

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON D.C. 20554

In the matter of)
)
Numbering Resource Optimization)
_____)

CC Docket No. **99-200**

**COMMENTS OF THE MICHIGAN PUBLIC SERVICE
COMMISSION ON THE CALIFORNIA PUBLIC UTILITIES
COMMISSION’S PETITION FOR WAIVER OF THE
FEDERAL COMMUNICATION COMMISSION’S
CONTAMINATION THRESHOLD RULE**

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 October 24, 2002, the FCC requested comments regarding the California Public Utilities Commission’s (“CPUC”) Petition for Waiver of the FCC’s Contamination Threshold Rule¹ for Thousands Block Number Pooling.² The FCC requires that carriers, within the largest Metropolitan Statistical Areas (“MSAs”)³ donate excess numbering resources in thousand blocks to the number Pooling Administrator (“PA”), currently NeuStar, Inc., including thousand blocks that are up to 10% contaminated, while maintaining an inventory of numbering resources in each rate center the carrier serves.⁴

¹ CPUC Petition for Waiver, CC Docket 99-200, September 5, 2002.

² Thousands Block Number Pooling (“TBNP”) 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 Metropolitan Statistical Areas (“MSAs”) and Combined Metropolitan Statistical Areas (“CMSAs”) are defined by the U.S. Census Bureau.

⁴Report and Order and Further Notice of Proposed Rulemaking, CC Docket 99-200 (FCC 00-104), March 31, 2000, ¶191.

The CPUC is requesting a waiver of the contamination rule, to increase the contamination threshold to 25%. Prior to requesting this waiver, CPUC staff performed extensive research, using carrier data, to determine whether increasing the contamination level from 10% to 25% would have a positive effect on individual Number Planning Areas (“NPA”). Although the CPUC concurs that the 10% contamination threshold has accomplished significant number conservation, CPUC staff has determined that an increase of the threshold to 25% would provide necessary resources for carriers and thus extend the lives of several NPAs.

II. DISCUSSION.

State public utility commissions have historically, and are currently, very active in area code relief and numbering resources conservation. In 2000, when the MPSC received authority from the Michigan legislature to implement area code relief in the state, a letter was received from the FCC stating, “we recognize that state commissions are uniquely positioned to understand local conditions and ensure that the interests of consumers are addressed.”⁵ The FCC continued that state commissions were delegated specific numbering responsibilities due to “their unique familiarity with local circumstances.”

The initial trial of number pooling was implemented by the Illinois Commerce Commission in 1998, with several states implementing trials soon after.⁶ Michigan received delegated authority to implement number pooling trials in August 2001.⁷ Currently, a national number pooling effort is in effect, which transitioned active number pooling trials from 26 states to the national program. The order addressing the MPSC’s petition for delegated authority over

⁵ Letter to the MPSC from Yog R. Varma, Deputy Bureau Chief, Common Carrier Bureau, FCC, on July 28, 2000.

⁶The State Scene, May/June 1999, www.nanpa.com.

⁷Michigan Public Service Commission Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket 99-200, DA 01-2013, August 23, 2001, ¶23.

state pooling trials stated “the FCC recognized that state commissions may be able to resolve certain issues more quickly and decisively than the industry through a consensus process.”⁸

States continue to be a proving ground for number conservation efforts, such as Connecticut’s Unassigned Number Porting (“UNP”) state trial that began November 1, 2002⁹ and the FCC’s reconsideration of state petitions to implement Service-Specific and Technology-Specific Overlays.¹⁰ State commission involvement on numbering issues played a large part in extending the life of the North American Number Plan (“NANP”) by 24 years.¹¹

III. TECHNICAL CONSIDERATIONS.

The Report on the Technical Viability of Increasing the Pooling Contamination Threshold was released December 6, 2002, prepared by the Contamination Levels Issue Management Group formed by the North American Numbering Committee (“NANC”).

Technical difficulties in raising the contamination level from 10% to 25%, released by the working group, were determined to be more carrier-specific, than industry-wide or administrative.

According to the technical viability report, the Pooling Administration System (“PAS”) and the Code Administration System (“CAS”) for number allocation will not be impacted either technically or with increased costs. The Number Portability Administration Center (“NPAC”) would be able to handle number porting easier, due to the smaller amount of numbers to be

⁸ Michigan Public Service Commission Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket 99-200 (DA 01-2013), ¶4.

⁹ Letter from D. Attwood, Chief, Common Carrier Bureau, FCC to L. Rickard, Connecticut Department of Public Utility Control, May 14, 2001, CC Docket 96-98, NSD File No. L-01-86.

¹⁰ Third Report and Order and Second Order on Reconsideration, CC Docket 99-200 (FCC 01-362), ¶67.

¹¹ In 2000, the NANP was scheduled to exhaust in 2007. By 2002, the NANP exhaust date is 2031.

allocated in blocks with 25% contamination. Forecasting for numbering needs would, however, become less decisive because the PA would not know if the block were 10% or 25% contaminated or somewhere in between.

The technical difficulty, therefore, lies with individual carriers and their internal support of number conservation efforts. Each carrier has staff and equipment dedicated to numbering issues. The rate centers, which will be affected by this increase in the contamination threshold, are currently in number pooling; therefore, providing increased numbering resource information would be a matter of changing information already included on the PAS system.

The Findings and Conclusion B section, of the technical viability report, provide an in-depth analysis of carrier use of numbering resources in California concluding that “wireline carriers are taking one-quarter to one-third of their forecasted blocks.” Number conservation measures, such as the need to meet utilization rates and months-to-exhaust (MTE) criteria, have encouraged carriers to survey their inventories in order to receive additional resources. An increase in the contamination level for number pooling will provide an additional step toward reaching stranded numbers, extending the life of the current NANP.

IV. CONCLUSION.

For several years, state commissions have played a vital role in promoting and developing number conservation efforts; in return, the FCC has delegated specific portions of their authority over the numbering system to the states. The MPSC believes that state commissions have proven their abilities as number conservationists, as seen in the 24 year extension to the life of the NANP.¹²

¹² In 2000, the NANP was scheduled to exhaust in 2007. By 2002, the NANP exhaust date was 2031.

The MPSC, therefore, requests that the FCC grant the petition of the CPUC to increase the contamination threshold for number pooling, in California, from 10% to 25%.

Respectfully submitted,

MICHIGAN PUBLIC SERVICE COMMISSION

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