



**Attorney General
Betty D. Montgomery**

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November 15, 2001

Via Federal Express

Magalie R. Salas, Secretary
Federal Communications Commission
445 Twelfth Street S.W.,
Room T2 A325
Washington, DC 20554

Re: *In the Matter of Numbering Resource
Optimization, CC Docket No. 99-200*

Dear Ms. Salas:

Enclosed please find the original and five copies of the reply comments of the Public Utilities Commission of Ohio in the above referenced case. Please return one time-stamped copy in the enclosed, stamped, self-addressed envelope.

Thank you for your consideration in this matter.

Respectfully submitted,

Betty D. Montgomery
Attorney General

Jodi J. Bair
Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, OH 43215-3793
(614) 466-4395
FAX: (614) 644-8764
E-mail: jodi.bair@puc.state.oh.us

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

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In the Matter of :
Numbering Resource Option : CC Docket No. 99-200

REPLY COMMENTS OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

INTRODUCTION

On October 17, 2001, the FCC released a Public Notice, seeking comments regarding a proposed national thousands-block number pooling rollout schedule. The Public Utilities Commission of Ohio (PUCO) responded to this Notice and filed comments, asking the FCC to rearrange the order of the rollout schedule relating to several of Ohio's NPAs. In the Public Notice, the FCC also allowed for the filing of reply comments by November 16, 2001. The PUCO files these replies in response to other parties' comments and also asks the FCC to clarify that pooling will be done on an Numbering Plan Area (NPA)-wide effort as opposed to only on an Metropolitan Statistical Area (MSA)-only basis. The PUCO also asks that the FCC involve state commissions in determinations concerning whether a non-LNP capable wireline carrier should be exempt from pooling. Finally, the PUCO agrees with the comments of the Cincinnati Bell Telephone Company (CBT) concerning delayed implementation of pooling within the 513/283 NPA.

Clarification as to the extent of Pooling within an NPA

The PUCO agrees with the comments of the Public Service Commission of the State of Missouri (MoPSC), the Public Utility Commission of Texas (Texas Commission), and others that the Commission must clarify whether it is the

Commission's intent to pool an entire NPA or just the MSA rate centers within a particular NPA. It appears that the Commission intends pooling for the entire NPA as opposed to earlier statements in the *Numbering Resource Optimization First Report and Order* that pooling would only be extended to the MSA rate centers within an NPA.¹ The PUCO supports NPA-wide pooling efforts as opposed to MSA-only pooling in order to receive the greatest benefit of this important number conservation tool. Certainly, the most significant method of extending the life of an NPA is to share as many available thousands-blocks as possible between carriers within that NPA.

The PUCO agrees with MoPSC and the Texas Commission that the Commission should clarify the extent to which non-local number portability (LNP) capable wireline carriers, such as rural or small telephone companies are required to participate in pooling outside of an MSA. As pointed out by MoPSC, the Commission in previous orders has exempted non-LNP capable carriers outside of an MSA from participation in pooling.² The PUCO urges the Commission to permit the participation of state commissions in determinations as to whether a non-LNP capable wireline carrier should be exempt from pooling. As the PUCO has seen from recent filings by the CMRS industry³, it may be possible to pool without full implementation of number portability, therefore, the PUCO encourages the Commission, in conjunction with interested states, to determine whether a wireline carrier should be exempt from pooling in a particular NPA. The fewer number of carriers participating in pooling means that this measure

¹ *Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd. 7574, ¶ 158 (rel. March 31, 2000) (First Report and Order).

² *Comments of the Public Service Commission of the State of Missouri*, CC Docket 99-200, November 8, 2001 at 3-4.

will be less effective due to the fact that those that are exempt are likely to utilize just a small fraction of an entire block of 10,000 numbers. As state commissions are closest to the local concerns, it should be appropriate for state commissions to determine whether one of its wireline carriers should be exempted from number pooling requirements based on the information provided by that carrier and the circumstance of the particular NPA.

The PUCO urges the Commission to clarify these important implementation issues prior to the inception of thousands-block number pooling.

Agreement with Pooling Delay for 513/283 NPA

The PUCO agrees with the recommendation of the Cincinnati Bell Telephone Company (CBT) that the 513/283 NPA be moved to the fifth quarter of the schedule. The PUCO agrees that circumstances have changed considerably since the 513 NPA was declared to be in jeopardy in May 2000 and also agrees with CBT's assessment of the exhaust status of the 513 NPA. As mentioned in CBT's comments, the average code assignment has been only four codes per month this past year. CBT suggested that, at this rate, the 513 NPA would not exhaust until the second quarter of 2005 well past the projected exhaust of the second quarter of 2003. In addition to CBT's analysis, the PUCO notes that, as a solution for the 513 NPA exhaust relief, the 283 NPA has already been assigned as an overlay of the 513 NPA; consequently, the need to delay the issuance of a new NPA is a moot point. Moving the 513/283 NPA to a later quarter, as suggested by the Cincinnati Bell Telephone Company, would allow an NPA closer to exhaust to

³ The PUCO does not support a continued exemption for CMRS LNP. See PUCO comments in WT Docket 01-184, filed September 20, 2001.

take advantage of the efficiencies of thousands-block pooling and extend its life before a new NPA would need to be assigned.

CONCLUSION

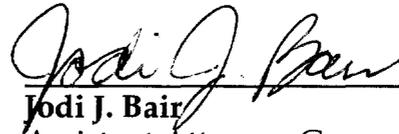
The PUCO requests the Commission to clarify that thousands-block number pooling shall be extended to the entire NPA, not just the MSA rate center. The PUCO also asks that the FCC involve state commissions in determinations concerning whether a non-LNP capable wireline carrier should be exempt from pooling.

The PUCO recommends that the FCC rearrange the order for Ohio NPAs to implement thousands-block pooling, ensuring that the 513/283 NPAs are moved to the fifth quarter of the rollout schedule. As indicated in our earlier comments, the Ohio Commission recommends the following schedule:

- First quarter - **440** (Cleveland, Lorain, Elyria)
- Third quarter - **216** (Cleveland)
- Fourth quarter - **740** (Columbus)
- Fourth quarter - **330/234** (Akron)
- Fourth quarter - **419/567** (Toledo)
- Fifth quarter - **513/283** (Cincinnati)
- Fifth quarter - **614/380** (Columbus)
- Fifth quarter - **937** (Dayton, Springfield)

Respectfully submitted,

Betty D. Montgomery
Attorney General

A handwritten signature in cursive script, reading "Jodi J. Bair", is written over a horizontal line.

Jodi J. Bair
Assistant Attorney General
Public Utilities Section
180 E. Broad Street, 9th Floor
Columbus, OH 43215

Date submitted: November 15, 2001.