

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

In the matter of)	
)	
Number Resource Optimization)	CC Docket No. 99-200
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**REPLY COMMENTS OF THE MICHIGAN PUBLIC
SERVICE COMMISSION ON THE NATIONAL THOUSANDS-
BLOCK NUMBER POOLING ROLLOUT SCHEDULE**

The Michigan Public Service Commission (MPSC) files these reply comments on the proposed national Thousands-Block Number Pooling rollout schedule (rollout schedule), as requested in Public Notice DA 01-2419 released October 17, 2001. Four main concerns are addressed in nearly all the comments: the initiation of number pooling in more than 3 Number Plan Areas (NPAs) per region per quarter, the prioritization of NPAs, the discrepancy between number pooling in an NPA versus a Metropolitan Statistical Area (MSA), and cost recovery by carriers for number pooling.

The Proposed Rollout Schedule Provides Aggressive Action

The proposed rollout schedule provides the aggressive action toward number conservation needed to slow the exhaust of the current numbering system. Although only 21 number pools are established each quarter, several quarters contain more than 3 NPAs per Number Portability Administration Center (NPAC) region.¹ Within Michigan, the MPSC has ordered 5 area code relief plans concurrent with a number pooling trial beginning in the 313 NPA prior to February 24,

¹ The 5th quarter contains 7 NPAs to be pooled for the Midwest NPAC of Indiana, Wisconsin, Illinois, Ohio, and Michigan.

2002.² Carriers have been in contact with MPSC staff conveying their concerns that the same human resources are used for both area code relief plans and number pooling. In addition, SBC Communications Inc. (SBC) requested in this docket that the number pooling be done “efficiently, without overburdening their resources.”³

The MPSC, although pleased with the schedule as it pertains to Michigan’s NPAs, recognizes the concerns of the carriers. Several comments, including those of the United States Telecom Association (USTA), were concerned with the milestones, or timelines, for the pooling rollout of individual NPAs. The USTA commented “unilateral determination of every time interval for the rollout by the Commission is inappropriate and unnecessary.”⁴ During state number pooling trials, and in accordance with Industry Numbering Committee (INC) established guidelines for thousands block number pooling, carriers and the pooling administrator set the milestone intervals. The MPSC requests that the state commissions be included in the timeline planning process. State commissions were closely involved in individual state pooling trials encouraging carriers to maximize donations to rate center pools and in coordinating number pooling with NPA relief projects. The MPSC submits that there is a demonstrated need for the involvement of all parties, including state commissions, in the number pooling effort.

² MPSC Orders include: U-12588 (810/586), U-12721 (248-947), U-12850 (616/269), U-12880 (313/679), U-12743 (734/679) and U-13086 (number pooling in 313 and 734 NPAs).

³ Comments of SBC Communications Inc., CC Docket No. 99-200, November 6, 2001.

⁴ Comments of USTA, CC Docket No. 99-200, November 6, 2001.

Prioritization of NPAs

In comments to the Federal Communications Commission (FCC), the MPSC requested three changes to the rollout schedule.⁵ After a review of the comments filed, these suggested changes are still warranted. Although the MPSC initially questioned the inclusion of all of Michigan's NPAs in the rollout schedule, it should be noted that number pooling in non-MSA areas is needed to ensure the viability of the numbering system. State-wide number pooling has been completed in Maine and New York, even in rural areas.

Our concern lies with the scheduling of the NPAs, not in the inclusion of all NPAs. In the *First Report and Order*, the FCC prioritized the NPAs for number pooling based on 1) the jeopardy status of an NPA, 2) whether the remaining lifespan of the NPA was at least a year, and 3) whether the NPA was located in one of the largest 100 MSAs.⁶ Due to the inclusion of NPAs outside of the largest 100 MSAs, our concern is that small wireline carriers will not be Local Number Portability-capable (LNP-capable) and pooling efforts will not be effective.

The MPSC concurs with the FCC that NPAs nationwide should be subject to number pooling as an effort to conserve the current telephone numbering system. However, initial efforts may be more productive if NPAs within the largest 100 MSAs were targeted, while less populated areas are transitioned later in the rollout schedule.

⁵ Comments of the MPSC, CC Docket No. 99-200, November 6, 2001. The MPSC requested the 313 NPA be removed due to a pooling trial beginning no later than February 24, 2001, and the 734 NPA and the 248/947 NPAs positions be reversed due to area code relief plan implementation schedules.

⁶ *In the Matter of Numbering Resources Optimization*, FCC Docket CC 99-200, FCC 00-104, ¶170.

MSA versus NPA

Development of the rollout schedule, with its reference to both MSAs and NPAs, has created confusion for both state commissions and carriers. The discussion revolves around 3 questions: 1. Will the national number pooling effort be based upon entire MSAs? 2. Will the NPAs based, in whole or in part, in an MSA be pooled concurrently? and 3. Will all rate centers within an NPA will be pooled concurrently? In addition, some discussion is focused on rural areas and wireless carriers, that have not yet been converted to LNP-capable status, but may be rolled into the national pooling effort during the 2 year rollout schedule.

Although the FCC's three criteria for number pooling included whether the NPA was located in one of the top 100 MSAs, the MPSC was notified by the pooling administrator that all NPAs, located in the United States, had been placed on the rollout schedule. Therefore, whether an NPA is totally based, or only partly based, in a top 100 MSA does not matter, it will be number pooled under this rollout schedule. The MPSC does requests that, depending on the final rollout schedule, all rate centers within an NPA be number pooled collectively. To omit some rate centers within an NPA from the national pooling effort, only to include them later, is neither the best use of carrier resources nor does it optimize these number pooling efforts.

Cost Recovery

SBC commented that the FCC should direct the states to develop cost recovery mechanisms for state pooling trials prior to the national rollout of number pooling.⁷ The FCC order granting the MPSC delegated authority for state number pooling trials directed that a "cost recovery mechanism" be addressed by the state.⁸ States are more familiar with the individual state

⁷ Comments of SBC Communications Inc., CC Docket No. 99-200, November 6, 2001.

⁸ *In the Matter of Numbering Resource Optimization*, CC Docket 99-200, DA 01-2013, ¶19.

costs of number pooling trials due to their close proximity and familiarity of the carriers and the NPA. The MPSC is currently considering the issue of cost recovery for the 313 NPA number pooling trial⁹ and several states have provided cost recovery options to their carriers.¹⁰ The states do not need further directives on this issue.

SBC also requested that the FCC “revoke any state delegated authority for pooling trials that have not yet been ordered by the affected state commission as of November 1, 2001.” The MPSC, along with many other state commissions, has been given the responsibility to ensure that adequate numbering resources are available to its residents. Any revocation of delegated state authority would severely hamper states’ ability to deal effectively with numbering issues. The MPSC, therefore, recommends that the FCC not revoke any state delegated authority prior to the national number pooling rollout and continue to work with the states in number conservation even after that date.

Conclusion

In summary, the MPSC requests that:

1. The timelines, or milestone intervals, for the number pooling rollout be established using INC guidelines and that state commissions be included in the planning process.
2. All rate centers within an NPA be number pooled concurrently.
3. Initially number pooling in NPAs within the 100 largest MSAs would optimize the national pooling effort.

⁹ *In the matter, on the Commission’s own motion, to consider the implementation of limited number pooling trials*, Case No. U-13086, Michigan Public Service Commission, 2001 Mich. PSC LEXIS 412 (October 11, 2001).

¹⁰ California, Maine, Arizona, New Hampshire.

4. Cost recovery for state pooling trials remain with each state.
5. The FCC not revoke state delegated authority on number pooling and continue to work with the states on number conservation.

Respectfully submitted,

MICHIGAN PUBLIC SERVICE COMMISSION

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