Before the
FEDERAL COMMUNICATIONS COMMISSION

In the Matter of	:	
Number Resource Optimization	:	CC Docket No. 99-200

COMMENTS OF
THE PUBLIC UTILITIES COMMISSION OF OHIO

INTRODUCTION

On October 28, 2004, the Federal Communications Commission (FCC) released a Public Notice (notice) in the above-captioned proceeding inviting comments regarding the Oklahoma Corporation Commission's (Oklahoma's) petition for delegated authority to implement additional number conservation measures.

Oklahoma's petition proposes that the FCC expand the scope of the state's delegated authority to include mandatory implementation of thousands-block pooling for all rate centers, including those outside of the top 100 metropolitan statistical areas (MSA), in which two or more carriers operate that have implemented local number portability (LNP). Oklahoma maintains that such delegated authority will allow states to more efficiently assign existing numbering resources, minimize costs to subscribers, and avoid premature area code (NPA) exhaust.

Comments responding to Oklahoma's petition are due at the FCC on

November 29, 2004. The Public Utilities Commission of Ohio (Ohio Commission) hereby submits its comments responding to the FCC's October 28, 2004 notice. The Ohio Commission supports the Oklahoma petition.

DISCUSSION

The Ohio Commission supports Oklahoma's request for additional delegated authority to order mandatory thousands-block number pooling in the "580" Numbering Plan Area (NPA). Without pooling in the more rural areas of a state, many numbers are left stranded in incumbent local exchange company (ILEC) rate centers with few access lines and become unavailable for assignment to other providers. If these stranded numbers were donated to a pool, they could be assigned by commercial mobile radio service (CMRS) providers, competitive local exchange companies (CLECs), as well as other service providers using new technologies. We agree with Oklahoma that allowing states to mandate pooling in local number portability (LNP)-capable rate centers outside of the top 100 MSAs will delay the need for area code relief by utilizing the numbering resources more efficiently.

Number optimization efforts, including LNP and number pooling, have proven to be successful in delaying both NPA and NANP (North American Numbering Plan) exhaust. Statistics provided by the North American Numbering Plan Administrator (NANPA) and the National Pooling Administrator (PA) during the FCC Numbering Symposium held on November 4, 2004, illustrate this fact. Where technically feasible, the demand for full central office codes of

10,000 numbers (NXX) has now shifted to a demand for numbers in blocks of a thousand (NXX-X), thus helping to eliminate stranded numbers that would most likely not be assigned by one particular company if full NXX codes were issued. For example, as a result of the implementation of number pooling, the number of NXXs opened to replenish pools nationally is 2,890, while the number of NXX prefixes saved as a result of thousand-block number pooling is 12,617. The Ohio Commission notes that pursuant to the conservation tools of number portability and pooling, the NANPA has extended its forecasted national exhaust date from 2012 to 2035.[1]

Ohio currently has 10 active NPAs and 7 MSAs in the top 100 MSAs. Consistent with the FCC's requirements (i.e., 47 CFR 52.23) all of Ohio's non-rural ILECs should have implemented LNP in response to CLEC/CMRS provider requests for LNP.[2] Similar to Oklahoma's representation that the demand for numbering resources is increasing in the rural areas, Ohio is experiencing an increase in the demand for numbering resources in our more rural areas as competition begins to move into Ohio's rate centers outside of the top 100 MSAs. For example, in Ohio's largest and most rural NPA ("740"), which encompasses almost half of Ohio's 88 counties, 155 "thousands" blocks have been assigned from the numbering pools in 2004, to date, in those portions of the NPA where either optional or mandatory pooling has been implemented. But for number

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1 Statistics reported by NeuStar during the FCC webcast of its Numbering Symposium on November 4, 2004.

2 The PUCO currently has 23 pending applications seeking rural carrier exemptions specific to the provisioning of LNP.

pooling, instead of the 155,000 numbers allocated in 2004, 1,550,000 numbers would have been assigned. The Ohio Commission also notes that, for the same time period in the "740" NPA, 41 full central office codes were assigned. If the Ohio Commission were authorized to mandate number pooling in those areas outside the top 100 MSAs, it is reasonable to assume that similar benefits would be experienced throughout the NPA, including in those areas in which the 41 NXX codes were assigned.

The Ohio Commission also agrees with Oklahoma's assertion that carriers are reluctant to participate in voluntary number pooling in LNP-capable rate centers outside the top 100 MSAs. As evidenced by Ohio's "740" NPA, only 52 of the 187 rate centers have mandatory pooling and 107 rate centers have optional pooling. The remaining 28 rate centers at this point have no pooling capability, although at least 17 of these rate centers are LNP capable. This incomplete deployment of LNP exists despite the fact that the "740" NPA is almost entirely served by large ILECs such as SBC Ohio and Verizon North and has only one small LEC, serving one rate center. Therefore, we agree with Oklahoma that many carriers have chosen not to participate in optional pooling, thereby necessitating other carriers to request full NXX codes.

While the Commission notes that optional pooling is certainly more beneficial than no pooling, problems exist in rate centers with optional pooling. For example, due to their "optional" status, some carriers may not be prepared to donate to the number pools in a timely manner and may not take their

forecasting obligations seriously. In addition, service providers in optional areas may not have conducted the research necessary to immediately donate clean or slightly contaminated blocks to the pool when requested by the PA. This situation causes a delay in providing numbering resources to a requesting carrier and may force that carrier to have to request a full central office code, thus, eliminating the benefits of pooling and the efficient use of numbering resources. If mandatory pooling existed in the currently optional rate centers, service providers would be required to assess their needs in a timely manner. As a result, blocks of numbers would be donated efficiently and would be available to be assigned when needed. Mandatory pooling would also allow the PA, as well as the state and federal regulators, to ensure compliance with the FCC pooling mandates and perform audits where appropriate.

CONCLUSION

In order to optimize this nation's numbering resources, the FCC should fully utilize all of the tools available, including both LNP and porting, to the maximum extent possible. To do otherwise would be similar to having the most sophisticated airport tower technology available, but not having the adequate runways to handle the resulting increased air traffic. By mandating pooling in all LNP-capable rate centers now, we will be more prepared to deal with the numbering demands from the new technologies, services, and players on the horizon. Consequently, the Ohio Commission recommends that the FCC grant Oklahoma's petition for delegated authority to implement additional number

conservation measures. Further, the Ohio Commission recommends that such delegated authority be extended to all states.

Respectfully submitted,

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