

SUMMARY OF FILING

The WVPSC makes the following points in these reply comments:

First: Sprint and USTA inappropriately seek reconsideration of the Commission's decision to continue delegating interim pooling authority even though the Commission has decided to implement pooling nationally. Sprint's and USTA's argument that the Commission should deny the states' petitions and focus exclusively on the national pooling program violates 47 C.F.R § 1.106(f). The Commission has previously considered, and rejected, such arguments in any event.

Second: Sprint misconstrues the Commission's orders in arguing that the WVPSC's petition for delegated pooling authority does not satisfy the Commission's requirements. The rollout schedule for national pooling is not driven by the population affected by pooling, nor are state commissions precluded from obtaining pooling authority for NPAs outside the 100 largest MSAs, nor is the life span of the NPA in question calculated from the date the state commission is prepared to schedule a pooling start date.

Third: Sprint's wrongly assumes that the 304 NPA will exhaust in 1Q02. Rationing has extended the 304 NPA's exhaust date to 3Q02. Moreover, NXX codes voluntarily returned by carriers since May 2000, have likely extended the 304 NPA's exhaust date to 3Q03.

Fourth: The fact that interim pooling does not relieve states from implementing NPA relief planning does not warrant denial of the WVPSC's petition. The Commission recognizes the benefits of extending NPA life spans through number conservation measures.

Further, the WVPSC's decisions in its relief proceeding for the 304 NPA depend in large part on whether it receives delegated interim pooling authority.

Fifth: USTA's and SBC's concerns that the WVPSC's interim pooling program may be inconsistent with the national program are groundless. The WVPSC's interim pooling program must conform to the national program's standard and any pooling software selected by the WVPSC must incorporate EDR.

Sixth: The WVPSC's requests relating to rationing are reasonable. Continuing rationing, including rationing for six months after NPA relief is ordered, is justified by reasonable administrative and policy concerns. Moreover, any rationing authority would be exercised in conjunction with authority to expedite NXX code assignment through hearings outside the rationing process.

Seventh: The WVPSC is withdrawing a number of its requests for delegated authority.