commission should not alter any of these decisions and should reaffirm the guidance it has already provided. SBC, however, does support granting the state commissions the authority to hear and address claims by carriers for numbering resources outside of the lottery — as the Commission has done in the past.

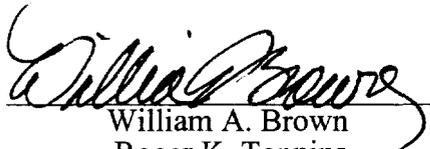
### III. Conclusion

Given the proximity to the start of the national number pooling, these state petitions for delegated authority are unnecessary and, more critically, harmful. The effect of granting these petitions is to divert local exchange carriers, like SBC's operating companies, from their efforts to prepare for national number pooling. What's more, SBC will incur needless additional expense, which will ultimately be borne by consumers, to meet the obligations imposed by these state trials. Everyone's efforts should be focused on implementing national number pooling under uniform standards. These so-called state trials only divert time and resources from this objective. Therefore, SBC opposes these petitions and respectfully asks the Commission to deny them.

Respectfully submitted,

SBC COMMUNICATIONS INC.

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<sup>9</sup> *NRO 1<sup>st</sup> Report and Order*, ¶¶ 37, 232 and 242; *NRO 2<sup>nd</sup> FNPRM*, ¶¶ 21-31, 81-94 and 116.

CERTIFICATE OF SERVICE

I, Regina Ragucci, hereby certify that a true and correct copy of the above and foregoing Comments of SBC Communications were served on this 12<sup>th</sup> day of February 2001, to the following individuals:

  
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