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COMMON CARRIER BUREAU SEEKS COMMENT ON THE PETITION OF THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA FOR DELEGATION OF AUTHORITY TO IMPLEMENT NUMBER CONSERVATION MEASURES

NSD File No. L-01-87
CC Docket 96-98
CC Docket 99-200

Pleading Cycle Established

COMMENTS: June 1, 2001 **REPLY COMMENTS: June 22, 2001**

On September 28, 1998, the Federal Communications Commission (Commission) released the *Pennsylvania Numbering Order*,[1] which delegated authority to state public utility commissions to order number rationing in jeopardy situations and encouraged state commissions to seek further limited delegations of authority to implement number conservation methods.

On March 31, 2000, the Commission released the *Numbering Resource Optimization First Report and Order*.[2] In the *Numbering Resource Optimization First Report and Order*, the Commission granted state commissions the authority to engage in certain number conservation measures. The Commission also reiterated that the state delegations of authority to implement number conservation measures were interim in nature and would be superseded by forthcoming decisions in the *Numbering Resource Optimization* proceeding. The Commission, however, continued its delegation to the

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[1] 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, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 19009, 19025 (1998); *see also Numbering Resource Optimization*, Second Report and Order in CC Docket No. 99-200, 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 (rel. Dec. 29, 2000) (addressing petitions for clarification and reconsideration that were filed in response to the *Pennsylvania Numbering Order*).

[2] *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000).

Common Carrier Bureau (Bureau) to rule on state petitions for additional delegation of numbering authority when no new issues are raised.

In paragraph 170 of the *Numbering Resource Optimization First Report and Order*, the Commission required that state commissions seeking thousands-block number pooling authority demonstrate that: (1) a numbering plan area (NPA) in its state is in jeopardy; (2) the NPA in question has a remaining life span of at least a year; and (3) the NPA is in one of the largest 100 Metropolitan Statistical Areas (MSAs), or alternatively, the majority of wireline carriers in the NPA are LNP-capable. The Commission also determined that a state commission may expand pooling to another MSA only after pooling had been implemented in the initial MSA and after providing carriers sufficient time to adjust their networks for thousands-block number pooling.

On April 25, 2001, the Public Service Commission of South Carolina (South Carolina Commission or Petitioner) filed a petition requesting additional delegated authority to implement number conservation measures in the state of South Carolina.[3] Specifically, the Petitioner requests authority to: (1) implement mandatory thousands-block number pooling for NPAs in the Charleston-North Charleston and Columbia MSAs; (2) order sequential number assignments to minimize thousands-block contamination; (3) implement NXX code rationing procedures following area code relief to prevent a rush of demand for codes; and (4) reclaim unused or minimally contaminated thousands-blocks. If pooling authority is not granted in whole or in part, Petitioner requests that the Charleston-North Charleston and Columbia MSAs be placed in the initial round of national thousands-block number pooling. However, if pooling is granted, the South Carolina Commission requests a waiver of the requirement that pooling may only occur in one MSA at a time.

We hereby seek comment on the South Carolina Commission's request for delegated authority to implement the number conservation measures mentioned above. A copy of the petition will be available during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Suite CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the petition may also be found by searching on the Commission's Electronic Comment Filing System (ECFS) at **<http://www.fcc.gov/e-file/ecfs.html>** (insert CC Docket No. 99-200 into the Proceeding block). Interested parties may file comments concerning this matter on or before **June 1, 2001**, and reply comments on or before **June 22, 2001**. All filings must reference **File No. NSD-L-01-87 and CC Docket Nos. 96-98 and 99-200**. Send an original and four copies to the Commission Secretary, Magalie Roman Salas, Portals II, 445 12th Street, SW, Suite TW-A325, Washington, D.C. 20554 and two copies to Carmell Weathers, Network Services Division, Portals II, 445 12th Street, S.W., Room 6-B153, Washington, D.C. 20554.

Comments may be filed using the ECFS or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to **<http://www.fcc.gov/e-file/ecfs.html>**. If using this method, please reference **CC Docket No. 96-98 and CC Docket No. 99-200** in the Proceeding block. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters

[3] *Petition of the Public Service Commission of South Carolina for Delegation of Authority Pertaining to NXX Code Conservation Measures* (dated Apr. 20, 2001; filed Apr. 25, 2001).

should include their full name, postal service mailing address, and the applicable docket or rulemaking number(s). Parties may also submit electronic comments by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, including "get form <your e-mail address>" in the body of the message. A sample form and directions will be sent in reply. After filing your comments electronically, please send an e-mail to Carmell Weathers, cweather@fcc.gov, indicating that comments have been filed.

This is a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.[4] As a "permit but disclose" proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings.[5]

Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.[6] Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

For further information contact Jennifer Gorny of the Common Carrier Bureau, Network Services Division, at (202) 418-2320 or jgorny@fcc.gov. The TTY number is (202) 418-0484.

-FEDERAL COMMUNICATIONS COMMISSION-

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[4] *See generally* 47 C.F.R. §§ 1.1200-1.1216.

[5] 47 C.F.R. § 1.1206.

[6] 47 C.F.R. § 1.1206(b)(2).