

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON D.C. 20554

In the matter of)
)
Numbering Resource Optimization) CC Docket No **99-200**
_____)

**REPLY COMMENTS OF THE
MICHIGAN PUBLIC SERVICE COMMISSION
ON THE PETITION OF THE
OKLAHOMA CORPORATION COMMISSION
FOR DELEGATED AUTHORITY TO IMPLEMENT
ADDITIONAL NUMBER CONSERVATION MEASURES**

Pursuant to the Federal Communications Commission’s (“FCC”) procedural schedule established in the above docket, the Michigan Public Service Commission (“MPSC”) hereby submits its reply comments.

I. INTRODUCTION.

On October 28, 2004, the FCC requested comments regarding the Oklahoma Corporation Commission’s (“OCC”) Petition for Delegation of Authority to Implement Additional Number Conservation Measures.¹ Specifically, the OCC is requesting delegated authority to implement number conservation measures, in the form of Thousands-block Number Pooling (“number pooling”)² in the 580 NPA³ of Oklahoma.

¹ OCC Petition for Expedited Decision for Authority to Implement Additional Number Conservation Measures, CC Docket 99-200, October 20, 2004.

² Thousands Block Number Pooling is a numbering conservation effort which retrieves and allocates unused telephone numbers in blocks of 1,000 versus the historical allocation of 10,000.

³ Number Plan Area or area code.

The 580 NPA is a large rural area code, with 256 rate centers being served by 19 wireline telecommunications companies. Only 8 rate centers are located within one of the largest 100 metropolitan statistical areas (“MSA”)⁴ and, therefore, have mandatory number pooling. The NPA Exhaust Analysis indicates that the 580 NPA will exhaust in the second quarter of 2007.⁵

II. DISCUSSION.

As stated by the MPSC in previous submissions, state public utility commissions have been historically, and are currently, very active in area code relief and numbering resource conservation efforts. In 2000, when the MPSC received authority from the Michigan legislature to implement area code relief in the state, a letter was received by the FCC stating “we recognize that state commissions are uniquely positioned to understand local conditions and ensure that the interests of consumers are addressed.”⁶ The FCC continued that state commissions were delegated specific numbering responsibilities due to “their unique familiarity with local circumstances.”

Prior to the national pooling program, state commissions were delegated the authority to begin state number pools, on a case-by-case basis. The order addressing the MPSC’s petition for delegated authority over a state pooling trial stated “the FCC recognized that state commissions may be able to resolve certain issues more quickly

⁴ Metropolitan statistical areas are defined by the U. S. Census.

⁵ 2004 Number Resource and Utilization Forecast (NRUF) and NPA Exhaust Analysis, April 30, 2004.

⁶ Letter to the MPSC from Yog R. Varma, Deputy Bureau Chief, Common Carrier Bureau, FCC, on July 28, 2000.

than the industry through a consensus process.”⁷ Although state number pooling trials evolved into a national number pooling effort, state commissions continue their involvement in numbering conservation efforts and have played a large part in extending the life of the North American Numbering Plan (“NANP”).⁸

Although area code relief may be less urgent than in 2000, new telecommunications technologies are moving into rural communities and carriers are requesting numbering resources, which may only be available in CO Codes.⁹ In very rural communities, thousands of telephone numbers remain stranded in carrier inventories, without the ability to return them to the North American Numbering Plan Administrator (“NANPA”). Recently, a carrier requested and received 13 CO Codes (130,000 telephone numbers) to serve rural areas in Michigan. These rate centers are already being served by an incumbent carrier. Without the technology and mandate to port and pool telephone numbers, each of these 13 rate centers now have 20,000 telephone numbers (2 CO Codes) to serve just a few hundred customers. This is the recipe for premature exhaust of an area code and is occurring nationwide.

Comments of the Public Utilities Commission of Ohio (“PUCO”) supported the expansion of number pooling into rural areas and discussed optional and voluntary number pooling.¹⁰ Voluntary number pooling is the ability to number pool in geographic

⁷ Michigan Public Service Commission Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket 99-200 (DA 01-2013), ¶4.

⁸ In 2000, the NANP was scheduled to exhaust in 2007 and by 2002, the NANP exhaust date was 2031. Currently, the exhaust date for the NANP is 2036.

⁹ CO Code is a block of 10,000 sequential telephone numbers representing NPA-NXX.

¹⁰ Comments of the Public Utilities Commission of Ohio, CC Docket 99-200, November 29, 2004.

areas that are not in mandatory pool areas (i.e. located in the top 100 MSAs). In Michigan, most of the state is “voluntarily” being number pooled, because the incumbent local exchange carrier (“ILEC”) has upgraded its switches to provide portability and number pooling capabilities in rural areas without being mandated to do so. Optional number pooling occurs in geographic areas that are not mandatory number pool areas, where the ILEC has implemented the technology to pool telephone numbers, but wireless and competitive local exchange carriers (“CLEC”) have the “option” to use telephone numbers from each rate center pool or request CO Codes. In each case, voluntary and optional, carriers have the ability to decide whether to number pool or not, and most are choosing not to number pool.

Specifically, the OCC has the petitioned for delegated authority, as requested by the FCC,¹¹ to implement mandatory number pooling in the 580 NPA in rate centers where two or more carriers provide service. The OCC did not petition to mandate number pooling in rate centers where number portability is not in place, nor mandate the implementation of local number portability so that number pooling can begin. Number conservation efforts can, and should, be implemented where a need exists. The West Virginia Public Service Commission¹² and the Nebraska Public Service Commission¹³ have filed similar requests for delegated authority.

¹¹ *Numbering Resource Optimization Report and Order and Further Notice of Proposed Rulemaking*, CC Docket No. 99-200 (FCC 00-104), March 31, 2000, ¶164.

¹² Petition of the West Virginia Public Service Commission for Expedited Decision for Delegation of Authority to Implement Additional Number Conservation Measures, CC Docket No. 99-200, CC Docket No. 96-98, November 1, 2004.

¹³ Petition of the Nebraska Public Service Commission’s Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket No. 99-200, CC Docket No. 96-98, November 23, 2004.

III. CONCLUSION.

Thousands-block number pooling, in the largest MSAs, extended the life of the NANP by 29 years and the FCC has stated that state utility commissions are in the best position to recognize where these technologies would extend the life of an NPA. The state commissions of Ohio, Nebraska and West Virginia have supported the expansion of number pooling into rural areas by their comments regarding the OCC's petition or by their petitions for delegated authority.

The MPSC, therefore, requests that the FCC grant the petition of the OCC for delegated authority to implement conservation measures in the 580 NPA.

Respectfully submitted,

MICHIGAN PUBLIC SERVICE COMMISSION

By its attorneys:

Michael A. Cox
Attorney General

David A. Voges (P25143)
Steven D. Hughey (P32203)
Michael A. Nickerson (P25138)
Assistant Attorneys General
Public Service Division
6545 Mercantile Way, Suite 15
Lansing, MI 48911
Telephone: (517) 241-6680

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