

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service.

Rulemaking 95-04-043
(Filed April 26, 1995)

Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service.

Investigation 95-04-044
(Filed April 26, 1995)

**ASSIGNED COMMISSIONER'S RULING
REGARDING NUMBER POOLING IMPLEMENTATION
FOR THE 707 AND 805 NUMBERING PLAN AREAS**

On November 21, 2000, I issued a ruling adopting a schedule for the implementation of thousand-block number pooling in designated numbering plan areas (NPAs) during the year 2001. Today's ruling sets a schedule and prescribes procedures for moving forward with the implementation of additional number pools for 2002 in the 707 and 805 numbering plan areas (NPAs).

A. Background

On September 15, 1999, the Federal Communications Commission (FCC) adopted and released FCC Order 99-248 which granted the Commission interim authority to implement various area code conservation and relief planning measures. In that order, the FCC granted the Commission interim authority to conduct mandatory thousand-block number pooling trials in California. However, it limited the interim authority to implementing trials that generally

cover one Metropolitan Statistical Area (MSA) at a time and required the Commission to stagger the implementation of pooling trials in different MSAs.¹

On March 17, 2000, the FCC adopted FCC 00-104, *Report and Order and Further Notice of Proposed Rulemaking*,² in which it determined that “a national thousand-block pooling framework [is] mandatory for all carriers that are currently required to be LNP-capable either because they provide service in one of the largest 100 MSAs, or pursuant to a request from another carrier.”³ Furthermore, the FCC concluded that: (1) nationwide pooling should be administered by a single pooling administrator, (2) implementation of nationwide pooling should be delayed until a national pooling administrator is selected, and (3) states will be permitted to continue to implement individual pooling trials through individual requests for additional delegation of authority until the national pooling framework is in place.⁴ In addition, FCC 00-104 mandates that thousand-block number pooling be implemented on a national

¹ “As an initial matter, we limit the authority we grant to the California Commission to a trial that generally covers one MSA. . . . After having implemented a thousands-block number pooling trial in one MSA, the California Commission may wish to expand to another MSA. Should it wish to do so, we direct the California Commission to allow sufficient transition time for carriers to undertake any necessary steps, such as modifying databases and upgrading switch software, to prepare for an expansion of thousands-block pooling to another MSA. In other words, start dates for thousands-block pooling trials in different MSAs should be appropriately staggered to permit the industry to undertake all necessary steps.” [FCC 99-248, ¶¶ 19 and 20.]

² FCC 00-104 was released on March 31, 2000, and became effective on July 16, 2000.

³ FCC 00-104, ¶ 125. FCC 00-104 also makes provisions for covered CMRS providers to implement thousand-block pooling after they become LNP capable.

⁴ FCC 00-104, ¶ 128.

level within nine months of the selection of a national pooling administrator and that the national rollout of number pooling should encompass a maximum of three NPAs in each NPAC region per quarter.⁵ California is in the West Coast region, along with Nevada and Hawaii.

This Commission thus continues to have interim authority to implement number pooling trials while the national framework is being developed. On November 21, 2000, my Assigned Commissioner's Ruling adopted a general schedule for number pooling trials to be implemented during the year 2001. Today's ruling addresses further scheduling and process issues necessary to implement number pools in the 707 and 805 NPAs during 2002.⁶

On November 28, 2000, the assigned ALJ issued a ruling establishing certain reporting requirements for all number pools in California that were effective at that time and for all future state-mandated number pools. On October 1, 2001, an ALJ ruling was issued modifying the November 28, 2000 ruling to provide for conformance with FCC rules. Carriers participating in the 707 and 805 NPA number pools shall be subject to number pooling rules pursuant to the October 1, 2001 ALJ ruling.

B. Pooling Administrator Contract

The currently established North American Portability Management, LLC (LLC) is hereby directed to promptly negotiate contracts with NeuStar to act as

⁵ FCC 00-104, ¶¶ 156 and 159.

⁶ FCC rules currently provide for mandatory number pooling in rate centers within the top 100 Metropolitan Statistical Areas (MSAs). Thus, mandatory pooling will apply to those rate centers in the 707 and 805 NPAs that are within the top 100 MSAs. Number pooling will be voluntary in rate centers outside the top 100 MSAs.

pooling administrator in the 707 and 805 NPAs. The contract shall include appropriate confidentiality provisions and provide for Commission access to carrier-specific data. NeuStar shall notify the Assigned Commissioner and Director of the Telecommunications Division (TD) by letter that the contract has been executed one month before the Pool implementation start date. A copy of the signed contract shall also be submitted to the Director of Telecommunications Division within five days of execution.

C. Schedule for Implementation

The table below sets forth the implementation schedule for the number pools. The column titled "Implementation Start Date" represents the mandatory deadline for the number pool to be fully ready to begin operation with all testing completed. At this date, the pooling administrator shall be ready to begin assigning numbers from the pool. The column titled "Last Lottery Date" represents the date of the final lottery available to pooling participants to obtain full NXX codes in the designated NPA. Subsequent to that date, the only carriers that will continue to participate in the NXX code lottery for that NPA will be carriers that are ineligible to participate in the number pool (i.e., non-LNP-capable). The adopted pooling schedule is as follows:

<u>NPA Pool</u>	<u>Implementation Start Date</u>	<u>Last Lottery Date</u>
805 NPA	2/1/2002	12/12/2001
707 NPA	3/1/2002	1/9/2002

The time and place for the implementation meetings for the 707 and 805 NPA pools shall be announced at a later time by the Pooling Administrator. At those meetings, carriers will be advised concerning further requirements and

scheduling issues relating to implementation of the 707 and 805 NPA number pools.⁷

D. NXX Set-Aside Requirements

As with previous number pools, a prescribed number of NXX codes shall be set aside for use in each of the number pools in the 707 and 805 NPAs, respectively. Consistent with the convention followed for previous number pools, approximately one-third of the remaining NXX codes in each of the designated NPAs shall be reserved for number pooling. NANPA is directed to reserve the specified number of NXX codes for the number pools in the 707 and 805 NPAs. The specific number of NXXs to be reserved for each NPA pool is set forth below.

RESERVATION OF NXX CODES FOR POOLING

NPA	(NXXs)		
	Currently in Lottery as of 10/1	Reserved for Pooling	Remaining in Lottery
707	150	50	100
805	136	45	91

E. Number Reporting and Usage Requirements

As stated in the ALJ Ruling dated October 1, 2001, the previous requirement has been discontinued for each carrier to submit an Inventory Report to the Commission's Director of the Telecommunications Division (TD). As noted in the October 1, 2001 ALJ ruling, however, carriers still are required to provide the Commission with access to federally mandated semi-annually

⁷ Implementation meetings will also be accessible by carriers via teleconferencing. Contact the Pooling Administrator for the call-in number.

reported forecast and utilization data, subject to appropriate confidentiality protections. Through access to such data, the Commission will better be able to meet its obligations regarding the implementation of area code relief and to act on their delegations of additional numbering authority.

Carriers are still expected to utilize the numbers from the most contaminated blocks prior to allocating numbers from less contaminated blocks. Carriers are expected to take every step necessary to maximize the utilization of thousand blocks, including the compliance with adopted fill rates and sequential numbering rules. By increasing the utilization of individual thousand blocks, carriers can preserve as many uncontaminated or lightly contaminated blocks as possible.

F. Software Functionality

The number pools for each NPA shall be established using the best available software technology at the time the trial begins.

IT IS RULED that:

1. The schedule and procedures set forth above are hereby adopted for the additional number pools to be implemented for the 707 and 805 numbering plan areas (NPAs).
2. The mandatory starting dates for the NPA number pools scheduled for the 707 and 805 NPAs to be fully ready to begin operation are hereby set as noted above.
3. The time and place for an initial number pooling implementation meeting for each of the NPA number pools shall be announced at a later date by the Pooling Administrator. At that meeting, carriers will be advised concerning further requirements and scheduling issues relating to implementation of the number pools for the 707 and 805 NPAs.

4. NXX codes shall be set aside for use in number pooling in each of the designated NPAs as prescribed in the table above.

5. The number pooling for each of the NPAs scheduled shall be established using the best available software technology at the time the trial begins.

6. The North American Portability Management, LLC is directed to negotiate contracts with NeuStar and for the number pools as designated in this ruling.

7. NeuStar shall send copies of the signed contracts to the Director of TD within five days of execution.

8. NeuStar shall promptly provide notification by letter to the Assigned Commissioner and to the Director of TD that the Pooling Contracts have been executed.

9. NANPA is directed to reserve the requisite NXXs as specified in this ruling for each of the number pools.

10. Carriers participating in the 707 and 805 NPA number pools shall be subject to number pooling rules and procedures pursuant to the October 1, 2001 ALJ ruling.

Dated November 7, 2001, at San Francisco, California.

/s/ LORETTA LYNCH

Loretta Lynch
Assigned Commissioner

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Assigned Commissioner's Ruling Regarding Number Pooling Implementation for the 707 And 805 Numbering Plan Areas on all parties of record in this proceeding or their attorneys of record.

Dated November 7, 2001, at San Francisco, California.

 /s/ FANNIE SID
Fannie Sid

N O T I C E

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