

April 6, 2000

**MEMORANDUM**

TO: Utah Public Service Commission

FROM: Ric Campbell, Director  
Ingo Henningsen, Telecommunications Manager  
Judith Hooper, Rate Analyst

RE: FCC 00-104 Report and Order Released March 31, 2000  
¶ 170- Request for Supplement to Petition for Grant of Authority to Implement  
Number Conservation Measures

After review of the above referenced Report and Order, the Division recommends that the Utah Public Service Commission move immediately to position itself so as to be granted waiver of the number conservation measures including 1000 number block pooling as per order by the Federal Communication Commission.

Issues Requiring Immediate Action by the Public Service Commission:

- ❖ The PSC must rule on a relief plan for the 801 NPA (overlay or split).
- ❖ The PSC must develop a cost recovery scheme for the joint and carrier-specific cost of implementing and administering pooling in the 801 NPA in accordance with 47 USC §251 (e) (2). (*Neustar* could be instrumental in developing the recovery scheme).
- ❖ The PSC must chose an independent third party entity to act as Pooling Administrator to retrieve, track, redistribute, and allocate numbers for both number portability and number conservation. The party should be approached immediately with the understanding that the retrieval, redistribution and tracking services will not be required until Utah is either granted individual waiver or a federal ruling is handed down concerning number conservation measures. (*Neustar* is the third party entity recommended by the Division).

- ❖ In order to be considered an individual state candidate for future delegation of 1000 block number pooling, the PSC must file a supplemental petition with the Federal Communications Commission regarding number pooling as soon as possible, but no later than April 27, 2000. This supplemental petition must include all pertinent information concerning the 3 above bulleted items.

General Information Concerning Utah's Requirement to file a Supplemental Petition per the above referenced Report and Order:

The FCC is asking that states such as Utah that have pending petitions, file supplemental petitions to be received by April 27, 2000, with the FCC when the state does not demonstrate that it possesses the criteria the FCC requires for future delegation of pooling authority.

Initially, each petition must show:

- 1) An NPA in its state is in jeopardy
- 2) The NPA in question has a remaining life span of at least a year
- 3) The NPA is in one of the largest MSAs, or alternatively, the majority of wireline carriers in the NPA are LNP-capable.

The 801 NPA does not at present meet requirement 2 or 3, but the FCC will consider other information presented if we can come close. \*

Secondly, we must show in our supplemental petition:

- 1) The Utah Public Service Commission has taken all necessary steps to prepare an NPA relief plan when it seeks to implement a pooling trial in an NPA which in jeopardy. **The Utah PSC must have ruled on a relief plan for the 801 NPA (overlay or split).**
- 2) The state must ensure that carriers are provided an adequate transition time to implement pooling in their switches and administrative systems.
- 3) Because the national cost recovery plan cannot become effective until national pooling implementation occurs, states conducting their own pooling trials must develop their own cost recovery scheme for the joint and carrier-specific costs of implementing and administering pooling in the NPA in question. The state cost recovery scheme will transition to the national cost-recovery plan when it becomes effective. The state must ensure that the costs of number pooling are recovered in a competitively neutral manner, pursuant to 47 USC § 251 (e) (2).

Thirdly:

- 1) If Utah is granted interim delegation of thousand-number block pooling, our plan must conform with the national framework as set out by the FCC in this order.

- 2) The Utah PSC must choose an independent third party entity to act as a Pooling Administrator, to coordinate the allocation of numbers to a particular service provider with the Number Portability Administration Center (NPAC) SMSs (regional databases that contain all necessary routing information on ported telephone numbers and facilitate the updating of the routing databases of all subtending service providers in the portability area). The Division recommends we approach *Neustar*. (See comments on Neustar below).
  
- 3) There will be a need for designation of a neutral entity to act as Pooling Administrator for the recovery, tracking, and redistribution of numbers in 1000 number block pooling. It is the recommendation of the Division that *Neustar*, which now serves as the North American Numbering Plan Administrator (NANPA) for North American Numbering Council (NANC) under the FCC, be approached for this position. This should be done post haste, in that other states will be looking for the same services from *Neustar*, and they are bound to have a saturation point. *Neustar* presently has access to the NANPA databases for issuance of new NPAs and is well fielded in this subject.
  
- 4) Aaron Goldberger, FCC attorney, has stated that the FCC will rule on the individual state petitions for waiver of number conservation measures, that the supplemental filings should be done immediately in that they will be addressed in the order in which they are received, and that the petitions should not be sent electronically.

\*The fact that our supplemental petition must show that the 801 NPA has a remaining life span of at least a year, puts us against the wire since NANPA forecasts indicate that the 801 area code will exhaust the end of first quarter, 2001. Judith Hooper has a request in to Joe Cocke of *Neustar* for recalculation of exhaust date in that usage this year has been below what was expected. Perhaps this will pull the 801 NPA exhaust date back inside the one-year requirement.