

JOSEPH PRESTON, JR., MEMBER
PENNSYLVANIA HOUSE OF REPRESENTATIVES

ROOM 202 IRVIS OFFICE BUILDING
P.O. BOX 202024
HARRISBURG, PENNSYLVANIA 17120-2024
PHONE: (717) 783-1017
FAX: (717) 787-7520
E-MAIL: JPRESTON@PAHOUSE.NET
WEB SITE: WWW.PAHOUSE.COM/PRESTON

LEGISLATIVE DISTRICT OFFICE
208 NORTH HIGHLAND AVENUE
PITTSBURGH, PENNSYLVANIA 15206
PHONE: (412) 361-3692
FAX: (412) 665-5501



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

CHAIRMAN, CONSUMER AFFAIRS
HOUSE DEMOCRATIC POLICY
RULES
AGRICULTURE AND RURAL AFFAIRS

APPOINTMENTS

PORT OF PITTSBURGH COMMISSION
GOVERNOR'S REPRESENTATIVE TO THE
UNIVERSITY OF PITTSBURGH
BOARD OF TRUSTEES
VETERANS' HOME ADVISORY COUNCIL FOR THE
SOUTHWESTERN VETERANS CENTER

April 21, 2010

Ms. Marlene Dortch
Office of Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: In the Matter of Numbering Resources Optimization, CC Docket No. 99-200;
Pennsylvania Public Utility Commission's Petition for Delegated Authority to
Implement Number Conservation Measures (Dated July 13, 2009)

Dear Ms. Dortch:

State Representative Joseph Preston, Jr., Chairman of the Pennsylvania House Consumer Affairs Committee ("Committee") and Robert W. Godshall, Republican Chairman, hereby submit this ex parte letter pursuant to Section 1.1206 of the Federal Communications Commission's ("FCC" or "Commission") rules, 47 C.F.R. § 1.1206. We respectfully implore the Commission to promptly delegate appropriate authority to the Pennsylvania Public Utility Commission ("PA PUC") to implement number conservation measures in the 570, 814, and 717 Number Plan Areas ("NPA") and approve the PA PUC's July 13, 2009, petition ("Petition").

The Committee has oversight and jurisdiction over the PA PUC. More importantly, many members on the Committee represent a significant number of citizens that will be affected by the exhaustion of telephone numbers within the three area codes in question.¹ As Chairman from both House Caucuses, we support the steps being taken by the PA PUC in an effort to avoid customer confusion, costs, and disruptions associated with the execution of new area codes in the affected areas.

The rapid expansion and pervasiveness of cell phones, fax machines, internet dial-up, VoIP (Voice Over Internet Protocol), Skype, and cable telephone use over the past twenty years have all contributed to the depletion of available telephone numbers. These technologies made it necessary for the PA PUC to address the issue of area code relief in Pennsylvania in the 1990's.

¹ The 570 area code was placed in jeopardy on April 1, 2009. An area code is placed in jeopardy when the forecasted and/or actual demand for NXX resources will exceed the known supply during the planning/implementation interval for relief.

For over fifty years Pennsylvania had only four area codes (215, 412, 717, and 814).² The dilemma facing the PA PUC in the 90's was to balance the interests of the wireless telephone industry with the interests of the citizens of Pennsylvania. In 1996, the NXX codes in the 215, 412, 610, and 717 NPA's were in imminent peril of exhaustion and, as a result, the PA PUC took appropriate steps to rectify the situation.

Moreover, in March 1998, the 412 area code was geographically split to create the 724 area code; in June 1999, Southeastern Pennsylvania received two new area codes when 215 was overlaid with 484 and 610 was overlaid with 267; in April 1999, the 717 area code was geographically split to create the 570 area code. The accelerated depletion of telephone numbers, over the past several years, has forced the PA PUC to implement numerous number conservation efforts to slow the eruption of new area codes in Pennsylvania. The PA PUC's efforts have resulted in the preservation of over one million telephone numbers throughout the Commonwealth. The PA PUC should be commended for its on-going efforts to preserve telephone numbers. Indeed, this Committee recognizes that the PA PUC is best positioned to make area code relief decisions due to their comprehensive understanding of Pennsylvania's geography and the concerns of its consumers and industries.

However, in spite of the PA PUC's best efforts, on April 1, 2009, the 570 area code was placed in jeopardy and on July 13, 2009,³ the PA PUC filed a Petition for Delegated Authority to Implement Number Conservation Measures with the FCC. In this Petition, the PA PUC requested delegated authority from the Commission so that it could direct Neustar Number Pooling Services ("Neustar")⁴ to mark all rate centers in the Commonwealth as mandatory 1K number pooling centers. Currently, thousand-block pooling is only mandatory in the top 100 MSA's⁵ in the country. Thousand block number pooling (1K), is the distribution of telephone numbers in blocks of 1,000 (NXX-X), rather than in blocks of 10,000 (NXX). Thousand-block pooling is a proven method to extend the life of an area code. The Committee is hopeful that the PA PUC can take adequate measures, including mandatory thousand-block pooling, to avoid the introduction of additional area codes within the Commonwealth. Nonetheless, the Committee recognizes the strong efforts of the PA PUC in successfully dealing with area code relief issues in the past and supports the PA PUC's efforts moving forward.

In addition to supporting the Petition, we requests that the Commission explore other options for number conservation, such as extended area service, technology specific area codes for faxes, pagers, smart phones, and "throw-away" phones.

We file this ex parte letter in support of the PA PUC's Petition⁶ and respectfully requests that the Commission expeditiously approve the Petition filed by the PA PUC on July 13, 2009 to

² Pennsylvania now has eleven active area codes and one suspended area code. By the use of pooling, the PA PUC was able to delay the need to use numbers from the new 835 area code which has been suspended as of May 2001.

³ According to the 2009 NPA Exhaustion Analysis the 814 area code will be exhausted in the 1st quarter of 2012 and the 717 area code will be exhausted in the 3rd quarter of 2012.

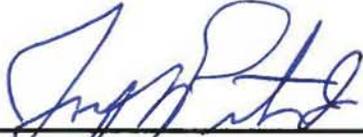
⁴ Neustar is the numbering administrator for Pennsylvania.

⁵ MSA is a metropolitan statistical area. The communities in Pennsylvania in the top 100 MSA's are Philadelphia (4), Pittsburgh (22), Allentown-Bethlehem-Easton (81), Harrisburg-Lebanon-Carlisle (83) and Wilkes-Barre-Scranton (84).

⁶ PA PUC Petition filed on July 13, 2009 at FCC Docket No. 99-200.

ensure that the PA PUC may take the necessary steps to implement number conservation measures throughout the Commonwealth of Pennsylvania.

Respectfully submitted,



The Honorable Joseph Preston, Jr.
Chairman
House Consumer Affairs Committee



The Honorable Robert W. Godshall
Minority Chairman
House Consumer Affairs Committee