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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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AZ CORP COMMISSION
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IN THE MATTER OF THE GENERIC)
INVESTIGATION INTO NUMBER RESOURCE)
OPTIMIZATION AND IMPLEMENTATION OF)
NUMBER POOLING IN ARIZONA)

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) DOCKET NO. T-00000A-01-0076

**TIME WARNER TELECOM OF ARIZONA, L.L.C.'S COMMENTS IN
RESPONSE TO THE ARIZONA CORPORATION COMMISSION'S
PROCEDURAL ORDER ESTABLISHING A GENERIC INVESTIGATION TO
ASSIST THE ARIZONA CORPORTION COMMISSION IN ITS
IMPLEMENTATION OF NUMBER POOLING AND OTHER NUMBER
CONSERVATION METHODS**

I. BACKGROUND

On February 13, 2001, the Arizona Corporation Commission's Hearing Division issued its Procedural Order establishing a generic investigation to aid and assist the Arizona Corporation Commission (ACC) in its implementation of number pooling and other number conservation methods. This Procedural Order was in response to a Request for Procedural Order filed by the ACC Staff (Staff) on January 23, 2002. The purpose of the request by Staff was to obtain comments from interested parties and members of industry concerning the implementation of number pooling and other number conservation methods in Arizona.

In Arizona, like many other areas of the country, the demand for new telephone numbers has rapidly increased. The increased demand for new telephone numbers, in

turn, has caused the addition of new area codes within each of Arizona's two LATAs. Most recently, on February 16, 2001, the ACC issued its Order authorizing a two-way geographic split of the 520 NPA and specifying the transition procedures for adding the new NPA.

The proliferation of requests for new telephone numbers and the subsequent addition of new NPAs have caused state regulatory commissions and the Federal Communications Commission (FCC) to examine ways to utilize number resources more efficiently. One number conservation method that has been recognized by the FCC is number pooling trials in which number utilization is managed in thousand number blocks¹.

On July 20, 2000, the FCC conditionally granted Arizona the authority to implement a thousands-block pooling trial in the 520 NPA². The FCC also granted the ACC conditional authority to implement thousands-block number pooling trials in the 602, 480, and 623 NPAs, based upon the premise that it is difficult to predict with certainty when an area code will exhaust in a rapid growth area like the Phoenix metropolitan area. While the FCC delegated authority to the Arizona Corporation Commission to institute thousands-block number pooling trials in multiple NPAs, the authority requires that the ACC fully implement thousands-block pooling in a single MSA before expanding to a second MSA.

¹ See *In the Matter of Numbering Resource Optimization, et. al.*, FCC Docket Nos. 99-200 and 96-98, Second Report and Order and Order on Reconsideration and Second Further Notice of Proposed Rulemaking, (rel. Dec. 29, 2000) (*Second Report and Order*).

² *In the Matter of Numbering Resource Optimization, et. al.*, Docket No. 99-200 et. al., Order (rel. July 20, 2000).

Additionally, the FCC requires the ACC to conform its thousands-block number pooling trial to the national framework established by the FCC through its Numbering Resource Optimization proceeding³. The ACC must also ensure that numbers are made available on an equitable basis; that numbering resources are made available on an efficient and timely basis; that whatever policies the ACC institute for numbering administration not unduly favor or disfavor any particular telecommunications industry segment or group of telecommunications consumers; and that it be technology neutral⁴. The FCC's delegation of authority also cautions the ACC that number conservation measures are not intended to exclude or substitute for unavoidable and timely area code relief⁵.

II. GENERAL COMMENTS

Plenary jurisdiction over numbering issues rests with the FCC. This authority is set forth in Section 251(e) of the Communications Act of 1934, as amended. The FCC has established two primary goals for its oversight of numbering resources: 1) to ensure that the limited numbering resources of the North American Numbering Plan (NANP) are used efficiently and to protect consumers from the expense and costs associated with expanding the NANP; and 2) to ensure that all carriers have the numbering resources to compete in the rapidly growing telecommunications marketplace⁶. Furthermore, the FCC

³ *Id.* para. 6.

⁴ *Id.* para. 10.

⁵ *Id.* para. 11.

⁶ *See Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 7574 (rel. Mar. 31, 2000) (*First Report and Order*).

has expressed a desire and intent to promulgate national standards to govern the NANP, and has delegated certain authority to the states to help achieve the goals outlined above⁷.

Time Warner Telecom of Arizona, L.L.C. urges the ACC to anticipate the adoption of national numbering standards and to embody these principles and standards within its number pooling trials in Arizona.

III. ANSWERS TO SPECIFIC QUESTIONS

Time Warner Telecom of Arizona L.L.C., provides the following responses to the questions contained in the February 13, 2001 Procedural Order.

Q1: Which Metropolitan Statistical Area (“MSA”) should be selected for the first pooling trial?

A1: The one with the greatest number of providers and that is served by an NPA in jeopardy of exhaust.

Q2: If the MSA contains multiple NPAs, which NPA should be first?

A2: The one with the greatest jeopardy of exhaust.

Q3: What is an appropriate interval for implementing number pooling between NPAs where more than one exists in a MSA?

A3: The question is unclear, and therefore, we do not have a response at this time.

⁷ *Id.* at 3.

Q4: If the geographic area of a NPA is greater than the MSA, should number pooling be implemented for the entire NPA?

A4: Yes.

Q5: How soon in 2001 might a number pooling trial begin?

A5: Four to six months following the engagement of a number pooling administrator. However, the ACC should consider waiting to implement its number pooling trial until the FCC has completed its development of a national numbering conservation framework. Unless the ACC anticipates implementing its number pooling trial in time to forestall the transition to the split of the 520 NPA, there would appear to be no urgency for proceeding with number pooling trials since no other NPA in an Arizona MSA is in immediate jeopardy of exhaust. Also, by deferring to the national implementation of number conservation methods, including thousands block pooling, the ACC will avoid duplication of administrative costs to conduct pooling trials that might not be necessary.

Q6: How should number pooling costs be allocated (all carriers, pooling carriers only, only carriers within the MSA, etc.)

A6: Number pooling costs should be allocated to all carriers regardless of whether a specific carrier participates in the pool or is technically capable

of pooling, since all carriers contribute to the utilization (and exhaust) of numbers and benefit from number conservation measures, such as pooling.

Q7: How should number pooling costs be recovered?

A7: Number pooling costs should be recovered in accordance with FCC principles in a manner that is competitively neutral and that minimizes administrative costs. For shared industry costs, all carriers should be assessed costs based upon numbers utilized. For carrier specific costs, each carrier should be responsible for its own direct costs.

Q8: Are there unique aspects of your network in Arizona as compared to those found in states where number pooling has already been implemented?

A8: None of which we are presently aware.

Q9: Are there rate centers within the state that can be consolidated? If so, which ones and how soon could it be accomplished?

A9: There are numerous issues associated with rate center consolidation in Arizona that Time Warner has not sufficiently examined at this time. We reserve the right to supplement this answer at a later date.

Q10: What degree of contamination (i.e. 5%, 10%, etc.) should be allowed in thousands blocks donated to the numbering pool?

A10: Ten percent.

Q11: What other issues should be addressed as part of a number pooling trial?

A11: That pooled numbers be readily available to carriers with a demonstrated need.

Q12: What additional number conservation methods may be implemented to maximize the life of the NPAs within Arizona?

A12: None at this time. However, we reserve the right to supplement our comments at a later date.

IV. CONCLUSION

Time Warner Telecom of Arizona, L.L.C., appreciates the opportunity to respond to the ACC's questions on number pooling and to participate in this docket. We urge the ACC to proceed with caution as it decides whether and how to implement number pooling. The ACC must ensure that implementation of pooling is necessary and that its pooling trial ensures timely relief to carriers in need of numbers. Additionally, Arizona's number pooling trial must be cost effective, competitively neutral and stand in conformance with the national framework under development by the FCC.

Respectfully submitted this 7th day of March 2001.

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IV. CONCLUSION

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