

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

In the Matter of )  
 ) CC Docket No. 99-200  
Numbering Resource Optimization )

**PETITION OF THE REGULATORY COMMISSION OF ALASKA  
FOR DELEGATED AUTHORITY  
TO IMPLEMENT NUMBER CONSERVATION MEASURES**

The Regulatory Commission of Alaska (RCA) respectfully submits this petition to the Federal Communications Commission (FCC) for authority to implement number conservation measures. Specifically, the RCA seeks delegated authority to optimize the use of numbering resources by implementing mandatory thousands-block number pooling within the 907 Numbering Plan Area (NPA). The RCA requests an expedited grant of this authority to ensure that the public is protected from the unnecessary expense and confusion related to premature area code splits or overlays, particularly when numbering resources exist to prevent it.

The Telecommunications Act of 1996 (1996 Act)<sup>1</sup> allows the FCC to delegate jurisdiction over numbering matters to state commissions or other entities. In the *Numbering Resource and Optimization First Report and Order*,<sup>2</sup> the FCC held that state commissions seeking thousands-block number pooling authority must first demonstrate that 1) an NPA in its state is in jeopardy; 2) the NPA in question has a remaining life span of at least a year; and 3) the NPA is in one of the largest 100 metropolitan statistical areas (MSAs), or alternatively, the

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<sup>1</sup> Pub. L. No. 104-104, 110 Stat. 56 (1996 Act)

<sup>2</sup> See *Numbering Resource Optimization*, CC Docket No. 99-200, FCC 00-104, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd. 7574 (Mar. 31, 2000) (First NRO Order).

majority of wireline carriers in the NPA are Local Number Portability (LNP) capable. The FCC further recognized that “special circumstances” may exist in which pooling would be beneficial in the NPAs that do not meet all of the above criteria and stated that it may authorize mandatory pooling in such an NPA upon a satisfactory showing by a state commission of special circumstances. Recently, the FCC granted pooling authority to state commissions in Idaho, Wisconsin and Alabama upon showing of special circumstances.<sup>3</sup>

### **The RCA Request**

The RCA believes it can demonstrate that special circumstances warrant granting its petition even though the RCA may not meet all three requirements for thousand-block pooling delegated authority. Neustar, in its role as North American Numbering Plan Administrator (NANPA), notified the RCA that the 907 NPA was due to exhaust in the third quarter of 2012. While the 907 NPA is not yet in jeopardy, anticipated requests for numbering resources indicate that exhaust of the NPA is imminent. Strict application of the first requirement, NPA jeopardy, could delay the RCA’s ability to optimize numbering resources in time to forestall exhaust of the 907 NPA. The Alaska 907 NPA has a remaining life of more than one year; therefore the second requirement for delegation of pooling authority is met. With regard to the third requirement for delegated pooling authority, the 907 NPA is outside of the largest 100 MSAs and most of the wireline providers in Alaska are not LNP capable. Nevertheless many of the providers do have location routing number (LRN) architecture or have indicated an ability to participate in number

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<sup>3</sup> *Petition of the Idaho Public Utilities Commission for Delegated Authority to Implement Number Conservation Measures; Petition of the Alabama Public Service Commission for Delegated Authority to Implement Number Conservation Measures; Petition of the Public Service Commission of Wisconsin for Further Delegated Authority to Implement Number Conservation Measures*; WC Docket No. 07-118 DA 07-3728, *Order*, 22 FCC Rcd. 16081, August 24, 2007.

pooling in their rate centers.<sup>4</sup> To view the issue from another perspective, the majority of access lines in the state have LRN architecture.

The RCA believes that the following special circumstances exist in Alaska that warrant granting of pooling authority. Alaska is a single NPA state composed of one non-rural area (Anchorage) and numerous small, rural communities spread throughout the state. As of September, 2009, 569 NXX prefixes within the 907 code have been assigned among 277 rate centers and approximately 223 NXXs remained for assignment.<sup>5</sup> The latest NeuStar utilization information shows the 907 code having roughly 70% of telephone numbers available for assignment. While this would suggest that no exhaust issue exists, the data is deceiving. In Alaska, an NXX code designates a location and Alaska has over two hundred locations or rate centers with small populations and low number utilization rates. Thus, the NXX codes will be exhausted long before the individual numbers within the 907 NPA are exhausted as competitors enter these areas and seek assignment of new NXX codes.

Alaska is currently experiencing increased demand for NXX codes due to the expansion of wireless providers into many rural areas of the state. One wireless provider has proposed to serve all exchanges in the state within the next few years. Other wireless carriers hold eligible telecommunications carrier status with commitments to build facilities in new areas of the state. As these wireless providers build out, they often require a new NXX code, leading to area code exhaust. While thousands-block number pooling could help address this problem, the rural areas in Alaska are exempt from national pooling requirements. Thousands block number pooling

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<sup>4</sup> The FCC concluded that LRN network architecture rather than number portability capability is needed to participate in number pooling. Telephone Number Portability, CC Docket No. 95-116, *Memorandum Opinion and Order*, FCC 02-215, (July 26, 2002), 26.

<sup>5</sup> This data was derived from NRUF (Numbering Resource Utilization/Forecast Report) available on the NANPA website. There are a total of 792 NXXs available for assignment in any one NPA.

could allow providers to request less than a full NXX to meet their numbering needs and could potentially reduce the stranding of blocks of telephone numbers.

We recognize that some providers serving small rural exchanges face financial barriers to implementation of number pooling even though these providers have the LRN architecture necessary for thousands block number pooling. The RCA and service providers are investigating other means by which these providers serving small communities can share numbering resources. The RCA's primary concern regarding pooling authority is for the major population centers and some of the larger rural service areas where competition among providers is significant. All providers in these areas are not currently participating in thousands-block number pooling but their participation, as part of a comprehensive numbering conservation policy, could contribute significantly to extending the life of the 907 NPA. This action must occur quickly to be effective. Pooling authority held by the RCA could ensure that competing service providers that do have pooling and LNP capabilities will participate.

The RCA has convened workshops with service providers and requested participation and comment on potential strategies for optimizing numbering resource utilization in Alaska. Largely as a result of service providers' actions to reduce NXX requests and to return unused NXXs, NeuStar's April, 2009 projection extended the exhaust of the 907 NPA by one year to 2013. The RCA and service providers established a Task Force to evaluate the most expedient and effective means for additional conservation of numbering resources in the state. The Task Force recommended that the RCA file a petition with the FCC requesting pooling authority as one strategy for prolonging the life of the 907 NPA. Thousands-block number pooling provides the most expedient means for efficient utilization of numbers in the short term and the RCA requests the authority to mandate pooling as circumstances warrant. The RCA will continue to

work with service providers to develop and implement additional strategies for efficient use of numbering resources to protect consumers from premature expense and confusion of area code overlay or split.

**Conclusion**

The RCA respectfully requests delegated authority to implement thousands-block number pooling so that it can prolong the life of the 907 area code. The RCA requests this authority in an effort to prevent the imposition of additional burdens on the public and on service providers in Alaska. Because time is of the essence to ensure that number conservation measures have the maximum affect on reducing the demand for numbering resources, and to avoid premature area code relief, the RCA respectfully requests that the Commission grant its request for delegated authority on an expedited basis.

Respectfully submitted this 16th day of October, 2009



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