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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

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)	
<u>In the Matter of Telephone Number</u>)	<u>DOCKET NO. 99-999-04</u>
<u>Conservation Measures for (801) Area</u>)	
<u>Code Relief</u>)	
)	

)	
)	
In the Matter of the Request of the North)	DOCKET NO. 99-999-05
American Numbering Plan Administrator)	
for a New Area Code Within the (801) Area)	
Code)	

REQUEST FOR RECONSIDERATION

INTRODUCTION

On November 2, 2000 the Public Service Commission of Utah (“Commission”) issued a Procedural Order (“Order”) after having received delegated authority to implement number conservation measures to extend the life of the 801 Area Code. WorldCom submits the following comments for reconsideration of the Order issued on November 2, 2000.

UTILIZATION FILL FACTOR

The Commission has ordered all telecommunications carriers seeking numbering resources in the 801 Area Code to utilize their existing numbering resources at a 90% fill factor before seeking additional number resources. Although WorldCom agrees with the Commission that carriers should efficiently use the numbering resources assigned to them, WorldCom objects to the level at which the Commission has set the fill factor. The FCC’s NRO Order¹ at paragraph 248 tentatively concluded that the nationwide utilization threshold for growth numbering resources should be set initially at 50%. The threshold would increase by 10% annually until it reaches 80%. These levels were “tentatively” set while the FCC seeks further comments on various aspects of fill factors and issues a further ruling. It should also be pointed out that the FCC, at paragraph 115, ordered only non-pooling carriers begin using these threshold levels on January 1, 2001.

For this Commission to impose any more stringent criteria than the level established by the FCC, WorldCom believes is outside its delegated authority. WorldCom requests that the Commission reconsider this portion of its Order.

¹ FCC Report and Order and Further Notice of Proposed Rule Making, (FCC 00-104), Released March 31, 2000, Adopted March 17, 2000.

Furthermore, WorldCom is surprised that this Commission would expect carriers to manage their inventory at a 90% level. A non-pooling carrier would only be able to maintain 1000 telephone numbers before seeking additional numbering resources and pooling capable carriers would only be able to maintain 100 telephone number before requesting additional resources from the Pooling Administrator.

The FCC stressed that under no circumstances should consumers be precluded from receiving the telecommunications services of their choice from the provider of their choice for want of numbering resources. For consumers to benefit from the competition envisioned by the 1996 Act, it is imperative that competitors in the telecommunications marketplace face as few barriers to entry as possible.

OTHER ITEMS FOR CLARIFICATION

Relative to the Thousands Block Pooling Trial, on page 4 of the Order (within the text of the pooling trial schedule), the Commission mentions that beginning November 15, 2000, Carrier Forecast Reports are due and the beginning of a “monthly” forecast and utilization information are due to the Commission. WorldCom would like to clarify that word “monthly” should not be included. There were no agreements reached at the first Implementation Meeting held on September 19, 2000 that carriers would submit monthly reports to the Commission. Also, at paragraph 76 of the NRO Order, the FCC specifically denied states delegated authority to impose additional regularly scheduled reporting requirement on any carrier.

Finally, the Commission has requested that carriers submit their forecast and utilization data to the Commission in hard copy format. WorldCom would like clarification as to whether softcopy format marked “confidential” is also permissible.

CONCLUSION

WorldCom respectfully requests that the Commission reconsider the portion of its Order requiring a 90% fill factor. For the reasons stated above, WorldCom believes requirement should not be more stringent than that imposed by the FCC. WorldCom also requests clarification on the need to submit monthly forecast and utilization information as suggested in the Thousands Block Pooling Trial schedule, and clarification on whether submitting data to the Commission in softcopy format would be acceptable.

DATED this ____ day of November, 2000.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this _____ day of November, 2000, I caused a true and correct copy of the foregoing, **REQUEST FOR RECONSIDERATION**, to be sent by first-class mail, postage prepaid to:

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