

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Numbering Resource Optimization	)	CC Docket No. 99-200
	)	
Petition of the Connecticut Department Of Public Utility Control for Delegated Authority to Implement Transitional Service-Specific and Technology-Specific Overlays	)	NSD File No. L-02-03

**COMMENTS OF WORLDCOM, INC.**

Pursuant to Public Notice DA 02-274 (rel. February 6, 2002), WorldCom, Inc. (WorldCom) hereby submits comments on the petition of the Connecticut Department of Public Utility Control (Petitioner) for authority to implement a transitional service/technology specific overlay (filed January 9, 2002). Petitioner has combined what appears to be a request for authority to implement a transitional overlay for non-pooling-capable providers, with authority to segregate so-called “non-geographic-based services’ providers”<sup>1</sup> into the identical overlay code. Petitioner has provided no information regarding who these providers are or what services they provide. The Commission should either deny the petition, or grant it only with respect to non-pooling-capable providers subject to the condition that the overlay code transition to an all-services-overlay on the earlier of exhaust of the underlying code, or November 24, 2002.

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<sup>1</sup> Petition at 5.

In the *Third NRO Order*, the Commission invited states to seek delegated authority to implement specialized overlays (SOs) in accordance with certain criteria.<sup>2</sup> Petitioner responded to this invitation by supplementing a petition previously filed on March 7, 2001. As detailed below, Petitioner has only partially complied with the criteria set out by the Commissioner. In this circumstance, the Commission could either grant Petitioner's request in part, or deny the request and allow Petitioner to file an amended petition that more closely meets the Commission's criteria.

Among the required criteria for petitions for authority to implement SOs are: that the state provide specific information on which technologies and services will be placed in any proposed SO;<sup>3</sup> and, that the state identify the appropriate trigger for a transitional overlay to transition to an all-services overlay.<sup>4</sup> Petitioner has made an inadequate showing on each of these criteria.

Petitioner has indicated that its initial petition was limited to "non LNP-capable carriers."<sup>5</sup> But Petitioner appears to have expanded its request to include "nongeographic-based services' providers."<sup>6</sup> Yet Petitioner has provided no information on the identity of these providers or of the services that they provide, except for the suggestion that they serve "customers that do not value location-specific or geographically-based numbers that they currently receive from the underlying NPA."<sup>7</sup> Indeed, it is entirely unclear if there are any "nongeographic-based services' providers" that have received NXX codes or blocks in the state of Connecticut. Since Petitioner has failed to

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<sup>2</sup> In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, *Third Report and Order* (rel. December 28, 2001), ¶¶ 67, 81.

<sup>3</sup> *Id.* at ¶ 82.

<sup>4</sup> *Id.* at ¶¶ 86, 87.

<sup>5</sup> Petition at 4.

<sup>6</sup> *Id.* at 5.

<sup>7</sup> *Id.*

provide specific information on these services, Commission must deny the petition, at least insofar as the unidentified services are concerned.

Thus, the petition amounts to little more than a renewed request for authority to conduct a transitional overlay for non-pooling-capable carriers. In the *Third NRO Order*, the Commission emphasized that where pooling capability is the defining criterion of a specialized overlay, the state commission bears the burden of demonstrating why the transition should not occur when wireless participation in pooling commences.<sup>8</sup>

Petitioner has requested a trigger based not on wireless participation in pooling, but on exhaust of the underlying NPA. The only justification offered is that the proposed trigger would be “more practical” since the underlying NPA(s) might not exhaust for some time.<sup>9</sup> Petitioner has failed utterly to carry its burden. These bare statements might apply to any transitional overlay. Accordingly, if the Commission gives Petitioner authority to conduct a transitional overlay, that authority should be conditioned on the requirement that the transition occur on the earlier of exhaust of the underlying code, or November 24, 2002, which is when wireless pooling is scheduled to commence.

Respectfully submitted,

WorldCom, Inc.

/s/

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<sup>8</sup> ¶ 87.

<sup>9</sup> Petition at 7.