

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

In the matter of:

Numbering Resource Optimization

CC Docket No. 99-200

Implementation of the Local
Competition Provisions of the
Telecommunications Act of 1996

CC Docket No. 96-98

**MOTION BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION
AND OF THE PEOPLE OF THE STATE OF CALIFORNIA
TO WITHDRAW PETITION FOR AUTHORITY TO IMPLEMENT
TECHNOLOGY-SPECIFIC OVERLAY AREA CODES**

The California Public Utilities Commission and the People of the State of California (California or CPUC) submit to the Federal Communications Commission (FCC or Commission) this Motion to Withdraw the Petition for Authority to Implement Technology-Specific Overlay Area Codes the CPUC filed with the FCC on September 25, 2002.

When California filed the September 25th petition, it also sought expedited treatment for the request, citing the need to obtain the requested authority in order to avoid splitting the 310 and 909 area codes in Southern California. Six months have passed since we filed the petition, and the FCC has not acted. The CPUC recognizes that, even if the authority requested were granted immediately, implementing the specialized

overlays contemplated in the petition would require some months of planning and action. The 310 and 909 area codes have too few NXX codes to sustain the NPAs for the amount of time necessary to create the specialized overlays. At this juncture, the CPUC must abandon its plan to use an innovative approach to area code planning, and instead, reconsider the need for a traditional solution to area code exhaust.

As part of that reconsideration process, however, the CPUC would greatly appreciate the option of increasing the contamination threshold for 1,000-blocks donated to the number pools in the 310 and 909 area codes. To that end, the CPUC is awaiting FCC action on the petition, filed September 10, 2002, in which California asked for authority to increase the contamination threshold from 10 percent to 25 percent. The CPUC submitted data demonstrating that increasing the contamination threshold would enable California to extend the lives of all area codes in the state. Some NPAs would last only months longer, while the lives of others would be increased by more than two years. We urge the FCC to act promptly on the pending California petition to increase the contamination threshold.

Finally, California remains committed to seeking alternative approaches to area code planning and number conservation. In that vein, the CPUC intends to submit to the FCC in the near future a new petition for authority to implement a somewhat different

specialized overlay. Nonetheless, for the reasons stated, the CPUC at this time moves to withdraw its September 27, 2002 Petition to implement specialized overlay area codes.

Respectfully submitted,

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