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**BEFORE THE PUBLIC SERVICE COMMISSION  
STATE OF UTAH**

In the Matter of Telephone Number Conservation )  
Measures for (801) Area Code Relief ) Docket No. 99-999-04

)  
In the Matter of the Request of the North American ) Docket No. 99-999-05  
Numbering Plan Administrator for a New Area )  
Code within the (801) Area Code )

**PETITION OF NEXTEL TO INTERVENE**

Nextel West Corp. (hereinafter “Nextel”), pursuant to U.C.A. 63-46b-9, respectfully seeks an Order granting it intervention into the above referenced proceeding. In support thereof, Nextel states as follows:

1. Nextel and its parent corporation, Nextel Communications, Inc., are Delaware corporations with their principal business office located at 1505 Farm Credit Drive, McLean, Va. 22102. Nextel maintains offices in Utah at: 8 West Lavoy Drive, Suite 102, Salt Lake City, Utah 84123.



2. All correspondence, communications and orders in this docket should be directed to:
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3. Nextel provides wireless telecommunications services in the Salt Lake City Metropolitan area, in other parts of Utah and in other states. These services are classified as Commercial Mobile Radio Service under federal law.<sup>1</sup> Nextel provides CMRS services pursuant to Specialized Mobile Radio (SMR) licenses issued by the Federal Communications Commission (FCC) pursuant to 47 C.F.R. Part 90.

4. Nextel provides enhanced SMR service in Utah which employs digital technology to offer users a menu of services in a single handset: mobile telephone, alphanumeric messaging, and “Direct Connect” dispatch type services<sup>2</sup>. These digital SMR services, also referred to either as wide-area SMR or Enhanced Specialized Mobile Radio (ESMR), are provided using a multiple low-power, low-tower configuration, which employs a Motorola-developed digital technology, iDEN. Nextel’s ESMR systems are constructed by reconfiguring the traditional

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<sup>1</sup> Commercial Mobile Radio Service (CMRS) is defined at 47 C.F.R. §20.3. *See also:* 47 U.S.C. § 153.

analog single-site SMR systems into multiple-site systems which can employ channel re-use, similar to a cellular system, and thereby provide services on a wide-area basis.

5. Nextel needs access to telephone numbers in a manner consistent with the national numbering system or other designs that are generally consistent with its network. As a general matter, wireless carriers, due to their technology, have different needs for numbers than landline carriers. The technology and numbering needs of wireless carriers is also not uniform. Nextel's unique technology may result in somewhat different numbering needs than wireless carriers licensed as cellular or personal communications services carriers . Nextel holds NXXs (Central Office Codes) in Utah (801) NPA (area code).

6. Area Code relief constitutes a specific activity that the FCC has allowed state public utility commission to undertake pursuant to 47 U.S.C. § 251(e)(1). 47 C.F.R. § § 52.7(b), 52.19. Consideration of area code relief is a separate action from considering implementation of number conservation techniques.

7. On July 20, 2000, the FCC issued an Order authorizing this Commission to engage in certain number conservation techniques.

8. Via an Order dated August 10, 2000 in this docket, this Commission indicated it would consider the matters authorized in that FCC Order in this docket. The Order included a discussion of "Fill Factors" which detailed the forthcoming FCC NXX mandatory utilization factors effective January 1, 2001 and the FCC's delegation of authority to the Utah Commission to "audit carriers compliance with number conservation measures". The Order did not address

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<sup>2</sup> Direct Connect allows the subscriber to use the handset as a two-way portable radio.

authority to develop or the development of NXX utilization factors by the PSC for Utah or NPA 801.

9. On August 21, 2000, the Commission issued a notice of Technical Conference regarding implementation of all number conservation authority granted by the FCC. The notice did not address Utah specific NXX utilization factors.

10. On November 2, 2000, the Commission, for the first time in an order or notice, addressed requiring Utah specific NXX utilization rates as a condition of receiving NXXs in NPA 801. Such a requirement would make it difficult, if not impossible, for Nextel to receive the numbering resources it needs on a timely basis. This new issue - - Utah specific NXX utilization factors - - which was raised for the first time in the November 2, 2000 Order and imposed by the same Order, is the primary reason Nextel seeks intervention at this time.

11. Due to the new authority to engage in number conservation techniques from an Order dated July 20, 2000 and the lack of prior notice regarding Utah specific code utilization requirements, Nextel should be allowed to intervene.

12. Nextel, as a general matter, supports efforts to conserve numbers that are consistent with the national numbering system, the jurisdiction of the various governmental agencies and the technological and business needs of carriers. Nextel is an active member of the North American Numbering Council (NANC). Nextel is also active in numbering resource conservation dockets before various state public utility commissions including the state utility commissions in Massachusetts, Connecticut, Pennsylvania, Illinois, New York, Texas, Maine New Hampshire and Missouri and in all major numbering dockets at the FCC.

13. Due to Nextel's unique service and technology, no other party represents Nextel's interests in this docket. Because of Nextel's unique service and technology, various potential action under the issues identified as in this docket will substantially affect the ability of Nextel to provide service to Utah customers. Thus, allowing Nextel the status of an intervenor is in the interest of a just resolution of this matter and is in the public interest.

14. In addition, Nextel's experience in the telecommunications industry and specifically in numbering issues at both the state and federal level will aid the Commission in examining these issues. Therefore, it is in the public interest to allow Nextel to intervene and fully participate herein.

WHEREFORE, Nextel respectfully requests the Commission to issue an Order granting Nextel's Petition to Intervene.

Respectfully submitted,

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