

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Numbering Resources Optimization	)	CC Docket No. 99-200
	)	
Implementation of the Local Competition	)	CC Docket No. 96-98
Provisions of the Telecommunications Act	)	
of 1996	)	
	)	
Washington Utilities and Transportation	)	NSD File No. L-99-102
Commission's Amended Petition for	)	
Additional Delegated Authority to	)	
Implement Number Conservation Measures	)	
_____	)	

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION'S  
SECOND AMENDED PETITION FOR ADDITIONAL DELEGATED AUTHORITY  
TO IMPLEMENT A NUMBER POOLING TRIAL IN AREA CODE 509**

On March 12, 2001, the Common Carrier Bureau advised Qwest Corporation by letter that the Bureau's delegation of number pooling authority to the Washington Utilities and Transportation Commission ("WUTC") did not include the authority to implement a number pooling trial in area code 509. In the letter, the Bureau said, "The Washington Commission would need to petition the FCC, or supplement its previous petition, and make the requisite showing before such authority for the 509 NPA could be granted." The purpose of this second amended petition is to provide the information necessary for the Bureau, pursuant to Paragraph 170 of the FCC's *Numbering Resource Optimization Order*<sup>1</sup>, to include area code 509 in the

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<sup>1</sup> *In the Matter of Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, FCC 00-104 (March 20, 2000) ("Numbering Resource Optimization Order").*

authority delegated to the WUTC and to ask that the Bureau grant this delegated authority as soon as possible in order to avoid substantial harm to the telephone customers of Washington.

The WUTC makes this request as a "special circumstance," because even though consumers and businesses in area code 509 face the imminent prospect of an additional area code due to inefficient use of the existing telephone number supply, area code 509 does not meet the specific requirements of Paragraph 170. The FCC requires that an area code be in jeopardy and yet still have at least a year before it is forecasted to reach exhaustion. The 509 area code meets the one-year test, since it is projected to reach exhaustion in April, 2002. However, while the industry has recommended an overlay as the relief plan, the 509 area code is not in jeopardy and therefore does not meet the second FCC requirement. The third criterion for interim number pooling authority is that an area code include one of the top 100 metropolitan statistical areas ("MSAs") or include areas where the majority of wireline carriers are capable of local number portability. Area code 509 does not include a top 100 MSA. However, the majority of wireline carriers are capable of local number portability, and only those carriers would be required to participate in the number pooling trial.

The *Numbering Resource Optimization Order* states that interim number pooling authority will be granted in special circumstances "where pooling would be of benefit in NPAs that do not meet all of the above criteria." *Id.* ¶ 170. Such special circumstances exist in eastern Washington. While area code 509 does not meet the specific requirements for automatic delegation of number pooling authority, there can be no doubt as to the fact that pooling would be of benefit to correct for the existing procedures governing the use of numbering resources – procedures that are not working for the consumers and businesses of eastern Washington. The

telecommunications industry has asked to add a new area code in eastern Washington, and yet the best estimates are that less than half of the numbers already available in the 509 area code have been used.

Eastern Washington, a largely rural area that has seen few of the benefits of local competition, will be drawn into the same explosion of area codes and number changes that has affected more urban areas unless the telecommunications industry makes better use of the numbers it already has. The consumers and businesses of eastern Washington should (and do) expect that the industry make every reasonable effort to use the prefixes and telephone numbers already available before imposing additional burdens on them.

The WUTC has already ordered the telecommunications industry to begin preparations for a number pooling trial in area code 509 and has designated an interim pooling administrator. The industry is actively working to meet the WUTC's implementation deadline of July 8, 2001. That deadline was established in order to provide an opportunity to determine whether number pooling can delay or eliminate the need for area code relief that the industry proposes to take effect in the first quarter of 2002.

For the reasons set forth above, we believe that our request for additional delegated authority set forth in our original petition, as amended here, will prolong the life of area code 509 by allowing the industry to make better use of existing numbering resources. Perhaps more importantly, it is necessary to assure the consumers and businesses of this state that regulators and the industry are doing everything possible to use existing numbering resources as efficiently as possible before imposing additional burdens on the public. For the reasons set forth in our petitions, we respectfully request that the Bureau grant our request for additional delegated

authority to implement a number pooling trial in area code 509.

DATED this 14<sup>th</sup> day of March, 2001, at Olympia, Washington

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

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MARILYN SHOWALTER, Chairwoman

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RICHARD HEMSTAD, Commissioner

Washington Utilities and Transportation Commission  
1400 S. Evergreen Park Dr. SW  
Olympia, WA 98504-7250