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BEFORE THE PUBLIC SERVICE COMMISSION OF UTAH

<p>IN THE MATTER OF TELEPHONE NUMBER CONSERVATION MEASURES FOR (801) AREA CODE RELIEF</p> <p>-----</p> <p>IN THE MATTER OF THE REQUEST OF NORTH AMERICAN NUMBERING PLAN ADMINISTRATOR FOR A NEW AREA CODE WITHIN THE (801) AREA CODE</p>	<p>DOCKET NO. 99-999-05</p> <p>DOCKET NO. 99-999-04</p> <p>PETITION TO INTERVENE OF VOICESTREAM PCS II CORPORATION</p>
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VoiceStream PCS II Corporation ("**VoiceStream**") through its counsel, requests that the Public Service Commission of Utah ("**Commission**") grant VoiceStream leave to intervene in the dockets captioned above pursuant to Utah Admin. Code R746-100-7 and Utah Code Ann. § 63-46b-9 and for the reasons set forth below.

STATEMENT OF FACTS

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1. VoiceStream is a personal communications service ("**PCS**") carrier and provides PCS coverage within the Salt Lake Major Trading Area under its license with the Federal Communications Commission ("**FCC**"). VoiceStream uses the global system for mobile communications. VoiceStream has been assigned number blocks within the 801 Number Plan Area.

2. AT&T Communications of the Mountain States, Inc., on behalf of itself and other wireless carriers, including VoiceStream ("**Joint Petitioners**") has requested that the Commission reconsider its Report and Order dated April 26, 2000, establishing a new area code within the 801 Area Code.

3. Specifically, the Joint Petitioners request that wireless carriers be permitted the option of retaining their current numbers ("**NXXs**") in the 801 area code, to the extent these numbers have not been assigned out of NXX. This practice known as "wireless grandfathering" is based upon a technological difference between wireline and wireless telephones.

4. VoiceStream will sustain significant costs in changing the area code for each of its affected wireless telephone numbers and reprogramming its switch.

5. VoiceStream will sustain costs for, among other things, augmenting service department staffing and support, paying overtime, hiring third-party vendors, adding physical facilities and purchasing equipment.

6. In addition, these reprogramming costs will include costs of educating VoiceStream's customers and notifying each of them of the date by which their phone numbers must be changed to a new number.

7. In other state area code proceedings, carriers have estimated costs per unit ranging from \$40 to \$80. Traditionally, carriers keep this information confidential. This cost data came from information disclosed in public proceedings. See Testimony of Michelle Fallon Chapman, Bell Atlantic Mobile, Massachusetts Department of Telecommunications and Energy (D.T.E.) 96-61 Massachusetts Area Code proceedings for 617 and 598 NPAs in Eastern Massachusetts (\$40 without customer education); Testimony on behalf of SNET Mobility, Inc. (May 27, 1998), *DPUC Review of Management of Telephone Numbering Resources in Connecticut*, Connecticut Department of Public Utility Control Docket No. 96-11-10 (\$50 with customer education); Testimony of Wayne Leuck, U S WEST (March 26, 1998), *In the Matter of Application and Final Recommendation of the Numbering Plan Administrator for Relief of the 303 Area Code*, Colorado PUC Docket No. 97A-103T (\$80).

8. However, a significant difference that sets VoiceStream's and other wireless customers apart from wireline customer groups is that VoiceStream's and other carriers' wireless numbers are not published. Consequently, there is no orderly or uniform way for VoiceStream customers to notify people of the change to the telephone number of VoiceStream's customers.

9. VoiceStream's customers in the new area code will incur significant costs and inconvenience in changing stationery, signs and other personal or advertising material to reflect in the new phone numbers and in otherwise notifying others of their new phone numbers.

10. Numbers will be needed for existing VoiceStream customers regardless of the grandfathering decision. If VoiceStream's customers are not able to retain their current numbers in the 801 area code, the numbers will need to be duplicated in the new area code.
11. Grandfathering will not result in a gain or loss of numbers for VoiceStream customers.
12. In this regard, VoiceStream is **not** seeking to be able to both retain its codes in the 801 NXX and to obtain duplicate numbers in the new NXX. VoiceStream is merely asking the Commission to provide it with the option of doing one or the other.

REQUESTED RELIEF

VoiceStream requests that the Commission (i) grant VoiceStream leave to intervene, (ii) reconsider its April 26, 2000 Report and Order, and (iii) grant VoiceStream and other wireless carriers the option of grandfathering the NXXs they currently hold in the 801 area code for the reasons set forth in the Petition for Reconsideration filed by AT&T Communications of the Mountain States, Inc. on behalf of itself, VoiceStream and other wireless carriers.

DISCUSSION

VOICESTREAM'S LEGAL INTERESTS WILL BE SUBSTANTIALLY AFFECTED HERE

VoiceStream and its customers will sustain undue and needless inconvenience and substantial cost to reprogram if the Commission does not grant VoiceStream the option to grandfather the NXXs it currently holds. The burden on VoiceStream and its customers to reprogram would be extremely disruptive and inconvenient for everyone. VoiceStream will sustain extensive costs for, among other things, augmenting service department staffing and support, paying overtime, hiring third-party vendors, adding physical facilities and purchasing new equipment. VoiceStream will need to incur significant costs in educating and notifying its customers about the reprogramming process. VoiceStream's customers, in turn, will sustain substantial costs in notifying others of the number change and changing stationary, signs and advertising material.

VOICESTREAM'S INTERVENTION WILL NOT MATERIALLY IMPAIR THE INTERESTS OF JUSTICE OR THESE PROCEEDINGS

VoiceStream simply seeks to join the request for reconsideration and to have the Commission grant VoiceStream and other wireless carriers the option of grandfathering the NXXs that they currently hold in the 801 area code. Neither the interests of justice nor these proceedings will be materially impaired here by VoiceStream's intervention.

CONCLUSION

For all of the foregoing reasons, the Commission should (i) grant VoiceStream leave to intervene, (ii) reconsider its April 26, 2000 Report and Order, and (iii) grant VoiceStream and other wireless carriers the option of grandfathering the NXXs they currently hold in the 801 area code for all of the reasons set forth in the Petition for Reconsideration filed by AT&T Communications of the Mountain States, Inc. on behalf of itself, VoiceStream and other wireless carriers.

DATED this ____ day of May, 2000.

Snell & Wilmer L.L.P.

Bradley R. Cahoon
Attorneys for Plaintiff
VoiceStream PCS II Corporation

CERTIFICATE OF SERVICE

I certify that the original and eight copies of the **PETITION TO INTERVENE OF VOICESTREAM PCS II CORPORATION** were hand delivered on May 22, 2000 to:

Sander J. Mooy, Esq. 160 East 300 South 4 th Floor Salt Lake City, UT 84111	
Ms. Julie Orchard Executive Secretary Utah Public Service Commission Heber M. Wells Building, 4 th Floor 160 East 300 South Salt Lake City, UT 84111	

and a true and correct copy was sent by U. S. Mail, postage prepaid, on May 22, 2000 to:

Michael Ginsberg Assistant Attorney General Heber M. Wells Building, 4 th Floor 160 East 300 South Salt Lake City, UT 84111	Gregory J. Kopta Davis Wright Tremaine 2600 Century Square 1501 Fourth Avenue Seattle, WA 98101-1688
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