



SCANNED



Peggy Arvanitas

March 4, 2001

AIRBORNE

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

RE: DOCKET NO. 010102 -tp Verizon Rate Center BRID/LERG

Dear Ms. Bayo,

Enclosed is an original and six copies of Peggy Arvanitas' comments/reply which I ask you to file in the above referenced matter.

A copy of this letter is enclosed. Please mark to indicate that the original was filed and return the same to me.. Copies have been sent to the parties shown on the attached Certificate Of Service.

Sincerely,  
*Peggy Arvanitas*  
Peggy Arvanitas

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DOCUMENT NUMBER - DATE  
02927 MAR -05  
FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Investigation in the proposed Updates )  
to the RDBS and BRIDS affecting Tampa )  
Bay telecommunication carriers and )  
Consumers )

Docket No. 010102-TP

REPLY COMMENTS FROM PEGGY ARVANITAS

THE LONE CONSUMER

March 4, 2001

BEFORE THE PUBLIC SERVICE COMMISSION OF FLORIDA

As a consumer of Verizon's telecommunication services and a consumer activist who presented comments in 1998 during GTE-Verizon's jeopardy relief hearings, I would be absent my duty if I did not comment on the proceedings of Tampa Bay rate centers as they affect me in my real estate business dealings. I wish to comment and challenge Verizon's assertions(that while Bellsouth is having to endure rate center consolidation and lack of tariff (toll call) revenue)that Verizon should choose to expand rate centers. And that some of the issues in Beverly Menard's testimony needs clarification from the PSC of Florida, as I believe they are in violation of the FCC 95-116 portability order. I wish to challenge that the rate center expansion will diminish the effect of Number Pooling in the 813 ( and eventually, if this scenario is repeated across the Bay) and eventually 727 area code. And I would also like to support the claim that the CLEC's are making, that rate center expansion will impede competition and ultimately lead to "footprinting" which would exhaust the area code.

RATE CENTER EXPANSION

I am concerned that, according to comments by Floyd Self, representing AT&T, Wordcom, and Intermedia that the Telecommunications director of the Public Service Commission of Florida Walter D'Haeseleer has been aware of this issue since August 15,2000. We can only appreciate that he has been used to monopolies in Florida and the advent of the 1996 Telecom Act which gave new terms like porting, pooling, and UNE's has left him off guard. Unfortunately, he is the Director, and we had no call to action on behalf of the Competitive Local Exchange Carriers. For Florida to be "fiber optics" and come into the new millenium, or as the Governor says, "We're getting wired," we need the last mile of wiring to occur. Consumers, residential and business in the Tampa Bay area have been sorely lacking because of GTE's non investment in infrastructure. We need to allow the competition to go forth from these CLEC's. And some are already hurting because of the "reciprocal compensation issue " the FCC has warehoused. Their

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finances are fragile and they do not have the additional capital to fight an ILEC in court. The Public Service Commission of Florida is their only venue. That Mr. D'Haeseleer ignored this issue for almost six months is shocking. We would not want the appearance at the PSC that our employees are quid pro quo, and look to ILEC's to provide favors. This puts the Commission in a position of risk. We could only assume that maybe the fast moving changes kept our Director off guard and he did not understand the magnitude of the RDBS. It identifies the routing of calls. If a CLEC cannot rewire or loses customers because he can't port numbers from a rate center that they must move to, we do not have competition. It takes 60 days after the Nanpa administrator assigns numbers before all carriers put them in their data bases. Then there is the cost to CLEC's to re-wire in a new designated rate center so they can port business customers in that area. This is an incredible financial burden for a small company to endure

I am also disturbed by the Verizon's statements that "Verizon is not converting, expanding or changing the currently tarified Tampa rate centers." This identification occurred before their manual identification of rate centers was released in 1998 to Martin Lockheed (NANPA), and not recorded in any automated function or record. The presumption I am hearing from Beverly Menard's January 24, 2001 letter to D'Haeseleer is basically TARIFFS SUPERCEDE any other written identification, the State of Florida delegated authority from FCC (FCC 99-249) does not have precedence, and that tariffs are God given rights to charge, in this case \$6 extra million dollars in fees to consumers without any question. We have 60% of the NXX's already allocated to vendors (ILEC's and CLEC's) . We will be in jeopardy relief with these four (4) additional rate centers. Therefore, what Verizon has changed in the LERG they can change back. The RDBS is a constantly changing document. The Nanpa administrator should not only change the identification to one rate center in Tampa, they should also reclaim the additional 40,000 numbers that Verizon is or has received because of the four new rate centers.

From reading Beverly Menard's statements, she volunteers that because of utilization thresholds being low, Verizon was denied NXX's from NANPA. I want to ask the Florida PSC is this going to be a venue for ILEC's to receive additional numbering resources?

That, because Verizon has determined from the INC guidelines (and these documents are Voluntary Guidelines the Industry creates) that this gave them the authority to continue with the rate center expansion PHYSICALLY. Then, will the Commission please clarify for the "Lone Consumer", does the INC guidelines have authority over State orders and FCC orders? Once and for all, we will resolve this question. Every major document on the INC website I have downloaded in the last year says, on the first page, "These are voluntary guidelines."

FCC ORDER 95-116- alias THE PORTABILITY ORDER

The most concern I have heard talking to over 50 CLEC's in the State of Florida, at a Lucent symposium, was the reluctance of ILEC's (Verizon and Bellsouth) to port numbers to the CLEC's, even with the LERG showing that the NXX column shows "port" column has a "Y" in it to designate the NXX in the NPA is able to port, or is LNP capable. According to the INC guidelines, if you are LNP capable, as an ILEC, you should be able to port in 3 days. This was also my conversation with YOG VARMA, Deputy Chief of the FCC in my FCC 99-200 ex parte dated Feb 2000. The one CLEC told me that some ILEC's were taking almost 6 months regardless of the fact they charged the customers for portability before the CLEC's were porting the customers from the ILEC's. And that sometimes, the ILEC would say the NPAC administrator (portability) could only port so many numbers per month. I should want the PSC to clarify this. As we already know from the NXX code reclamation that was argued in FCC 99-200, the Industry, and Neustar, have their own rules.

I also want clarification from the PSC Commissioners and Office of Public Counsel as to the definition of portability. FCC order 98-082 ¶36 (from the docket 95-116, third order) portability is defined as , "the ability of users of telecommunications services to retain, at the same location, existing telecommunication numbers without impairment of quality reliability, and convenience when switching from one telecommunications carrier to another." Reading verizon's statement by Beverly Menard, her company is interpreting "at the same location" to mean the RATE center. Time warner telecom had a proposed customer, which was

told by gTE (verizon) they could keep their phone number when they were going to move one mile away. when the same business told GTE (Verizon) they wanted a CLEC to port their numbers over to, gTE told the business they couldn't, they would have to receive new numbers. This, then would be anti-competitive. So what is the definition of "location"? Where the rate center area is determined by the ILEC's? Or is it where I thought should be the definition, where the consumer using the telecommunication services are located? I would appreciate the public Service Commission and/or the FCC determining it. Not the INC or phone company ILEC's.

PSC of Florida authority over verizon and carriers concerning  
Rate Centers

Beverly Menard's February 21, 2001 testimony is incredulous. She makes reference to florida Statutes 364.385(2), which, according to her interpretation excludes the State of florida pSC from legislating rate center consolidation. Of course, florida Statutes 120.50 also states that the State of Florida PSC must be in compliance of federal (FCC) orders, and incorporate the federal language into state orders. Would not that be the situation here? In the FCC docket 99-122, of FCC order 00-104, ¶117 states:

"We note that the Commission has previously encouraged States to consider rate center consolidation, among other measures, to decrease the frequency of the need for area code relief. We wish to clarify our position that the States do not require any additional delegation of authority from the Commission to engage in rate center consolidation."

FCC 99-249 gave the State of Florida that delegated authority. It might behove Verizon to get a representative who reads FCC filings.

The newest FCC order 00-429 says, ¶147

"The Commission has stated repeatedly that states have the authority to consolidate rate centers."

Rate Center Expansion and Number Pooling

Last but not least, if Verizon is allowed to expand to these additional rate centers, AND there is jeopardy relief, how can we do pooling when very few, if any cLEC's will be employing space in the new rate centers? What is accomplished with this process of expansion if we will have an ineffective pooling trial?

I wish the State of Florida PSC to consider these thoughts, and for once determine that "once a tariff, always a tariff", or Verizon's new rush and melodic theme song, "Have it MY way" is totally inappropriate for this modern time of number exhaust. Of course, I'm sure they are prepared to justify to the Tampa Bay area why we need another tariff toll call on our phone bill. Why, they are not making enough money they thought we wouldn't mind if they slipped in another \$6.6 million per year. Maybe the PSC could turn their attention to the West coast for now, and referee our ILEC- Verizon.

  
Peggy Arvanitas  
"The Lone Consumer"

A Certificate of Service is attached and the members were served.

## CERTIFICATE OF SERVICE

I, Peggy Arvanitas, "The Lone Consumer", has hereby acknowledged filing "Comments" this 4 day of March 2001, via U.S. First Class Mail, to the following individuals listed on the Florida Public Service Commission's service list for Docket Number 010102:

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