



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

IN REPLY PLEASE
REFER TO OUR FILE

October 23, 2001

via electronic filing

Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
Portals II
445 Twelfth Street, S.W.
Suite TW-A325
Washington, D.C. 20554

**Re: Comments of the Pennsylvania Public Utility Commission and
Request for Clarification Regarding Mandatory Pooling in the 717 and 570 NPAs
In the Matter of Numbering Resource Optimization
CC Docket No. 99-200 ; CC Docket No. 96-98; NSD-L-01-113; DA 01-2174**

Dear Ms. Salas:

Attached for filing in the above matter please find one copy of the Pennsylvania Public Utility Commission's Comments and Request for Clarification Regarding Mandatory Pooling in the 717 and 570 NPAs, In the Matter of Numbering Resource Optimization, CC Docket No. 99-200; CC Docket No. 96-98; NSD-L-01-113; DA 01-2174.

Sincerely,

Deanne M. O'Dell
Assistant Counsel

Enclosure

cc: per certificate of service

**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 |
| |) | |
| |) | |
| Implementation of the Local Competition |) | |
| Provisions of the Telecommunications Act of |) | CC Docket No. 96-98 |
| 1996 |) | |
| |) | |
| Petition of Representative Keith R. McCall |) | |
| And Members of the Northeast Delegation of |) | |
| the Pennsylvania House of Representatives |) | NSD-L-01-113 |
| Requesting that Additional Authority Be |) | |
| Delegated to the Pennsylvania Public Utility |) | |
| Commission to Implement Additional |) | DA 01-2174 |
| Number Conservation Measures in CC |) | |
| Docket No. 99-200 |) | |

**COMMENTS OF THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
AND REQUEST FOR CLARIFICATION
REGARDING MANDATORY POOLING IN THE 717 AND 570 NPAS**

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Dated: October 23, 2001

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INTRODUCTION

The Pennsylvania Public Utility Commission (PAPUC) submits the following comments in support of the Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting that Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures in CC Docket No. 99-200 (“Rep. McCall Petition”). Further, the PAPUC asks the Commission to clarify that both the 717 and 570 accelerated voluntary pools will become mandatory pools as part of the national rollout on or before March 15, 2002.

DISCUSSION

As the Commission already knows, the long-term effects of continuing to add new area codes will be monumental for the telephone industry and consumers. There is a finite amount of available area codes. When all these available area codes are activated, the entire telephone network system and infrastructure will need to be redesigned to dramatically change local and long distance dialing patterns. Preliminary estimates place the cost of this project between 50 and 150 billion dollars and full implementation of these changes may take as long as 10 years. Based on the rapid introduction of new area codes currently, these changes may need to be implemented as early as 2006.¹

¹ See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574, ¶ 6 (2000).

As evidenced by Rep. McCall's Petition, thirty-two bi-partisan Pennsylvanian legislators share this concern about the impact of proliferating area codes, especially in Pennsylvania.² In 1994, Pennsylvania had a total of only four area codes – 814, 717, 412, and 215. Today we have nine active area codes – 814, 717, 570, 412, 724, 215, 610, 267, and 484. Since July of 1997, the PAPUC has strongly advocated the need for implementation of number conservation measures to alleviate the explosion of new area codes. Consequently, we have strongly supported all of the Commission's efforts to implement national number conservation measures, and we have actively used all of the delegated authority we have received from the Commission since the summer of 2000³ to slow down the need for more new area codes in the Commonwealth. To that end, the PAPUC has investigated Rate Center Consolidation, has implemented NXX Code Reclamation, has implemented or is in the process of implementing three mandatory pools and two voluntary pools, has continued an industry consensus rationing plan six months after implementation of a new area code, and has opened an investigation regarding the feasibility of NXX Code Sharing.⁴

² The state legislators filing this petition were cognizant of the legal constraints placed on the PAPUC regarding implementation of a mandatory pool in the 570 NPA. On July 20, 2000, the Commission gave the PAPUC the authority to fully implement thousands-block number pooling in a single MSA (either the Philadelphia or the Pittsburgh MSA) before implementing thousands-block number pooling in the other MSA. *In the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101 at ¶ 46. At the time the legislators chose to file this petition, the PAPUC had just implemented its first pool in the 610/484 area codes on April 29, 2001, and we were in the process of establishing our second pool in the 412, 724, and 878 NPAs.

³ On March 31, 2000, the Commission gave state commissions the authority to implement NXX code reclamation procedures. *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574 at ¶ 237 (2000). On July 20, 2000, the Commission gave the PAPUC the following authority: 1) to implement thousand block pooling, 2) to maintain rationing procedures for 6 months following implementation of NPA relief, 3) to implement NXX code sharing (after investigating it, reporting results to FCC, and determining that it is feasible and economically viable), and 4) to hear and address claims for an extraordinary need for numbering resources in an NPA subject to a rationing plan. *In the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101.

⁴ Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000 – NXX Code Reclamation, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa. B. 4701 (September 2, 2000) (PAPUC established process for reclaiming NXX codes from carriers who have failed to activate them within six months of their availability for assignment to customers.); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications

The PAPUC recently used previously delegated authority from the Commission to implement two accelerated voluntary pools⁵ in its 570 and 717 NPAs. The PAPUC adopted an order on August 9, 2001 directing the implementation of accelerated voluntary pools in the 570 NPA on February 28, 2002 and in the 717 NPA on March 14, 2002. A copy of this order is attached hereto as “Attachment A.” This order was adopted as a result of a Joint Petition for Settlement and Agreement For Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes (“Joint Petition”) which is designed as “Annex A” in Attachment A. At the time these two accelerated voluntary pools were ordered, the industry and NeuStar represented to the PAPUC their opinion that the pools would be “flashcut”⁶ into the national rollout schedule if timely implemented. Subsequently, the PAPUC learned that any existing pools prior to national rollout would become a part of the national scheme prior to March 15, 2002 and would not be

Commission in its Order released July 20, 2000 – NXX Code Rationing, Docket Nos. M-00001427 and P-00961027F0002 (Order entered December 27, 2000) (PAPUC ordered that NXX code rationing would continue in the 412 and 878 area codes at a rate of six per month until February 17, 2002); Rate Center Consolidation, Docket No. M-00011452 (Order entered February 9, 2001) (PAPUC creates subcommittee charged with the responsibility of creating a plan for implementing rate center consolidation in Pennsylvania and submitting that plan to the Commission by August 1, 2001); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order Released July 20, 2000 – NXX Code Sharing, Docket Number M-00001427F0002 (Order entered February 26, 2001), 31 Pa. B. 1428 (March 10, 2001) (PAPUC sought comments regarding NXX code sharing); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – Thousands-Block Number Pooling, Docket No. M-00001427 and P-00961061F0002 (Order entered December 27, 2000) (PAPUC directs that a mandatory 1K pooling be implemented in the 610/484 NPAs); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – 1K Pooling, Docket No. M-00001427 and P-00961027F0002 (Order entered May 31, 2001) (PAPUC directs that a mandatory 1K pooling be implemented in the 412, 724 and 878 NPAs on October 29, 2001); and, Implementation of Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes, Docket No. M-00001427 (Order entered August 9, 2001) (PAPUC directed that two accelerated voluntary thousands-block pools be implemented in the 570 and 717 NPAs on February 28, 2002 and March 14, 2002 respectively).

⁵ *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of Local Competition Provisions of Local Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration*, CC Docket No. 96098, 13 FCC Rcd 190029 at ¶ 27 (1998) recon. denied. (“*Pennsylvania Order*”)

⁶ This is a term of art used by NeuStar to indicate the transition of existing state pools to the national platform.

included in the national rollout schedule. As mentioned previously, these two voluntary pools will be implemented prior to March 15, 2002.

Two months after the PAPUC ordered accelerated voluntary pools for the 717 and 570 NPAs, the Commission sought comment on Rep. McCall's Petition. Additionally, on October 17, 2001, the Commission opened for comment its National Thousands-Block Number Pooling Rollout Schedule which does not schedule either 717 or 570 for national pooling any time between March 2002 and January 2004.⁷ The result of these actions has created doubt about whether or not the accelerated voluntary pools being implemented in both the 717 and 570 NPAs will be flashcut to the national scheme. Though the public notice does indicate that pooling trials commenced before March 2002 will be transitioned into the national pooling administration program prior to the national pooling rollout, the PAPUC is not clear whether this also applies to its two accelerated voluntary pools.⁸ The PAPUC submits that the soon to be implemented accelerated voluntary pools in the 717 and 570 area codes should be flashcut to the national platform prior to March 15, 2002 because these pools are being implemented pursuant to Commission delegated authority in the *Pennsylvania Order* and in accordance with the national pooling framework and guidelines. Further, failing to make these two pools part of the national network negates the efforts of all the parties involved and takes away the opportunity for citizens in Central Pennsylvania to benefit from national pooling.

⁷ *The Common Carrier Bureau Seeks Comment on the National Thousands-Block Number Pooling Rollout Schedule*, CC Docket No. 99-200, DA 01-2419 (rel. October 17, 2001).

⁸ During an informal conference call between members of various state commission staffs and staff members of the Commission, staff members of the PAPUC asked whether Pennsylvania's two voluntary pools would be flashcut to the national platform prior to national rollout. In response, Commission staff indicated that only pools implemented pursuant to a state's delegated authority would be flashcut to the national platform. Subsequent to this conference call, the PAPUC received a copy of a document entitled "Thousands Block Number Pooling Detailed Rollout Plan – 09/24/01" from NeuStar wherein NeuStar notes "570 and 717 NPAs in Pennsylvania were removed from previous list

I. The 717 and 570 accelerated voluntary pools are being implemented pursuant to delegated authority received from the *Pennsylvania Order* and in accordance with the national pooling framework and guidelines

In the course of the PAPUC's investigation of rate center consolidation during the spring of 2001, several members of the telecommunications industry petitioned the PAPUC to implement accelerated voluntary 1K pools in the 717 and 570 NPAs. Since the PAPUC had not received delegated authority to implement mandatory pools in these two NPAs,⁹ the PAPUC assessed the feasibility of implementing voluntary pools in accordance with the Commission's *Pennsylvania Order*.¹⁰ Once satisfying ourselves that we had the authority to implement these two accelerated voluntary pools, the PAPUC addressed the issues of ensuring that these would be successful pools and ensuring that they were being implemented in accordance with the national framework to be ultimately folded into the national pooling network. As a result of a joint effort between the eligible industry participants and staff of the PAPUC, we were able to receive a written commitment from nearly all of the Local Number Portability ("LNP") capable carriers¹¹ in these

because the PAPUC has issued an order implementing pooling in those NPAs in February and March 2002 respectively."

⁹ On July 20, 2000, the Commission gave the PAPUC the authority to implement thousand block pooling in the Pittsburgh MSA or the Philadelphia MSA. *In the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101 at ¶ 46. The 717 NPA encompasses the Harrisburg-Lebanon-Carlisle, Lancaster, and York MSAs while the 570 NPA encompasses the Scranton-Wilkes-Barre-Hazleton, Allentown-Bethlehem-Easton, and Williamsport MSAs.

¹⁰ In paragraph 27 of the *Pennsylvania Order*, the Commission stated "we encourage number pooling experiments in the various states, provided that such experiments do not violate previous Commission decisions in the area of numbering administration and area code relief and that carrier participation is voluntary." *Supra* note 1 at ¶ 27.

¹¹ To be able to participate in pooling a carrier must be LNP-capable. See *Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574, ¶ 116 (2000).

two NPAs¹² to participate fully¹³ in these two accelerated voluntary pools. Further, all participating industry members agreed to implement the accelerated voluntary pools in accordance with the *Industry Numbering Commission (INC) Thousands-Block Number (NXX-X) Pooling Administration Guidelines*, INC 99-0127-023, issued January 8, 2001 (“*INC Pooling Guidelines*”).¹⁴ Finally, the signatories of the Joint Petition agreed that the costs associated with the interim pooling administrator will be borne by all carriers in Pennsylvania and will be allocated according to the LNP model in the same way the costs for Pennsylvania’s other mandatory pools are being allocated.¹⁵ Because these two voluntary pools are being implemented according to Commission delegated authority under the *Pennsylvania Order* and because the pools are being implemented in accordance with the national framework and guidelines, the PAPUC requests that the Commission clarify that the 717 and 570 pools will be flashcut to the national pooling platform on or before March 15, 2002.

¹² Out of the 14 total LNP capable carriers in either or both 717 and 570, 12 carriers signed the joint petition. At the time of the order, PAPUC staff was unable to contact the other two LNP capable carriers. These two carriers combined have a total of 3 NXX codes in the 570 NPA and they are participating in Pennsylvania’s other mandatory pools.

¹³ The PAPUC was very concerned about the commitment of these participating carriers to fully participate in the pool by donating all available thousands blocks and taking all future numbering resources from the pool rather than the NANPA. Attachment A at 14-16. Therefore, in the signed joint petition filed by the participating carriers, they agree to “each individually donate all available thousands blocks to the pools and to obtain all its future numbers from the pooling administrator. Only the pooling administrator will receive full NXX codes from the NANPA to replenish the pool and meet the needs of the carriers participating.” Attachment A, Annex A at ¶ 13.

¹⁴ Attachment A, Annex A at ¶ 17.

¹⁵ Attachment A, Annex A at ¶ 18.

II. If the Commission does not make these two pools part of the national network, it will be negating the efforts of all the parties involved and taking away the opportunity for citizens in Central Pennsylvania to benefit from national pooling

Central Pennsylvanians first dealt with area code relief in April of 1999 when Pennsylvania's original 717 NPA was split to create the 570 NPA. Then, in September of 2000, the PAPUC sought input from Central Pennsylvanians regarding the industry consensus relief plan to implement an area code overlay for the 570 NPA. Most of the comments submitted by consumers and legislators argue that another new area code is not necessary. Further, much distress was articulated about the fact that the 570 NPA was created in April of 1999 with a projected lifespan of six years. Regardless of this, relief planning for the new 570 NPA was initiated in May 2000, not quite a year after activation of the 570 NPA. Under the schedule proposed by the industry for the 570 NPA a new NPA would be activated May 2002. Further, in August of 2001, the PAPUC sought input from Central Pennsylvanians regarding the industry consensus relief plan to implement an area code overlay for the 717 NPA. These comments are currently being reviewed by the PAPUC, but the scheduled proposed by the industry for the 717 NPA would lead to the creation of a new area code there in November 2001.¹⁶

Cognizant of the possibility that two new area codes could be activated within a year and the fact that no other number conservation measures were in effect for these two area codes (with the exception of NXX code reclamation), a movement toward the implementation of accelerated voluntary pools began. Industry members worked among themselves to ensure that all the

¹⁶ According to the industry consensus plan, upon notification from the PAPUC to implement an overlay the overlay would be implemented over a 19-month period using the latest forecasted exhaust date. The currently projected exhaust date for the 717 NPA is second quarter 2003.

LNP-capable companies in these two area codes understood and agreed to participate in these pools. NeuStar, in its role as pooling administrator, offered as much assurance as it could about the future status of these two accelerated voluntary pools in the national scheme.¹⁷ The Office of Consumer Advocate and Representative McCall worked to resolve various outstanding issues. PAPUC staff coordinated the efforts of all these participants and ensured that the order adopted by the PAPUC clearly set forth the intent and understanding of all parties to implement successful voluntary pools in accordance with the national framework and guidelines. Finally, NeuStar conducted a First Implementation Meeting regarding these two pools on August 24, 2001. As a result of the industry consensus at the implementation meeting, the pooling timeline for both of these NPAs has been established and it is in the process of being completed. For example, all participating industry members began protecting their blocks in the 570 NPA on August 27, 2001 and in the 717 NPA on September 4, 2001 in accordance with the pooling timeline. Further, the forecast report and donation identification forms are due for the 570 NPA on January 21, 2002 and for the 717 NPA on February 4, 2002. PAPUC staff continues to work with these carriers to ensure their timely compliance with their obligations. By failing to clarify that the 717 and 570 accelerated voluntary pools should be flashcut to the national platform on or before March 15, 2002, the Commission would be negating the efforts of all these parties and not giving Central Pennsylvanians the opportunity to benefit from national pooling.

¹⁷ While the PAPUC recognizes that the Commission is the final decision-maker regarding the rollout of national pooling, at the time these two accelerated voluntary pools were being considered the PAPUC asked for a commitment in writing from NeuStar that it could administer these two voluntary pools and would grandfather them into the national rollout. In response, the PAPUC received a letter dated July 16, 2001 from NeuStar indicating that it stood ready to implement any pools directed by the PAPUC and that any pool underway in Pennsylvania prior to national rollout would be rolled into the national system.

CONCLUSION

The PAPUC is committed to having adequate numbering resources available to all telecommunications providers while working to ensure that new unnecessary area codes are not added to the Commonwealth to the detriment of Pennsylvania's citizens and the NANP. Consequently, the PAPUC supports Rep. McCall's Petition and asks the Commission to clarify that the 717 and 570 accelerated voluntary pools will become a part of the national platform on or before March 15, 2002.

Respectfully submitted,

PENNSYLVANIA PUBLIC UTILITY
COMMISSION

By its counsel:

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Dated: October 23, 2001

ATTACHMENT A

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Public Meeting held August 9, 2001

Commissioners Present:

Glenn R. Thomas, Chairman
Robert K. Bloom, Vice Chairman
Aaron Wilson, Jr.
Terrance J. Fitzpatrick

Implementation of :
: :
: :
Accelerated Voluntary Thousands- : M-00001427
Block Pooling in the 570 and 717 Area :
Codes :
: :
: :

ORDER

BY THE COMMISSION:

INTRODUCTION

In this Order, we approve the Joint Petition for Settlement and Agreement for Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes (“Agreement”). The Agreement is attached hereto as “Annex A.” As outlined in the Agreement, a number of LNP-capable carriers have agreed to participate in accelerated voluntary pooling in the 570 Numbering Plan Area

“NPA” or “area code”) on February 28, 2002 and in the 717 NPA on March 14, 2002.

BACKGROUND

Federal and state statutes have afforded new telephone companies the opportunity to compete against existing ones for local telephone business.¹⁸ These statutes were designed to foster competition in the telecommunications marketplace with the hope of ultimately lowering prices and improving choices for consumers. Both the onset of competition and the increased demand for fax machines, computer modems, and cellular phones have created an unprecedented demand for telephone numbers.¹⁹ Consequently, area codes are rapidly exhausting in Pennsylvania and nationwide.

The Commission, in addition to other state and federal regulators as well as the telecommunications industry, has been dedicated to finding a solution for this complex numbering problem for several years. Efforts to conserve numbering resources have focused both on developing methods of allocating numbers more efficiently and increasing carriers’ accountability for the numbering resources they are allocated. One conservation measure with the potential of significantly slowing the depletion of numbering resources is number pooling. “Pooling” refers to sharing spare numbering resources, and thousands-block pooling (“1K pooling”) is a method of assigning these spare numbers. In number pooling, there

¹⁸See, The Communications Act of 1934, as amended by the Telecommunications Act of 1996, 47 U.S.C. § 251(e)(1), and Chapter 30 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 3001-3009.

¹⁹ NXX codes are the three digits following the area code in a 10-digit telephone number. Under the current infrastructure, telephone numbers are assigned to carriers by NXX code (each NXX code contains 10,000 numbers). Once those 10,000 numbers are given to the carrier, they are unavailable for assignment to any other carriers. Therefore, a carrier having a need for only 10 numbers because it has only 10 customers, still receives a full NXX code (10,000 numbers). Of those 10,000 numbers, 10 are assigned to end users, and the remaining 9,990 numbers become unused and unavailable for assignment to any other carrier that may be able to use them. Consequently, the amount of NXX codes in an area code can exhaust very quickly. As a result of this, new area codes need to be opened so that new NXX codes become available for use by carriers to assign numbers to end users.

is an inventory of telephone numbers that participating service providers²⁰ share and use in blocks of 1,000 numbers.

Where pooling is implemented, the entity that monitors the pool and allocates the pool's resources is the Pooling Administrator. Service providers participating in the pool contribute numbers to the pool through 1,000 block donations. When these resources are not enough to meet the forecasted needs of the participating service providers, then the Pooling Administrator seeks a 10,000 block (or NXX code) assignment from the North American Numbering Plan Administrator ("NANPA").²¹

In March of 2000, the FCC adopted 1K number pooling as a mandatory nationwide numbering resource optimization and determined that national rollout of pooling would occur nine months after the selection of a national pooling administrator.²² While the FCC selected bids from companies interested in serving as the national pooling administrator, the FCC continued to delegate to states the authority to implement mandatory 1K pooling. Using our FCC delegated authority,²³ we implemented one mandatory pooling in Southeastern

²⁰ To be able to participate in 1K pooling a carrier must be LNP-capable. 47 C.F.R. § 52.20. *See Report and Order and Further Notice of Proposed Rulemaking in the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 7574, ¶ 116 (2000). ("FCC's Numbering Order"). Although the telephone network is designed to route traffic based on the assignment of an NXX code (10,000 numbers) to one specific carrier, the introduction of local number portability (LNP) has begun to make the network more flexible. Because LNP enables the switch-specific restriction of telephone number assignments to be removed, any telephone number can be assigned to any switch offering service in the telephone number's rate center. Consequently, all LNP-capable providers who service a particular rate area can share all telephone number resources. By making the entire spare number inventory available to many providers, telephone number utilization can be improved and expand the life of an NPA. Service providers who cannot participate in the pool would continue to receive NXX codes from the code administrator in 10,000 blocks.

²¹ The NANPA is the entity responsible for allocating numbering resources to telecommunications carriers and monitoring the life span of area codes. The NANPA works under a contract with the Federal Communications Commission.

²² *FCC's Numbering Order*, supra note 3 at ¶¶ 122 and 156.

²³ *In the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L-99-101. ("FCC's Delegation Order"). The Commission was given the authority to implement 1K pooling in the Philadelphia Metropolitan Statistical Area ("MSA") or the Pittsburgh MSA and in any new NPA implemented to relieve numbering shortages in these two MSAs.

Pennsylvania²⁴ and are in the process of implementing a second mandatory pooling in Western Pennsylvania.²⁵ In June 2001, NeuStar was named as the National Pooling Administrator and the FCC determined that national rollout of pooling will begin in March 2002.²⁶

In the course of our investigation of rate center consolidation,²⁷ the industry asked the Commission to consider implementing accelerated voluntary 1K pooling in the 570 and 717 NPAs. Both the Office of Consumer Advocate (“OCA”) and Representative Keith R. McCall strongly support this proposal by the industry. While we do have the authority from the FCC to implement voluntary 1K pooling,²⁸ we have not yet done so in Pennsylvania. Because we believe in the value and importance of 1K pooling as a number conservation measure and because the industry has made a commitment to ensure that these two voluntary 1K pools are successful, we will direct that an accelerated voluntary pool be implemented on February 28, 2002 in the 570 NPA and on March 14, 2002 in the 717 NPA.

²⁴See Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – Thousands-Block Number Pooling, Opinion and Order Regarding the Petition of Verizon Pennsylvania Inc. For Expedited Reconsideration, Docket Numbers M-00001427 and P-00961061F0002 (Order entered February 9, 2001).

²⁵See Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – 1K Pooling, Docket No. M-00001427 and P-00961027F0002 (Order entered May 31, 2001).

²⁶ Mike Balmoris, “Federal Communications Common Carrier Bureau Selects NeuStar, Inc. as National Thousands-Block Number Pooling Administrator,” FCC News Release, June 18, 2001 available at http://www.fcc.gov/Bureaus/Common_Carrier/News_Releases/2001/.

²⁷ On February 8, 2001, we adopted an order directing that a rate center consolidation subcommittee be formed to develop and submit to the Commission a plan for rate center consolidation in any and all NPAs in Pennsylvania on or before August 1, 2001. Rate Center Consolidation, Docket No. M-00011452 (Order entered February 9, 2001). On July 26, 2001, we adopted an order suspending the August 1, 2001 deadline for submission of a implementation plan consolidating any and all rate centers in Pennsylvania’s area codes. Rate Center Consolidation, Docket No. M-00011452 (Order entered July 26, 2001).

²⁸ *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration*, CC Docket No. 96-98, 13 FCC Rcd 190029 at ¶ 27 (1998) recon. denied. (“FCC’s Pennsylvania Order”).

The Commission remains committed to having adequate numbering resources available to all telecommunications providers while being mindful of the impact of proliferating new area codes on Pennsylvania's citizens. By implementing 1K pooling in combination with other number conservation measures,²⁹ the Commission will better ensure that telecommunications carriers have adequate numbering resources without needing to resort to adding new area codes.

DISCUSSION

I. The 570 and 717 Voluntary Pools Will be Implemented Prior to National Rollout

In light of the fact that national rollout of pooling is scheduled to occur, we needed to determine if a voluntary pool would be grandfathered into the national rollout schedule. Therefore, we sought guidance from NeuStar as the national pooling administrator regarding whether they would be willing to implement these two voluntary pools and whether these two pools could be grandfathered into the

²⁹ See Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released March 31, 2000 – NXX Code Reclamation, Docket No. M-00001373 (Order entered August 22, 2000), 30 Pa. B. 4701 (September 2, 2000) (Commission established process for reclaiming NXX codes from carriers who have failed to activate them within six months of their availability for assignment to customers.); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – NXX Code Rationing, Docket Nos. M-00001427 and P-00961027F0002 (Order entered December 27, 2000) (Commission ordered that NXX code rationing would continue in the 412 and 878 area codes at a rate of six per month until February 17, 2002); Rate Center Consolidation, Docket No. M-000011452 (Order entered February 9, 2001) (Commission creates subcommittee charged with the responsibility of creating a plan for implementing rate center consolidation in Pennsylvania and submitting that plan to the Commission by August 1, 2001); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order Released July 20, 2000 – NXX Code Sharing, Docket Number M-00001427F0002 (Order entered February 26, 2001), 31 Pa. B. 1428 (March 10, 2001) (Commission sought comments regarding NXX code sharing); Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – Thousands-Block Number Pooling, Docket No. M-00001427 and P-00961061F0002 (Order entered December 27, 2000) (Commission directs that a mandatory 1K pooling be implemented in the 610/484 NPAs); and, Implementation of Number Conservation Measures Granted to Pennsylvania by the Federal Communications Commission in its Order released July 20, 2000 – 1K Pooling, Docket No. M-00001427 and P-00961027F0002 (Order entered May 31, 2001) (Commission directs that a mandatory 1K pooling be implemented in the 412, 724 and 878 NPAs on October 29, 2001).

national rollout if timely implemented. NeuStar has advised that they stand ready and able to implement any pool directed by the Commission but they cannot rollout any state pool after commencement of the national pooling rollout. Further, NeuStar has advised that any pool underway in Pennsylvania prior to the national rollout will be rolled into the national system. Based on this commitment from NeuStar, the industry has agreed to implement the accelerated voluntary 1K pooling in the 570 and 717 NPAs on February 28, 2002 and March 14, 2002, respectively.

II. The Participating Carriers and Agreement for Full Participation

The following LNP-capable carriers with NXX codes in either or both the 570 and 717 NPAs have agreed to participate in the voluntary 1K pool - Adelphia Business Solutions, Arbros Communications, ATX/Corecomm, Choice One, CTSI, D&E Systems Inc., KMC Telecom, XO, Sprint Communications, Sprint/United Telephone Company, AT&T and Verizon. It should be noted that US LEC and Cavalier Telephone Company have agreed to participate in the voluntary 1K pool although, at this time, these carriers have no NXX codes assigned to them in the 570 and 717 NPAs.

All parties involved, including the Commission, want to ensure that these two voluntary 1K pools are successful. As recognized by the FCC when it made the decision to implement mandatory nationwide pooling rather than voluntary pooling, the only way to guarantee a successful pool is by ensuring that as many carriers as possible participate.³⁰ As demonstrated by two voluntary 1K pools in New York, without full participation in the pool, the potential effectiveness of 1K pooling will be compromised.

³⁰ *FCC's Numbering Order* supra note 3 at ¶125.

The New York State Department of Public Service endeavored to implement voluntary 1K pooling in the 212 NPA in July 1998 and in the 718 NPA in March 1999. There were 26 potential pooling participants in the 212 NPA and 24 potential participants in the 718 NPA. As of March 2000, only five service providers in the 212 NPA donated blocks to the voluntary 1K pool and only six service providers received 1K blocks from the pool. Consequently, voluntary 1K pooling in New York's 212 NPA between July 1998 and March 2000 resulted in a savings of only eight NXXs. In the 718 NPA voluntary 1K pool, four participants donated blocks to the pool between March 1999 and March 2000, while no carriers received 1K blocks from the pool. Therefore, 1K voluntary pooling in the 718 NPA did not result in any number conservation. Moreover, by March 2000, the 212 NPA had exhausted and the 718 NPA only had seven NXX codes remaining.³¹

To prevent this same situation from occurring in Pennsylvania, all participants have agreed that they will fully participate in the voluntary 1K pools for the 570 and 717 NPAs and that these two voluntary 1K pools should be implemented in accordance with the *Industry Numbering Committee (INC) Thousands-Block Number (NXX-X) Pooling Administration Guidelines*, INC 99-0127-023, issued January 8, 2001 (“*INC Pooling Guidelines*”). In accordance with these guidelines, all participating carriers agree to donate all available 1K blocks in their inventory to the pooling administrator.³² Available blocks include all blocks participating carriers have in these two NPAs that have between zero and 100 number assigned from them to end users.³³ Furthermore, all carriers agreeing to participate in these two voluntary 1K pools agree to get new

³¹ *Id.* at footnote 274.

³² All Block Applicants requesting resources from the industry inventory pool shall contribute numbering resources to the inventory pool. *Industry Numbering Committee (INC) Thousands-Block Number (NXX-X) Pooling Administration Guidelines*, INC 99-0127-023, issued January 8, 2001 at §2.7(c). Code holders who are thousands-block pool participants shall identify eligible thousand blocks for donation to the industry inventory pool upon initial establishment of the industry inventory pool. *Id.* at § 4.1(a).

numbering resources from the pooling administrator in blocks of 1,000 rather than from the NANPA code administrator in blocks of 10,000.³⁴ We will direct the NANPA to notify us if it receives any NXX code applications from LNP-capable carriers for numbers from the 570 and/or 717 NPAs. Finally, as pooling participants, these carriers agree to abide by the other requirements outlined in the *INC Pooling Guidelines* such as the requirements regarding block allocation and reclamation procedures.³⁵

III. Requirements for All Carriers and Pre-Pooling Guidelines for Carriers Participating in the Voluntary 1K Pooling

Pursuant to federal rules effective July 17, 2000, all service providers are required to assign all available telephone numbers within an opened thousands-block before assigning telephone numbers from an uncontaminated thousands-block. 47 C.F.R. § 52.15(j)(1). This requirement applies to a service provider's existing numbering resources as well as to any new numbering resources it obtains in the future. Also pursuant to federal rules effective May 8, 2001, all carriers requesting growth codes in a particular rate center need to show that they have achieved a 60% utilization threshold in the codes they already have in that rate center. 47 C.F.R. § 52.15(h).

IV. The Pooling Timeline

All parties have agreed that voluntary 1K pooling in the 570 and 717 NPA should be fully implemented on February 28, 2002 and March 14, 2002, respectively. In accordance with the *INC Pooling Guidelines*, the pooling administrator is required to hold a public meeting known as the First

³³ *Id.* at §§ 7.1 - 7.2.3.

³⁴ A pooling Service Provider's requirement for an entire NXX code shall be obtained from the pooling administrator, not the NANPA code administrator. *Id.* at § 3.2

Implementation Meeting with all the service providers expected to participate in the 1K pool.³⁶ We will direct that a First Implementation Meeting for the 570 and 717 NPAs pools be held on or before August 31, 2001. The details and materials for this call will be circulated to participating carriers by NeuStar prior to the meeting.

Further, the *INC Pooling Guidelines* require that a timeline be established so that the milestones necessary for 1K pooling implementation can be met in a timely manner. These milestones include the following. First, the “Block Protection Date” which is the date when all participating service providers are required to protect 1K blocks with 0% up to and including 10% contamination from further contamination.³⁷ Second, the “Forecast Report Date” is the deadline for all participating service providers to report their forecasted 1K demand to the pooling administrator.³⁸ Third, the “Block Identification Date” is the date when all participating service providers identify which 1K blocks have no more than 10% contamination.³⁹ Fourth, the “Pooling Administrator Assessment of Industry Inventory Pool Surplus/Deficiency” is the date for the pooling administrator to evaluate whether there will be enough 1K blocks donated to create an industry inventory pool.⁴⁰ Fifth, the “Block Donation Date” is the date that service providers are required to donate protected 1K blocks to the pool.⁴¹ Finally, the “Pool Start/Allocation Date” and the “Mandated Implementation Date” are the dates when the pool is implemented and numbers from the pool are available for assignment.⁴² To help facilitate the industry’s ability to meet the agreed upon

³⁵ *Id.* at §§ 4.4, 8 and 9.

³⁶ *Industry Numbering Committee (INC) Thousands-Block Number (NXX-X) Pooling Administration Guidelines*, INC 99-0127-023, issued January 8, 2001 at § 7.2.2.

³⁷ *Industry Numbering Committee (INC) Thousands-Block Number (NXX-X) Pooling Administration Guidelines*, INC 99-0127-023, issued January 8, 2001 at § 7.2.4.

³⁸ *Id.* at § 7.2.3.

³⁹ *Id.* at § 7.2.5.

⁴⁰ *Id.* at § 7.2.6.

⁴¹ *Id.* at § 7.2.7.

⁴² *Id.* at §§ 7.2.8 and 7.2.9.

implementation dates, we will establish the following pooling timelines but will allow adjustments, per agreement, to these dates at the First Implementation Meeting:

Pooling Timeline for the 570 NPA

Block Protection Date – August 27, 2001
Forecast Report Date – January 21, 2002
Block Donation Identification Date – January 21, 2002
Administrator Assessment of Industry Inventory – February 11, 2002
Block Donation Date – February 15, 2002
Pool Start/Allocation Date – February 28, 2002

Pooling Timeline for the 717 NPA

Block Protection Date – September 4, 2001
Forecast Report Date – February 1, 2002
Block Donation Identification Date – February 1, 2002
Administrator Assessment of Industry Inventory – February 22, 2002
Block Donation Date – March 1, 2002
Pool Start/Allocation Date – March 14, 2002

V. Cost Allocation and Cost Recovery

Cost allocation refers to the division of shared pooling costs among carriers. The individual carrier's allocation becomes part of that carrier's specific costs. The FCC has determined that once national pooling is in place, the costs of 1K pooling will be allocated to all telecommunications carriers in proportion to each carrier's interstate, intrastate, and international telecommunications end-user revenues.⁴³ However, because the Commission is planning to implement interim 1K pooling before rollout of national pooling, we are required to implement an

⁴³ *FCC's Numbering Order supra* note 3 at ¶ 207.

interim cost allocation mechanism that will distribute the costs of number pooling in a competitively neutral manner.⁴⁴ For the 610/484 1K pools, the industry reached a consensus that the costs associated with the interim pooling administrator will be borne by all carriers in Pennsylvania with these costs being allocated according to the LNP model. The carriers agreeing to participate in these two voluntary 1K pools have agreed to allocate costs in the same manner.

Cost recovery refers to the ability of individual carriers to recover their carrier-specific costs for implementing pooling. In the *FCC's Numbering Order*, the FCC decided that carriers can recover the following two categories of costs: 1) carrier-specific network and system costs directly related to 1K pooling implementation, and 2) the shared industry costs associated with pooling (cost of downloads, cost of industry software, and cost for the pooling administrator).⁴⁵ Once national 1K pooling is implemented, the FCC will require carriers to bear and recover their own carrier-specific costs.⁴⁶ The FCC, however, did not have enough information regarding the specific costs of pooling so it did not decide how they should be recovered.⁴⁷ While we recognize that cost recovery has not been fully addressed by the FCC, under whose authority we are implementing these two voluntary 1K pools, we do realize that reasonable cost recovery is an issue that needs to be addressed.

CONCLUSION

⁴⁴ *FCC's Delegation Order supra* note 5 at ¶ 22.

⁴⁵ *FCC's Numbering Order supra* note 3 at ¶¶ 201-205. According to the FCC, costs not directly related to providing 1K pooling are unrecoverable and carriers are required to treat these costs as network upgrades. *Id.* ¶ 211.

⁴⁶ *Id.* at ¶ 209.

⁴⁷ *Id.* at ¶¶ 209, 211-214.

The Commission remains concerned about the current availability and usage of numbering resources and the impact of proliferating new area codes on consumers as well as telecommunications carriers. The Commission believes in the value and importance of 1K pooling as a number conservation measure, and the industry has made a voluntary commitment to ensure the success of voluntary 1K pooling in the 570 and 717 NPAs; **THEREFORE,**

IT IS ORDERED:

1. That the Joint Petition for Settlement and Agreement for Voluntary Accelerated Thousands-Block Pooling in the 570 and 717 Area Codes is hereby granted.
2. That accelerated voluntary pooling will be implemented in the 570 area code on February 28, 2002 and in the 717 area code on March 14, 2002 by NeuStar, Inc.
3. That a First Implementation Meeting shall be convened on or before August 31, 2001 via conference call, and all LNP-capable carriers with NXX codes in the 570 and 717 area codes agreeing to participate in the voluntary pools are directed to participate.
4. That the North American Numbering Plan Administrator shall notify the Commission if it receives any NXX code applications from LNP-capable carriers for numbers from the 570 and/or 717 NPAs.
5. That a copy of this order along with Annex A be served to all code holders in Pennsylvania, the Office of Consumer Advocate, the Office of Small Business Advocate, Pamela Kenworthy and Wayne Milby of the North American Number Plan Administrator, NeuStar, and Linda Hymans and Amy Putnam of NeuStar Pooling Administration.
6. That a copy of this order and Annex A shall be published on the Commission's web site at <http://puc.paonline.com/>.

BY THE COMMISSION,

/s/ James J. McNulty

James J. McNulty,

Secretary

(SEAL)

Order Adopted: August 9, 2001

Order Entered: August 9, 2001

ANNEX A

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Rate Center Consolidation

:
:
:

M-00011452

**JOINT PETITION FOR SETTLEMENT AND
AGREEMENT FOR ACCELERATED VOLUNTARY THOUSANDS-
BLOCK POOLING IN THE 570 AND 717 AREA CODES**

AND NOW comes the jurisdictional telecommunication utilities that have signed this Joint Petition and hold NXX codes in either the 717 NPA, the 570 NPA, or in both NPAs. The Joint Petitioners respectfully request that this Joint Petition for Settlement and Agreement for Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes be approved, without modification, by this Commission because this Petition is in the public interest. In support of this request, the Joint Petitioners represent as follows:

1. On February 9, 2001, the Pennsylvania Public Utility Commission (“Commission”) entered an order at M-00011452 directing that a Rate Center Consolidation (“RCC”) Subcommittee be established to devise and implement a rate center consolidation plan in any and all area codes in Pennsylvania and file this plan with the Commission no later than August 1, 2001.
2. Between March and July 2001, the RCC Subcommittee was formed and in meetings regarding the implementation of RCC in Pennsylvania a proposal was made that accelerated voluntary thousands-block (1K)

number pooling be implemented by industry consensus in the 570 area code (or “NPA”) and the 717 NPA as an alternative to RCC.

3. Both the 570 and 717 NPAs are currently in the process of relief planning.⁴⁸ The 570 NPA is currently projected to exhaust during the fourth quarter of 2003 and the 717 NPA is currently projected to exhaust during the second quarter of 2003.
4. Based upon such proposal, members of the RCC Subcommittee were directed to file with the Commission by June 29, 2001 “comments regarding the implementation of viable alternative number conservation measures.” Further, members of the RCC Subcommittee were directed to file with the Commission by June 22, 2001 “detailed information and documentation to support the subcommittee members’ claims that rate center consolidation is burdensome, costly, and time consuming.”
5. Accordingly, the members of the RCC Subcommittee had the opportunity to engage in comprehensive discussions concerning both RCC and other telephone number conservation measures, including accelerated voluntary 1K number pooling.
6. The signatories to this Joint Petition agree that successful accelerated voluntary 1K number pooling in the 570 and 717 NPAs would lengthen the lives of these NPAs, would ensure that carriers have access to

⁴⁸ On May 29, 2001, the industry filed a consensus plan with the Commission to implement an overlay for the 717 NPA. Relief Plan for the 717 NPA, Docket No. P-00961071F0003. Action from the Commission is still pending. On July 19, 2000, the industry filed a consensus plan with the Commission to implement an overlay for the 570 NPA. On September 15, 2000, the Commission entered an order seeking public comment on the proposed relief plan. A final decision from the Commission is still pending. Relief Plan for the 570 NPA, Docket No. P-00961071F0002 (Order entered September 15, 2000), 30 Pa. B. 5108 (September 30, 2000).

needed numbering resources, and would alleviate the need to implement premature new area codes.

7. The signatories to this Joint Petition also agree that 1K number pooling in the 570 and 717 NPAs will have an immediate and greater impact than RCC on delaying the need for additional area codes. Unlike RCC, implementation of 1K number pooling will result in the return and use of currently underutilized blocks of numbers. Finally, 1K number pooling will be transparent to consumers.
8. The signatories to this Joint Petition agree to the suspension of the rate center consolidation conservation measure at this time in order to focus industry and Commission resources on the implementation of the accelerated voluntary 1K number pooling in the 570 and 717 NPAs.
9. Under the Telecommunications Act of 1996, 47 U.S.C. § 251(e)(1), the Federal Communications Commission (“FCC”) has plenary jurisdiction over numbering issues, but it has delegated to state commissions the authority to implement some additional number conservation measures.
10. The Commission does not have the authority to implement mandatory 1K pooling in the 570 and 717 NPAs because it has not been delegated such authority by the FCC.
11. The Commission does have the authority to implement voluntary 1K number pooling in the 570 and 717 NPAs.⁴⁹

⁴⁹ *In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Memorandum Opinion and Order and Order on Reconsideration*, CC Docket No. 96-98, 13 FCC Rcd 190029 at ¶ 27 (1998).

12. The signatories to this Joint Petition (Joint Petitioners) are LNP-capable carriers who have numbers in either or both the 570 and 717 NPAs and are therefore capable of participating in accelerated voluntary 1K pooling in these NPAs.⁵⁰

13. The signatories to this Joint Petition realize the necessity for their full participation in the accelerated voluntary 1K pooling for the 570 and 717 NPAs. Therefore, each individually agrees to donate all available thousands blocks to the pools and to obtain all its future numbers from the pooling administrator. Only the pooling administrator will receive full NXX codes from the NANPA to replenish the pool and meet the needs of the carriers participating in the accelerated voluntary 1K pooling for the 570 and 717 NPAs. All signatories agree to follow the other provisions of the Industry Numbering Committee (INC) Thousands-Block Number (NXX-X) Pooling Administration Guidelines (*INC Pooling Guidelines*).

14. All signatories agree that the Law Bureau should recommend approval of, and prepare the Order approving, the Joint Petition for Settlement and Agreement for Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes (Approval Order).

15. All signatories agree that in the foregoing Approval Order, the Commission should mandate that accelerated voluntary pooling be implemented in the 570 and 717 NPAs on February 28, 2002 and March 14, 2002, respectively.

⁵⁰ The signatories recognize that cost recovery has not yet been fully addressed by the FCC under whose authority the Commission is implementing these voluntary pools. However, the

16. Further, all signatories agree that the Approval Order should set forth the block protection dates for the accelerated voluntary pools in the 570 and 717 NPAs and the dates for initial industry meetings in order to discuss and establish a pooling timeline necessary for the accelerated voluntary 1K pools in each NPA to be implemented on schedule.
17. Furthermore, all signatories agree that the Approval Order shall ensure that accelerated voluntary 1K pooling in the 570 and 717 NPAs conforms with the INC *Pooling Guidelines* until the National Pooling Administrator rolls the respective pools into the national rollout.
18. The participating industry members also agree that the costs associated with the interim pooling administrator will be borne by all carriers in Pennsylvania and that these costs are to be allocated according to the LNP model.
19. All Joint Petitioners acknowledge that any violation of the Commission Order approving and adopting the commitments and other terms set forth in this Joint Petition may subject the alleged violator to the civil penalty provisions of Section 3301 of the Public Utility Code. 66 Pa. C.S. § 3301.
20. All parties request that the Commission defer further consideration of RCC since it is anticipated that pooling and other number conservation measures in effect in Pennsylvania will be adequate to efficiently manage and conserve the Pennsylvania number supply.

signatories recognize that recovery of reasonable costs is an issue that will be addressed.

21. The signatories agree that the Commission expressly reserves the right to revisit rate center consolidation if the accelerated voluntary 1K number pools in 570 and 717 NPAs are not implemented successfully by the dates set forth in this Joint Petition, or if rate center consolidation is needed to preserve other Pennsylvania area codes.
22. The agreement to do accelerated voluntary 1K number pooling in the 570 and 717 NPAs, which is set forth in the Joint Petition, is expressly conditioned upon the Commission's approval and adoption of the provisions of this Joint Petition under appropriate public interest standards without modification of any term or condition therein.
23. If the Commission fails to approve the Joint Petition, or any of the terms or conditions set forth herein, without modification, then any Joint Petitioner may elect to withdraw from its agreement to do accelerated voluntary 1K number pooling in the 570 and 717 NPAs. A Joint Petitioner wishing to exercise its option pursuant to this paragraph shall file a notice to that effect with the Commission and the other parties within ten (10) business days after entry of an order by the Commission.
24. The individual Joint Petitioners have each executed the final page of their respective copies of this Joint Petition, and each Joint Petitioner intends that its signature page be affixed to the original filed with the Commission as part of the original document.

WHEREFORE, the Joint Petitioners respectfully request that this Commission approve this Joint Petition for Settlement and Agreement for Accelerated Voluntary Thousands-Block Pooling in the 570 and 717 Area Codes, including all the terms and conditions herein without modification, as being in the public interest.

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

| | | |
|--|---|--------------|
| In the Matter of |) | |
| |) | |
| Petition of Representative Keith R. McCall |) | |
| And Members of the Northeast Delegation of |) | |
| the Pennsylvania House of Representatives |) | NSD-L-01-113 |
| Requesting that Additional Authority Be |) | |
| Delegated to the Pennsylvania Public Utility |) | |
| Commission to Implement Additional |) | DA 01-2174 |
| Number Conservation Measures in CC |) | |
| Docket No. 99-200 |) | |

CERTIFICATE OF SERVICE

I, Deanne M.O'Dell, hereby certify that I have on this 23rd day of October 2001, filed a copy of the Pennsylvania Public Utility Commission's Comments and Request for Clarification, upon the Secretary of the Federal Communications Commission by electronic filing and that I have served a true and correct copy of the Comments upon the other persons listed below by first class mail.

Via First Class Mail:

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