

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON D.C. 20554

In the matter of)	
)	
Numbering Resource Optimization)	CC Docket No. 99-200
)	
Petition for Forbearance from Further)	
Increases in the Numbering Utilization)	
Threshold Under 47 U.S.C. § 160(c))	

**COMMENTS OF THE MICHIGAN PUBLIC SERVICE COMMISSION
ON THE CELLULAR TELECOMMUNICATIONS AND INTERNET
ASSOCIATION’S PETITION FOR FORBEARANCE FROM FURTHER
INCREASES IN THE NUMBER UTILIZATION THRESHOLD**

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

I. INTRODUCTION.

On February 24, 2003, the FCC requested comments regarding the Cellular Telecommunications and Internet Association’s (CTIA) petition for forbearance from further increases in the numbering resources utilization threshold.¹ The numbering resources utilization rate, currently required by the FCC, is 65% and will increase to 70% on June 30, 2003.²

The FCC developed the utilization threshold to decrease inventories prior to carriers receiving additional numbering resources. The maximum threshold will be 75%, taking effect June 30, 2004, and considered by the FCC as the threshold level that “balances our goal of encouraging the efficient use of numbering resources with carriers’ need to retain some

¹ CTIA Petition for Forbearance, CC Docket 99-200, June 28, 2002.

² CC Docket 99-200 (FCC 00-429), ¶25.

flexibility in managing their inventories.”³ Six states have received delegated authority from the FCC to implement utilization thresholds higher than the current federal level, but not above the 75% threshold which will be implemented in 2004.⁴

II. DISCUSSION.

CTIA provides one explanation for its request to forbear from the increases in the utilization rate: “the national numbering crisis is now over.”⁵ The MPSC does not disagree that the acute crisis is over; however, telecommunications is a volatile market with evolving technologies and expanding services. Even today, there are still many area codes in jeopardy that will benefit from the increased utilization rate. The FCC and state utility commissions have worked diligently in area code relief and numbering resources conservation efforts to provide protection to carriers and consumers against the untimely⁶ and costly expansion of the North American Numbering Plan (NANP) from a 10-digit to a 12-digit system.⁷

Although CTIA believes that the reason for current conservation measures “has significantly diminished”⁸ and therefore requests continuation of the current utilization threshold level,⁹ the MPSC supports the increase in the utilization threshold as previously ordered by the FCC. Safeguards have been provided to ensure that carriers are able to acquire numbering resources, in special situations, through state utility commissions without reaching the utilization threshold. In addition, numbering resources in blocks of 1000 are available and can be activated in 26 days from the Pooling Administrator, whereas CO Codes can be

³ CC Docket 99-200, FCC 00-429, ¶26.

⁴ California, Connecticut, Illinois, Maine, New Hampshire, and New York each have a 75% utilization level in all or part of their NPAs. Additional information can be found at www.nanpa.org, Effects of the FCC’s NRO Order on Code Administration, June 21, 2002.

⁵ CTIA Petition for Forbearance, CC Docket 99-200, June 28, 2002, pg. 2.

⁶ In 2000, the NANP was scheduled to exhaust in 2007, By 2002, the NANP exhaust date was 2031.

⁷ CC Docket 99-200, FCC 99-122, ¶34 (telecommunications industry and societal costs combined have a current estimate of \$50 to \$150 billion).

⁸ CTIA Petition for Forbearance, CC Docket 99-200, June 28, 2002, pg. 9.

acquired from the NANPA and activated within 66 days. The competitive market and consumers will not be adversely affected by the increase in the threshold level, if carriers use forethought in their business practices.

III. CONCLUSION

Numbering resources conservation efforts have worked in tandem to extend the life of the NANP for more than two decades. In situations where specific customers would be adversely affected by a conservation measure, safeguards have been placed at the state level to ensure that carrier requests are handled promptly. Although the acute crisis in numbering has diminished, the telecommunications marketplace remains dynamic, and the utilization of conservation tactics must continue to prevent a recurrence of the crisis this nation faced two short years ago.

The MPSC, therefore, requests that the FCC deny CTIA's request for forbearance from further increases in the numbering utilization threshold.

Respectfully submitted,

**MICHIGAN PUBLIC SERVICE
COMMISSION**

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⁹ CTIA Petition for Forbearance, CC Docket 99-200, June 28, 2002, pg. 2.

DATED: March 14, 2003