



PUBLIC NOTICE

Federal Communications Commission
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**COMMON CARRIER BUREAU SEEKS COMMENT ON THE
MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS
AND ENERGY PETITION FOR DELEGATION OF ADDITIONAL
AUTHORITY TO IMPLEMENT NUMBER CONSERVATION
MEASURES IN MASSACHUSETTS**

NSD File No. L-00-169

Pleading Cycle Established

COMMENTS: September 27, 2000

REPLY COMMENTS: October 11, 2000

On September 28, 1998, the Federal Communications Commission (Commission) released the *Pennsylvania Numbering Order*,¹ which delegated additional authority to state public utility commissions to order number rationing in jeopardy situations and encouraged state commissions to seek further limited delegations of authority to implement other innovative number conservation methods.

On February 17, 1999, the Massachusetts Department of Telecommunications and Energy (Petitioner) petitioned the Commission for additional delegated authority to implement various area code conservation measures in the 508, 617, 781, and 978 area codes. On September 15 1999, the Commission delegated additional authority to the Petitioner to implement number conservation measures in the 508, 617, 781, and 978 area codes.² Although this order granted the Petitioner interim authority to institute many of the optimization measures it requested in its petition, it did not grant the Petitioner the authority to implement number conservation measures on a state-wide basis.

On March 31, 2000, the Commission released the *Numbering Resource*

¹ *Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, and 717*, Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 19009, 19025 (1998), *recon. pending*.

² *See Massachusetts Department of Telecommunications and Energy Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes*, Order, 14 FCC Rcd 17447 (1999) (*Massachusetts Delegation Order*).

*Optimization Order.*³ In the *Numbering Resource Optimization Order*, the Commission granted state commissions the authority to engage in certain number conservation measures. The Commission also reiterated that previous state delegations of authority to implement number conservation measures were interim in nature and would be superseded by forthcoming decisions in this proceeding. The Commission, however, continued its delegation to the Common Carrier Bureau to rule on state petitions for additional delegation of numbering authority when no new issues are raised.

On August 3, 2000, Petitioner filed a petition requesting additional delegated authority to undertake various numbering conservation measures in Massachusetts on a state-wide basis, including the 413 area code in the western Massachusetts Local Access and Transport Area (LATA), and the four relief area codes to be fully implemented in the eastern Massachusetts LATA by April 2001. The Petitioner specifically requests authority on a state-wide basis, until national number conservation measures are implemented, to: (1) institute thousands-block number pooling trials; (2) reclaim reserved NXX codes, and portions of those codes; (3) set numbering allocation standards; (4) set and/or revise rationing procedures; (5) hear and address claims of carriers seeking numbering resources outside the rationing process; and (6) maintain rationing procedures for six months following area code relief. Petitioner states that the authority requested would equalize its authority throughout the state, creating a uniform approach to its state numbering conservation measures.

We hereby seek comment on Petitioner's request for additional delegated authority to implement the above number conservation measures to the extent that they are not superseded by the national number resource optimization measures addressed in the *Numbering Resource Optimization Order*. A copy of the petition will be available during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Suite CY-A257, Washington, D.C. 20554, (202) 418-0270. Interested parties may file comments concerning this matter on or before **September 27, 2000**, and reply comments on or before **October 11, 2000**. All filings must reference **File No. NSD-L-00-169 and CC Docket 96-98**. Send an original and four copies to the Commission Secretary, Magalie Roman Salas, Portals II, 445 12th Street, SW, Suite TW-A325, Washington, D.C. 20554 and two copies to Al McCloud, Network Services Division, Portals II, 445 12th Street, S.W., Room 6A-320, Washington, D.C. 20554.

Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. If using this method, please reference **CC Docket No. 96-98** in the Proceeding block. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, postal service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, including "get form <your e-mail address>" in the body of the message. A sample form and directions will be sent in reply. After filing your comments electronically, please send an e-mail to Al McCloud, amcloud@fcc.gov, indicating that

³ *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000).

comments have been filed.

This is a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.⁴ As a "permit but disclose" proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission's rules applicable to non-restricted proceedings.⁵

Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required.⁶ Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

For further information contact Aaron Goldberger of the Common Carrier Bureau, Network Services Division, at (202) 418-2320 or agoldber@fcc.gov. The TTY number is (202) 418-0484.

-FEDERAL COMMUNICATIONS COMMISSION-

⁴ See generally 47 C.F.R. §§ 1.1200-1.1216.

⁵ 47 C.F.R. § 1.1206.

⁶ 47 C.F.R. § 1.1206(b)(2).