

ORIGINAL



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March 2, 1998

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Re: Docket No. 980048-TL

Dear Ms. Bayo:

Enclosed for filing in the above referenced docket are the original and 15 copies of Citizen's Post-Hearing Statement of Position. A diskette in WordPerfect 6.1 is also submitted.

Please indicate the time and date of receipt on the enclosed duplicate of this letter and return it to our office.

Sincerely,

Charles J Beck

Charles J Beck
Deputy Public Counsel

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2 Enclosures

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FILE NO. NG

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for review of)
proposed numbering plan relief)
for the 813 Area Code.)
_____ /

Docket No. 980048-TL

Filed March 2, 1998

POST-HEARING STATEMENT OF POSITION

The Citizens of Florida ("Citizens"), by and through Jack Shreve, Public Counsel, file this statement of position based on the evidentiary hearing held in Tampa on February 24, 1998, and the testimony provided at workshops held in St. Petersburg and Tampa on January 8, 1998.

Issue 1. Should the Commission approve the overlay plan for 813 area code relief, and if not, what relief plan should the Commission approve?

Position: The Commission should implement a geographic split instead of an overlay plan.

Discussion: The overwhelming majority of persons appearing at the evidentiary hearing held in Tampa on February 24, 1998, and at the workshops held in St Petersburg and Tampa on January 8, 1998, supported the use of a geographic split to provide additional numbers for the Tampa Bay area

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FLORIDA PUBLIC SERVICE COMMISSION

Most importantly, customers expressed a strong desire to retain seven digit local dialing wherever possible. All of the proposals for geographic splits would allow seven digit dialing to remain in place for calls within Hillsborough county and Pinellas county. In contrast, the area code overlay proposal of GTE would require ten digit dialing for *all* local calls, whether across town or across the street.

Mandatory 10 digit dialing for all local calls under the overlay proposal would be a confusing and burdensome inconvenience for all customers. Local businesses, health care providers, friends, family, and others could have either of two area codes. Different area codes could even be assigned to different phone lines at the same location.

The resulting confusion and inconvenience should not be taken lightly by the Florida Public Service Commission. An area code overlay plan should only be used as a last resort when there are no other viable options available. The *only* place where the Florida Public Service Commission ordered an overlay area code plan was in Dade County, where any viable geographic split would have divided the heart of the metropolitan Miami area. In the Tampa Bay area, the bay itself provides a logical division.

Mandatory ten digit local calling would be particularly troubling for the many elderly customers in the Tampa Bay area. There was considerable testimony

presented to the Commission about the potential difficulty of remembering 10 digits for each call and the hardship of reading ten digits in the directory for each listing. Not surprisingly, the AARP supports the use of a geographic split to provide additional numbers in the Tampa Bay area.

School children would also be adversely affected. GTE proposes to provide coloring books for young children that would help them cope with remembering ten digits for all calls. With a geographic split, there would be no need for such extraordinary measures because the difficulty would not exist. Calls within Hillsborough county and Pinellas county would remain seven digit calls.

Mandatory ten digit dialing would also impose significant burdens on certain business, such as alarm companies, and their customers. Providers of alarm services described the problem of reprogramming equipment located on customers' premises. Such reprogramming would be expensive as well as inconvenient, since someone would have to be at home while the equipment is reprogrammed. Condominium associations could also wind up with expensive bills for purchasing new equipment capable of handling ten digit local calls.

Although GTE maintains that the assignment of different area codes for Hillsborough county and Pinellas county would detract from the perspective of treating the Tampa Bay area as one metropolitan area, several customers saw an advantage to

having different area codes in Hillsborough and Pinellas counties. Customers would have more information about the location of the person being called. It would then be clearer to many customers when their calls would incur ECS charges, since the more geographically specific area codes would give more information about the location of the called party.

The surveys conducted by GTE completely lack credibility. Senator Latvala, who has many years of professional experience with surveys, testified that the questions used in GTE's survey were designed to produce the result desired by GTE. The description of the geographic split provided in the survey listed three aspects of the plan in a negative fashion before providing any positive attribute, while the first aspect of the overlay plan provided to customers was positive. In addition, the survey made it appear that every customer would be subject to having the telephone number and area code changed under the geographic split proposal, while no customers would have their telephone number or area code changed with the overlay proposal. The unqualified witness provided by GTE to sponsor the survey could not explain the reasons for the misleading wording and presentation of the descriptions provided to customers. Nor was any back-up information about the survey available that might have helped explain these matters, since GTE had destroyed all earlier drafts of the surveys, all faxed materials concerning the surveys, and all e-mail related to the surveys, even though this material was only a few months old.

GTE assigns NXX codes to carriers by assigning blocks of no less than 10,000 numbers per rate center to each carrier wishing to provide service. This wasteful use of numbering resources is the underlying cause for the shortage of numbers now confronting the Tampa Bay area, and the Commission intends to address this problem by June of this year. While the Commission's proceeding won't solve the immediate problem facing the Tampa Bay area, there will hopefully be much less need for additional numbering relief in the future once the Commission takes action to stop the wasteful assignment of available telephone numbers.

GTE's forecasts about subsequent area code relief completely ignore the measures that must be taken to make more intelligent use of NXX codes. GTE's forecasts consist of taking a count of NXX code usage at two different points in time one year apart, adjusting the second point by guesses about near-term additional requests for NXX code, and then drawing a straight line into the future by connecting those two points. It is hard to imagine a multi-billion dollar corporation like GTE making statements about the proliferating need for additional area codes in the next few years based on such a simplistic analysis. In any event, GTE's forecast wrongly assumes that nothing will be done about the present unacceptable waste of numbering resources and wrongly assumes that the current rate of NXX assignments will go on forever.

In conclusion, the Commission should provide area code relief for the Tampa Bay area in a manner which will be least disruptive to customers. A geographic split will allow customers to continue using seven digit dialing for local calls within their area code, while an area code overlay plan would require ten digit dialing for all local calls. A geographic split is the better alternative.

Respectfully submitted,

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**DOCKET NO. 980048-TL
CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U S
Mail or hand-delivery to the following parties on this 2nd day of March, 1998

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