

DT 00-001

**IMPLEMENTATION OF NUMBER CONSERVATION METHODS
AUTHORIZED BY THE FEDERAL COMMUNICATIONS COMMISSION**

Thousand-Block Number Pooling

Administration and Procedural Order

O R D E R N O. 23,392

January 27, 2000

In Re the Matter of New Hampshire Public Utilities Commission's Petition for Additional Delegated Authority to Implement Number Optimization Measures in the 603 Area Code, DA 99-2634 released November 30, 1999, the Federal Communications Commission (FCC) granted the Commission authority to require carriers to implement certain measures to conserve number resources in order to delay the exhaust of the 603 area code. On January 7, 2000, the New Hampshire Public Utilities Commission (Commission) exercised the authority granted by the FCC by issuing Order No. 23,385 (First Order Implementing Number Conservation Methods). The First Order Implementing Number Conservation Methods requires, *inter alia*, that all LNP capable LECs shall participate in a thousand number block pooling trial beginning May 1, 2000. The Commission stated that details of the thousand number block pooling (TNP) trial would be provided in a separate order.

This order addresses the conditions established by the FCC for instituting a number pooling trial and sets a date for an implementation meeting/technical session regarding the trial.

The FCC set several conditions in its grant of the Commission's authority to order a TNP trial. The FCC requires the Commission (1) to take all steps necessary to prepare an NPA relief plan, (2) to exempt non-LNP capable carriers from participation, (3) to ensure that carriers have adequate time to implement pooling, and (4) to determine a method for cost recovery in a competitively neutral manner. These four conditions are not conditions precedent; they are on-going obligations. For instance, as the FCC stated in ¶30 of its Order with regard to an NPA relief plan, the Commission must

"prepare an NPA relief plan that may be adopted in the event that numbering resources in the 603 NPA are in imminent danger of being exhausted. This criterion is not intended to require the Commission to implement an NPA relief plan prior to requiring thousands-block number pooling...Rather, we require only that the Commission must be prepared to implement a 'back-up' NPA relief plan prior to the exhaustion of numbering resources in the 603 NPA."

The Commission will, of course, abide by the FCC rulings. The Commission publicly deliberated an NPA relief plan on August 9, 1999; an order regarding that plan will issue in due course. The Commission exempted non-LNP capable carriers from participation in the TNP trial in its First

Order Implementing Number Conservation Methods. The Commission will ensure that carriers have adequate time for implementation and establish a competitively neutral manner for cost recovery.

The FCC Order directs that the Commission conduct its TNP trial in accordance with industry-adopted Thousands-block Pooling Guidelines. (§29.) The Guidelines, authored by the Industry Numbering Committee, require that all thousand block requests and necessary forms will be submitted to a neutral, third-party Pooling Administrator (PA). The North American Numbering Council (NANC) recommended that the FCC appoint as the national pooling administrator the current North American Numbering Plan Administrator (NANPA), NeuStar, Inc. (NeuStar). In its role as NANPA, NeuStar assigns all of the Central Office Codes (NXXs) throughout the entire United States. While the FCC will not rule on whether NeuStar will be the national pooling administrator until March 2000, NeuStar is currently administering the thousand block pooling trials in Illinois, New York, California, and Maine. The terms for NeuStar's provision of pooling administration services approved by the NANC are the same as those approved in other states that received FCC authority to implement TNP trials.

Given NeuStar's experience as a PA, the NANC's recommendation, the opportunity to benefit from NeuStar's experience and some efficiencies of scale, and the imperative to move quickly, NeuStar is the logical choice for PA in New Hampshire. Therefore, we will order that NeuStar shall act as PA in New Hampshire, in substantial accord with the terms agreed to by NeuStar and the NANC.

The Commission is aware that the pooling software package currently released by the Number Portability Administration Center (NPAC) for use by the PA, known as NPAC Release 1.4, may be superseded by a new version, NPAC Release 3.0, by January 2001. On the basis of information submitted to the FCC in its Number Resource Optimization rulemaking proceeding, FCC Docket No. 99-200, we believe that New Hampshire cannot wait to begin pooling until after NPAC 3.0 is available. We must move forward using the software available now. We further believe that the start date of May 1, 2000, which we ordered in our First Order Implementing Conservation Methods, takes into account the needs of carriers to modify operation support systems and our obligation to respond in time to prevent the unnecessary costs and inconveniences associated with a new area code.

We direct all NXX code holders in New Hampshire to

participate in a First Implementation Meeting, jointly chaired by Commission Staff and NeuStar, on Friday February 4, 2000 at 10:00 a.m. Because of the technical aspects of TNP, NXX code holders should bring technical experts capable of assisting in the implementation of this important conservation effort. The agenda for the First Implementation Meeting will include:

I. Overview of Implementation Meeting Process

1. Commission Expectations
2. NeuStar's role as Pooling Administrator
3. Carrier responsibilities
4. Specific decisions that must be made

II. Pooling Implementation Schedule for discussion

1. Block Protection Date (January 31)
2. Date for providing forecasts (Monthly)
3. Block Donation Identification Date (March 10)
4. Pooling Administrator Assessment (March 10-April 14)
5. Block Donation Date - April 21
- VI. TNP Start Date - May 1

The FCC provided that the Commission may depart from the Guidelines if it deemed it appropriate after first consulting with the industry regarding the implications of any proposed changes. We will order that the parties submit comments regarding which provisions, if any, of the Guidelines should be modified to accommodate the particular circumstances in New Hampshire. We will identify which of the proposed changes we believe should be adopted and then put those out

for further comment before acting on any proposed changes.

In its Order the FCC also delegated to the Commission authority to determine the method to recover the cost of the pooling trial in a competitively neutral manner, as well as how carrier-specific costs directly related to pooling administration should be recovered. Cost recovery is guided by §251 of the Telecommunications Act. According to the *Numbering Resource Optimization Notice, Notice of Proposed Rulemaking* (Numbering Optimization Notice), CC Docket No. 99-200, FCC 99-122, released June 2, 1999, the costs include (1) shared industry costs, (2) carrier-specific costs directly related to TNP implementation such as updating carriers' Local Service Management System (LSMS) to support pooling, and (3) carrier-specific costs not directly related to TNP implementation. The FCC recommended that the Commission consider the cost principles found in the FCC's *Telephone Number Portability Third Report and Order*, 13 FCC Rcd 11701 (1998), and the Numbering Optimization Notice, ¶¶193-210, when designing a cost recovery mechanism. In particular, the FCC indicated its belief that even those carriers that cannot now participate in pooling (non-LNP capable carriers) will benefit from the more efficient use of numbering resources that pooling facilitates and thus appropriately may be assessed by

a cost recovery mechanism. We will schedule a cost recovery technical conference/workshop so that a cost recovery mechanism can be in place by the time the TNP trial begins.

Based upon the foregoing, it is hereby

ORDERED, a First Implementation Meeting for establishing a TNP trial in New Hampshire shall be held at 10:00 a.m. on February 4, 2000 at the Commission offices located at 8 Old Suncook Road, Concord, New Hampshire; and it is

FURTHER ORDERED, that all New Hampshire NXX holders, along with appropriate technical staff, shall participate in the First Implementation Meeting, and it is

FURTHER ORDERED, that the First Implementation Meeting shall be tape recorded; and it is

FURTHER ORDERED, that NeuStar, Inc. shall act as the Pooling Administrator for New Hampshire; and it is

FURTHER ORDERED, that the TNP trial shall proceed with dispatch, utilizing the 1.4 Release pooling software package until after the 3.0 Release is sufficiently tested; and it is

FURTHER ORDERED, that comments regarding any proposed modifications to the Guidelines shall be submitted by interested parties on or before February 20, 2000.

By order of the Public Utilities Commission of New
Hampshire this twenty-seventh day of January, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary