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STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

October 27, 2010 - 1:40 p.m.
Concord, New Hampshire

NHPUC NOV09'10 PM12:47

RE: DT 10-211
NORTH AMERICAN NUMBERING PLAN
ADMINISTRATOR: Petition Requesting
Approval of a Relief Plan for the
603 Numbering Plan.
(Prehearing conference)

PRESENT: Chairman Thomas B. Getz, Presiding
Commissioner Clifton C. Below
Commissioner Amy L. Ignatius

Sandy Deno, Clerk

APPEARANCES: Reptg. Verizon Access Transmission:
Alexander W. Moore, Esq.

Reptg. Verizon Wireless:
Margaret H. Nelson, Esq. (Sulloyay & Hollis)

Reptg. FairPoint Communications and the
New Hampshire Telephone Association:
Harry N. Malone, Esq. (Devine, Millimet...)

Reptg. Level 3 Communications:
Douglas L. Patch, Esq. (Orr & Reno)

Reptg. BayRing Communications:
Darren Winslow

Court Reporter: Steven E. Patnaude, LCR No. 52

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APPEARANCES: (C o n t i n u e d)

Reptg. AT&T Communications:

Stuart Trachy
Owen Smith

Reptg. Residential Ratepayers:

Meredith Hatfield, Esq., Consumer Advocate
Stephen Eckberg
Office of Consumer Advocate

Reptg. PUC Staff:

Matthew Fossum, Esq.
Kate Bailey, Director/Telecom Division
Michael Ladam, Telecom Division
David Goyette, Telecom Division

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P R O C E E D I N G

CHAIRMAN GETZ: Okay. Good afternoon, everyone. We'll open the prehearing conference in Docket DT 10-211. On August 10, 2010, NeuStar, Inc., North American Numbering Plan Administrator, filed a petition requesting approval of a relief plan for the 603 area code, also known as the 603 Numbering Plan Area.

According to NANPA projections, without relief, the supply of NXX codes in the 603 NPA will be exhausted during the third quarter of 2012. We issued an order of notice on October 15 that, among other things, explained some of the background for relief planning that has taken place in New Hampshire since 1999, and indicates various measures that have been taken to extend the life of the existing 603 NPA. The order of notice also indicates that NANPA conducted an industry conference call on June 30, 2010, and the recommendation for relief is an all-services distributed overlay for the 603 area code. The new area code would be superimposed over the same geographic area covered by 603, and all existing customers would retain the 603 area code and would not have to change their telephone numbers. That relief plan, however, would require 10-digit dialing for all calls within and between the 603 NPA and the new NPA.

{DT 10-211} [Prehearing conference] {10-27-10}

1 I note for the record that the affidavit
2 of publication was filed on October 26. We have a letter
3 from the Office of Consumer Advocate noting its
4 participation in this proceeding. We also have Petitions
5 to Intervene from FairPoint Communications, Verizon
6 Wireless, Verizon Access Transmission, Time Warner Cable,
7 BayRing, the New Hampshire Telephone Association,
8 T-Mobile, and Level 3 Communications. I believe that's
9 all the petitions that I have before me.

10 But, at this point, let's take
11 appearances by the parties that are here. If there's
12 anyone else who is seeking to intervene, please indicate
13 so. And, turn to Mr. Fossum, my understanding is that on
14 the phone we have persons from NeuStar or NANPA?

15 MR. FOSSUM: Yes. There are at least
16 one person, and probably more on the phone, from NANPA.
17 It was determined that, essentially, as a cost-saving
18 measure, that NANPA would not be here in person. But I
19 have been given authorization to read a short statement on
20 their behalf, at the time that the Commission deems
21 appropriate for NANPA to enter a position.

22 CHAIRMAN GETZ: Okay. Thank you. Then,
23 let's begin the folks that are here, starting in the
24 front. Sir, do you have an appearance?

1 MR. SMITH: No.

2 CHAIRMAN GETZ: Okay.

3 MR. MOORE: I'm Alexander Moore, on
4 behalf of Verizon Access Transmission.

5 CHAIRMAN GETZ: I'm sorry, it's --

6 MR. MOORE: Alex Moore, on behalf of
7 Verizon Access Transmission.

8 MS. NELSON: Mr. Chairman, good
9 afternoon. I'm Margaret Nelson, from Sulloway & Hollis,
10 for Verizon Wireless.

11 CHAIRMAN GETZ: Good afternoon.

12 MR. MALONE: Good afternoon, Mr.
13 Chairman. I'm Harry Malone, of Devine, Millimet & Branch,
14 on behalf of FairPoint Communications and the New
15 Hampshire Telephone Association.

16 CHAIRMAN GETZ: Good afternoon.

17 MR. PATCH: Good afternoon, Mr.
18 Chairman, members of the Commission. Doug Patch, from the
19 law firm of Orr & Reno, on behalf of Level 3.

20 MR. WINSLOW: Good afternoon,
21 Commissioners. My name is Darren Winslow, I'm with
22 BayRing Communications.

23 CHAIRMAN GETZ: Good afternoon.

24 MS. HATFIELD: Good morning,

1 Commissioners. Meredith -- excuse me, good afternoon,
2 Commissioners. Meredith Hatfield, for the Office of
3 Consumer Advocate, on behalf of residential ratepayers.
4 And, with me for the office is Steve Eckberg.

5 CHAIRMAN GETZ: Good afternoon.

6 MR. FOSSUM: And, good afternoon.
7 Again, Matthew Fossum, for the Staff of the Commission.
8 And, with me today are Kate Bailey, Michael Ladam, and
9 David Goyette from Commission Staff.

10 CHAIRMAN GETZ: Okay. Good afternoon.
11 Well, let me address this issue. Are there any objections
12 to Petitions to Intervene, before we --

13 MR. TRACHY: Mr. Chairman, I just -- I
14 thought you were asking us to speak, and we're not
15 speaking. Stuart Trachy and Owen Smith, with AT&T. But
16 we're not speaking.

17 CHAIRMAN GETZ: And, not making a
18 Petition to Intervene?

19 MR. TRACHY: Not at this time.

20 CHAIRMAN GETZ: Okay. Thank you. Are
21 there any objections to any of the Petitions to Intervene?

22 (No verbal response)

23 CHAIRMAN GETZ: Okay. Hearing no
24 objection, and recognizing that the parties have

1 demonstrated interests that would be affected by the
2 proceeding, we're going to grant all of the Petitions to
3 Intervene. And, before we -- well, first off, Mr. Fossum,
4 why don't we get the NeuStar position on the record, then
5 we'll hear comments from everyone else. And, I think the
6 Commissioner has -- Commissioner Below has a question he'd
7 like to pose to the parties. So, if you could --

8 MR. FOSSUM: Certainly. As I said, I
9 was authorized yesterday to make this statement on behalf
10 of the NANPA.

11 And, the statement reads as follows:
12 "NeuStar, Inc., in its role as the North American
13 Numbering Plan Administrator, submitted the Petition for
14 relief of the 603 area code on behalf of industry members.
15 As a neutral third party administrator, NeuStar has no
16 opinion regarding the Commission's decision in this
17 docket."

18 CHAIRMAN GETZ: Okay. Thank you.

19 MR. FOSSUM: That's all.

20 CHAIRMAN GETZ: Commissioner Below.

21 CMSR. BELOW: And, I would just like to
22 ask the parties, when they state their initial position,
23 if they have any thoughts as to anything they might be
24 able or willing to do or other suggestions to buy some

1 more time for implementation of a change. Such as, last
2 time around this, we bought over a decade's worth of time
3 by shifting the numbering block size, for instance, from
4 10,000 numbers to 1,000 number blocks. And, we know
5 there's a lot of blocks out there that aren't fully
6 utilized, but may be somewhat utilized, so they're
7 contaminated.

8 And, I guess the question for the
9 parties is do they have any thoughts as to any efforts
10 that might be undertaken to utilize the numbers that are
11 out there, either to create more options or even just to
12 buy time for the implementation or phase-in of whatever
13 action is decided upon? Thank you.

14 CHAIRMAN GETZ: Okay. Then, if you've
15 had enough time to digest that, Mr. Moore, you spoke
16 first, so you can state the position of your clients.

17 MR. MOORE: Thank you, Mr. Chairman.
18 Verizon Access Transmission is here to support the NeuStar
19 proposal. In our view, should the Commission determine
20 that a new area code is necessary, the most reasonable and
21 efficient way to address that is to do the full overlay.
22 The Commission, of course, will have to balance a number
23 of different concerns. But we believe that, for most
24 customers, most of the time, it's the least disruptive to

1 have the overlay, rather than, say, a split of the state
2 into different area codes.

3 The other point I wanted to make is that
4 NeuStar has proposed a 17-month time period following the
5 Commission's decision to implement a new area code. We
6 think that is important, both to allow carriers to, you
7 know, make the adjustments they need in their networks to
8 accommodate the change, and also to provide sufficient
9 notice in time for consumers to get used to the change,
10 whatever it may be.

11 I have to say, in response to
12 Commissioner Below's questions, we don't -- we haven't
13 developed any particular notions or thoughts about whether
14 there are still additional steps that you could take to
15 forestall the exhaust of the current area code. Thank
16 you.

17 CHAIRMAN GETZ: Okay. Thank you.
18 Ms. Nelson.

19 MS. NELSON: Thank you very much, Mr.
20 Chairman, members of the Commission. Verizon Wireless
21 also supports the NeuStar petition, both with respect to
22 the overlay as the superior form of relief and the
23 17-month implementation period. We believe that the
24 overlay relief plan will best serve the interests of all

1 consumers, residential and commercial, across New
2 Hampshire, by providing the least disruption to all
3 businesses and personal interests.

4 I do have a brief statement setting
5 forth our petition in somewhat greater detail, which I'd
6 be glad to have marked and have part of the record.

7 And, with respect to the issue posed by
8 Commissioner Below, I'd be glad to confer further with my
9 client, particularly in the technical session, which I
10 gather is going to follow this prehearing conference, to
11 discuss that issue in more detail with them.

12 CHAIRMAN GETZ: Okay.

13 MS. NELSON: I guess I would ask the
14 Commission, would you like me to mark this now or at the
15 end of the prehearing?

16 CHAIRMAN GETZ: Well, I think you can
17 submit it. I don't think we need to mark it as an exhibit
18 at this point. And, you can file it with the Clerk and
19 we'll make it part of the record.

20 MS. NELSON: Thank you very much.

21 CHAIRMAN GETZ: And, then, I expect
22 there will be discussion at the technical session
23 following up, as you say, about some of the issues raised
24 by Commissioner Below. Mr. Malone.

1 MR. MALONE: Yes. Thank you,
2 Mr. Chairman. FairPoint and NHTA take no position on
3 NeuStar's petition, other than to say that, to the extent
4 the Commission believes that relief is necessary, we
5 support an overlay solution, as opposed to a split.

6 And, we have no thoughts on Mr. Below's
7 -- or, Commissioner Below's question at this time. Thank
8 you.

9 CHAIRMAN GETZ: Thank you. Mr. Patch.

10 MR. PATCH: Mr. Chairman, I'd request
11 leave to be able to consult with my client further on
12 their position. I'm not sure exactly what, if they have a
13 position at this point in time, what it is. And, I'd be
14 happy to submit that to the Commission, if that would be
15 useful. But just haven't had a chance to formulate that
16 yet.

17 CHAIRMAN GETZ: Okay. I think, as it
18 develops, as the proceeding goes forward, then they can
19 make their position known.

20 MR. PATCH: Thank you.

21 CHAIRMAN GETZ: Mr. Winslow.

22 MR. WINSLOW: BayRing takes no position
23 at this time. And, we don't have any additional thoughts
24 on whether or not we can delay implementation any further.

1 CHAIRMAN GETZ: Thank you. Ms.
2 Hatfield.

3 MS. HATFIELD: Thank you, Mr. Chairman.
4 The OCA also has no position at this time. And, we don't
5 have specific proposals in response to Commissioner
6 Below's question. But we will certainly work with the
7 parties and Staff to try to explore those.

8 CHAIRMAN GETZ: Thank you. Mr. Fossum.

9 MR. FOSSUM: Thank you. Staff also has
10 no position on the petition at this time. And, we'll be
11 working with all the interested parties to formulate the
12 best possible record on which the Commission can base its
13 decision.

14 As to Commissioner Below's point, I do
15 want to bring up that Staff has been made aware only very
16 recently, and I mean within the last 12 hours or so, that
17 NANPA has revised its exhaust estimate for New Hampshire.
18 In the Petition, it was noted that exhaust was estimated
19 for the third quarter of 2012. It has now been revised --
20 the revised estimate puts it at the second quarter of
21 2013. So, there already has been at least one revision to
22 that exhaust. We will certainly be discussing that
23 development and other relevant issues with the remaining
24 -- with all the parties in the technical session to

1 follow.

2 CHAIRMAN GETZ: Okay. Any questions
3 from the Bench? Are there any other issues that we need
4 to address this afternoon?

5 (No verbal response)

6 (Chairman and Commissioners conferring.)

7 CHAIRMAN GETZ: Okay. At this juncture
8 then, I think we'll close the prehearing conference, await
9 a recommendation from the parties on how to proceed. And,
10 I assume, Mr. Fossum, that you'll be filing something in
11 writing after the technical session. So, if there's
12 nothing further, we'll close this hearing. Thank you,
13 everyone.

14 **(Whereupon the prehearing conference**
15 **ended at 1:53 p.m. and a technical**
16 **session was held thereafter.)**

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