



PUBLIC NOTICE

Federal Communications Commission
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DA 01-984
Released: April 19, 2001

**COMMON CARRIER BUREAU SEEKS COMMENT ON THE
IOWA UTILITIES BOARD PETITION FOR DELEGATION OF
ADDITIONAL AUTHORITY
AND
THE SUPPLEMENT TO THE NORTH CAROLINA UTILITIES
COMMISSION'S PETITION FOR ADDITIONAL DELEGATED
AUTHORITY TO IMPLEMENT NUMBER CONSERVATION
MEASURES**

NSD File No.: L-01-74
NSD File No.: L-01-75
CC Docket 96-98
CC Docket 99-200

Pleading Cycle Established

COMMENTS: May 9, 2001

REPLY COMMENTS: May 18, 2001

On September 28, 1998, the Federal Communications Commission (Commission) released the *Pennsylvania Numbering Order*,¹ which delegated 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 number conservation methods.

On March 31, 2000, the Commission released the *Numbering Resource Optimization First Report and Order*.² In the *Numbering Resource Optimization First*

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); *see also* *Numbering Resource Optimization*, Second Report and Order in CC Docket No. 99-200, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200 (rel. Dec. 29, 2000) (where the Commission addressed petitions for clarification and reconsideration that were filed in response to the *Pennsylvania Numbering Order*).

² *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574 (2000).

Report and 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previous state delegations of authority to implement number conservation measures were interim in nature and would be superseded by forthcoming decisions in the *Number Resource Optimization* proceeding. The Commission, however, continued its delegation to the Common Carrier Bureau (Bureau) to rule on state petitions for additional delegation of numbering authority when no new issues are raised.

In paragraph 170 of the *Numbering Resource Optimization First Report and Order*, the Commission required that state commissions seeking thousands-block number pooling authority demonstrate that: (1) a numbering plan area (NPA) in its state is in jeopardy; (2) the NPA in question has a remaining life span of at least a year; and (3) the NPA is in one of the largest 100 Metropolitan Statistical Areas (MSAs), or alternatively, the majority of wireline carriers in the NPA are LNP-capable.

On March 9, 2001, the Iowa Utilities Board (Iowa Commission or Petitioner) filed a petition requesting delegated authority to (1) implement mandatory thousands-block number pooling in the 319 NPA; and (2) require non-LNP capable carriers to participate in pooling. Petitioner asserts that the number conservation measures currently available in the 319 NPA may not adequately protect this NPA.

On October 19, 2000, the North Carolina Utilities Commission (North Carolina Commission or Petitioner) filed a petition requesting additional delegated authority to implement mandatory thousands-block number pooling in the 336 NPA. Petitioner states that thousands-block number pooling could potentially extend the life of this NPA.

We hereby seek comment on the Iowa and North Carolina Commissions' requests for delegated authority to implement the number conservation measures mentioned above. Interested parties may consolidate into one filing their comments and reply comments in response to both petitions. A copy of both petitions 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 these matters on or before **May 9, 2001**, and reply comments on or before **May 18, 2001**. All filings must reference **File Nos. NSD-L-01-74 (Iowa) or NSD-L-01-75 (North Carolina) and CC Docket Nos. 96-98 and 99-200**. 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 Carmell Weathers, Network Services Division, Portals II, 445 12th Street, S.W., Room 6-B153, 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 and CC Docket No. 99-200** 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 Carmell Weathers, cweather@fcc.gov, indicating that comments have been filed.

This is a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules.³ 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.⁴

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.⁵ Other rules pertaining to oral and written presentations are set forth in Section 1.1206(b) as well.

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

-FEDERAL COMMUNICATIONS COMMISSION-

³ See generally 47 C.F.R. §§ 1.1200-1.1216.

⁴ 47 C.F.R. § 1.1206.

⁵ 47 C.F.R. § 1.1206(b)(2).