Federal Communications Commission
Washington, D.C. 20554

DA 01-848
CC Docket No. 96-98
NSD File No. L-99-102

April 10, 2001

By U.S. Mail and Facsimile

The Honorable Marilyn Showalter
Chairwoman
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive, S.W.
P.O. Box 47250
Olympia, Washington 98504-7250

Re: Washington Utilities and Transportation Commission's Second Amended Petition for Additional Delegated Authority to Implement a Number Pooling Trial in Area Code 509

Dear Chairwoman Showalter:

This letter addresses the Washington Utilities and Transportation Commission's (Washington Commission's or Petitioner's) amended petition for delegated authority to implement thousands-block number pooling in the 509 numbering plan area (NPA).[1] As discussed below, we grant the petition.

The Washington Commission's original petition filed on April 27, 2000 requested, among other things, additional delegated authority to implement thousands-block number pooling. The Washington Commission received such authority from the Federal Communications Commission (FCC) in an order released on July 20, 2000.[2] On March 12, 2001, in response to a request by QWEST Corporation,[3] the FCC's Common Carrier Bureau (Bureau) issued a letter clarifying the Washington Commission's

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[1] Washington Utilities and Transportation Commission's Second Amended Petition for Additional Delegated Authority to Implement a Number Pooling Trial in Area Code 509, filed March 14, 2001 (Washington Commission Petition).

[2] *See Numbering Resource Optimization*, Order, 15 FCC Rcd 23371 (2000) (*July 2000 Delegation Order*).

[3] *See* QWEST Corporation Request for Clarification or Declaration Regarding the Washington Utilities and Transportation Commission's Delegated Authority Associated with Number Pooling Trials in the State of Washington, filed January 22, 2001.

delegated authority to implement thousands-block number pooling trials within the state of Washington.[4] In particular, the Bureau stated that in the *July 2000 Delegation Order*, the Washington Commission had received delegated authority to implement pooling trials in the 206, 253, 360, and 425 NPAs, but not in the 509 NPA. As a result, the Washington Commission filed the instant amended petition requesting delegated authority to implement thousands-block number pooling in the 509 NPA.

To ensure that thousands-block number pooling is implemented in areas where it has the potential to be most beneficial, the FCC requires state commissions to demonstrate that certain conditions are satisfied in their states before thousands-block number pooling authority will be delegated to them.[5] In the *Numbering Resource Optimization First Report and Order*, the FCC directed state commissions seeking thousands-block number pooling authority to demonstrate that: 1) an NPA in its state is in jeopardy; 2) the NPA in question has a remaining life span of at least a year; and 3) that the NPA is in one of the largest 100 MSAs, or alternatively, the majority of wireline carriers in the NPA are LNP-capable.[6] The FCC recognized, however, that there may be "special circumstances" in which pooling would be beneficial in NPAs that do not meet all of the above criteria, and stated that it may authorize pooling in such an NPA upon a satisfactory showing by the state commission of such special circumstances.[7]

The Washington Commission's filing demonstrates that although the 509 NPA has a remaining life span of at least a year and that a majority of wireline carriers in the 509 NPA are LNP-capable, the 509 NPA is not currently in jeopardy.[8] Petitioner asserts that "special circumstances" exist that warrant authorization to implement thousands-block number pooling in the 509 NPA. The Washington Commission states that pooling would greatly benefit the 509 NPA because, according to best estimates, less than half of the numbers in the 509 NPA have been used.[9] The Washington Commission also explains that the 509 NPA encompasses a mostly rural portion of Washington that has realized few benefits from local competition and that, without pooling, this area will experience a rate of area code changes similar to more urbanized areas.[10]

We agree that thousands-block number pooling would benefit the 509 NPA, particularly given the estimated amount of unused numbers within the 509 NPA and the

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[4] *See* Letter from Yog R. Varma, FCC, to Sharon J. Devine and Kathryn Marie Krause, QWEST Corporation, dated March 12, 2001.

[5] *Numbering Resource Optimization*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 7574, 7652 (rel. Mar. 31, 2000) (*Numbering Resource Optimization First Report and Order*).

[6] *Id.*

[7] *Id.*

[8] Washington Commission Petition at 2. The 509 NPA is projected to exhaust in April, 2002. *Id.*

[9] *Id.* at 3.

[10] *Id.* at 3.

rural nature of this region. Thousands-block number pooling should result in more efficient use of numbering resources within this NPA. Thus, we grant the Washington Commission the authority to implement a thousands-block number pooling trial in the 509 NPA subject to the same conditions and safeguards as those set forth in the *July 2000 Delegation Order*.[11]

We recognize that area code changes can be expensive and confusing for consumers. The authority to implement a thousands-block number pooling trial allows a state commission to address inefficiencies on the supply side of the telephone number assignment regime by ordering that LNP-capable carriers receive smaller blocks of numbers. We are encouraged by the Washington Commission's willingness to work with the FCC to achieve our numbering resource optimization goals. Thus, as stated above, we grant Petitioner's request to implement thousands-block number pooling in the 509 NPA.

Sincerely,

Yog R. Varma
Deputy Chief, Common Carrier Bureau

[11] *See July 2000 Delegation Order*, 15 FCC Rcd at paras. 10, 11, 13-22.