



STATE OF WASHINGTON
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION
1300 S. Evergreen Park Dr. S.W., P.O. Box 47250 • Olympia, Washington 98504-7250
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December 6, 2005

Honorable Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington D.C. 20554

Re: Petition of the Washington Utilities and Transportation
Commission for Mandatory Number Pooling

Dear Secretary Dortch:

Enclosed please find an original and four copies of the Petition of the
Washington State Utilities and Transportation Commission, for filing with the
Federal Communications Commission.

Should you have any questions concerning this document, please contact
Lisa Steel at (360) 664-1303.

Sincerely,

CAROLE J. WASHBURN, Secretary



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Number Resource Optimization) **FCC Docket No.**
)
) **CC Docket No. 99-200**
)
)

December, 2005

**PETITION FOR MANDATORY NUMBER POOLING BY THE
WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

Mark H. Sidran,
Chairman

Patrick J. Oshie,
Commissioner

Philip B. Jones,
Commissioner

Washington Utilities and
Transportation Commission
P.O. Box 7250
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Olympia, WA 98504-7250
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In an effort to conserve numbering resources in Washington, the Washington Utilities and Transportation Commission (WUTC) submits this petition to the Federal Communications Commission (Commission) to delegate to the WUTC the additional authority to implement mandatory thousand-block number pooling in rate centers outside the top 100 Metropolitan Statistical Area's (MSAs.)

I. INTRODUCTION

Number pooling has had a positive effect on the North American Numbering Plan (NANP) nationwide. State commissions are familiar with their state's telecommunication's scene and the specifics of number usage in each number plan area (NPA). State commissions provide state-specific information to the North American Numbering Plan Administrator (NANPA) and to the Pooling Administrator (PA) for conservation and resource distribution. The WUTC serves customers by balancing authority over numbering resources with the requirements of industry members and emerging technologies to serve consumers. Numbering resource conservation authority granted to the WUTC by the Commission currently allows the WUTC to protect citizens from premature area code exhaustion, while providing carriers numbering resources to serve their customers. The Commission previously granted the WUTC the authority to enforce number assignment standards, including reclaiming used and reserved area codes; implement mandatory thousand-block number pooling trials; adopt interim

number assignment standards; implement interim unassigned number porting; and revise rationing procedures if necessary.¹ The WUTC has made rapid decisions regarding safety valve requests from carriers, area code relief, and local number portability (LNP).

The WUTC relies for its request for additional authority on Section 251(e)(1) of the Telecommunications Act of 1996, which allows the Commission to delegate some or all of its numbering authority. The WUTC recognizes that the Commission granted states the authority to implement thousand-block number pooling on an individual basis. This delegation of authority was applicable to either NPAs in the top 100 MSAs or an NPA in which the majority of the wireline carriers in the NPA are LNP capable and the state can demonstrate special circumstances where pooling would be of benefit.²

Although the Commission previously rejected a request to delegate authority to the states to determine on a case-by-case basis whether to extend pooling requirements, it acknowledged that it would entertain requests from state commissions to opt into the rollout schedule for MSAs outside the top 100.³ As a result of the Commission's

¹ In the Matter of the Washington Utility and Transportation Commission's Petition for Additional Delegated Authority to Implement Number Conservation Measures Order, CC Docket No. 96-98 (April 10, 2001).

² In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, Report and Order and Further Notice of Proposed Rule Making, ¶170 (released March 31, 2000).

³ Numbering Resource Optimization, Third Report and Second Order on Reconsideration, ¶21 (released December 28, 2001).

required provisioning of LNP outside of the top 100 MSAs⁴, LNP is currently available in large portions of Washington, but rate centers in the 360 and 509 NPAs where pooling is most critically needed are excluded. By allowing Washington to extend the benefits of thousand-block number pooling as a result of the deployment of local number pooling beyond the top 100 MSAs, the Commission will be proactively addressing the concern of NPA exhaust as competition extends beyond the top 100 MSAs.

II. DISCUSSION

Washington currently has five active NPAs; 206, 253, 425, 360 and 509, and one suspended overlay, 564, available for Western Washington (206, 253, 360 and 425). Washington also has two MSAs in the FCC designated top 100 MSAs (Seattle-Tacoma-Bellevue and Portland-Vancouver-Beaverton). The Commission decided that number pooling must be implemented in the top 100 MSAs in the nation before it is extended into smaller cities. That implementation has been successfully completed. It is now appropriate to expand mandatory pooling to areas outside the top 100 MSAs. In Washington, competition is expected in all areas of the State with increased offerings of Voice Over Internet Protocol (VOIP), wireless, and other service. Cable television companies are offering telephone service in rural areas as well as urban areas. As these competitive companies seek telephone numbers, the present number exhaust dates will

⁴ In the Matter of Telephone Number Portability, CC Docket No. 95-116, Memorandum Opinion and Order and Further Notice of Proposed Rulemaking, ¶29 (released November 10, 2003).

accelerate. Mandatory number pooling before these competitors request and receive numbers will conserve numbers, delaying number exhaust and the need for area code changes.

The Washington NPAs of 253, 425, and most of 206 are subject to number pooling because they are located within a top 100 MSA. In the more rural 360 and 509 NPAs, a state pooling trial required mandatory pooling in rate centers with at least one LNP-capable service provider. For rate centers located outside of the top 100 MSAs and not subject to state pooling trials, only “optional” pooling exists, with some rate centers excluded from pooling. Mandatory number pooling has extended the life of the urban area codes in Washington for more than 15 years.

The Commission should delegate to the WUTC additional authority to implement mandatory thousand-block number pooling in rate centers outside the top 100 MSAs. Implementation of number pooling has been completed in the top 100 MSAs. This satisfies the Commission prerequisite for extending number pooling beyond the top 100 MSAs.⁵

⁵ In the Matter of Numbering Resource Optimization, CC Docket No. 99-200 and 95-116, Fourth Report and Order (released June 18, 2003).

Expanding pooling will bring the benefits that occur when all or most carriers providing service in the pooling area are able to participate in pooling.⁶ Companies in these rate centers will have others with which to pool numbers.

Carriers in Washington will not be burdened by more widespread pooling because all carriers in the state are LNP-capable, or are expected to be by the time this petition is decided. This provides most of the functionality for thousand number block pooling. The investment required for more widespread pooling will be minimal. Carriers will always be free to request additional blocks as they gain more customers.

Pooling has proven itself as an effective number conservation tool in Washington's urban NPAs. The overlay NPA of 564, assigned to the 206, 253, 360 and 425 NPAs has not been implemented largely due to the benefits of mandatory number pooling. This delay has prevented Washington State consumers from incurring expenses related to a new NPA, including region-wide mandatory ten-digit dialing. Number pooling has helped conserve numbers for other purposes, such as pseudo automatic number identification for 911 (pANI) and the availability of emergency routing.

Two of Washington's NPAs (253 and 425) have mandatory pooling in the entire NPA. Both are urban, encompassing portions of the Seattle-Tacoma-Bellevue Top 100

⁶ In the Matter of Number Resource Optimization, CC Docket No. 99-200, DA 02-948, Order, rel. April 24, 2002 at 2.

MSA in each NPA. Implementation of mandatory pooling for the entire NPAs, beginning the first quarter of 2003 for 253 and the second quarter of 2002 for 425, extended the lives of these two NPAs by 15 and 26 years respectively.

The 206 NPA has mandatory pooling in four of its five rate centers. Prior to the implementation of pooling, the 206 NPA was nearing exhaustion. Implementation of mandatory pooling, beginning the third quarter of 2002 for 206, extended the life of this NPA by 21 years.

In the 360 NPA, mandatory pooling was implemented in rate centers in the Seattle-Tacoma-Bellevue Top 100 MSA in the first quarter of 2002. Subsequently, mandatory pooling was implemented in 34 additional rate centers as a result of a state trial. When compared to the exhaust forecasts in May 2000, the life expectancies for the 360 NPA could be increased by seven years. The 360 NPA is forecasted to exhaust in 2007. The exhaust of the 360 NPA could be further delayed if mandatory pooling were implemented in the remaining rate centers in that NPA.

The 509 NPA is the most rural in Washington, with some optional pooling and rate centers labeled as excluded from pooling. The 509 NPA is forecast to exhaust in 2011, with exhaust planning scheduled to begin by NANPA in 2008. Mandatory pooling will delay the NPA exhaust if implemented in the remaining rate centers of that NPA.

The following chart illustrates the benefits to Washington from mandatory pooling.

Forecasted Exhaust				
NPA	May, 2000		April, 2005	
206	Second Quarter	2002	Fourth Quarter	2023
253	Second Quarter	2006	Fourth Quarter	2021
360	Third Quarter	2000	Third Quarter	2007
425	Fourth Quarter	2003	First Quarter	2030
509	Second Quarter	2002	First Quarter	2011

Voluntary number pooling in LNP-capable rate centers outside the top 100 MSAs in Washington has not worked as efficiently as anticipated and exhaust is approaching in the 360 and 509 NPAs. Carriers with “optional” pooling status do not have the incentives to take forecasting obligations seriously. Companies continue to forecast based on marketing rather than a historical base. Some companies apparently have so many codes in their six month reserve that they do not request numbers from either the North American Number Plan Administrator or the Pooling Administrator (PA) and thus ignore the biannual numbering forecasts. Efficient number usage is not tracked by either federal or state jurisdictions because not all carriers complete the numbering forecasts, and because there is no required link between the forecast and actual usage patterns. In addition, service providers in optional areas may not have conducted the

research necessary to immediately donate clean or slightly contaminated blocks to the pool when requested by the PA. This situation causes a delay in providing numbering resources to a requesting carrier and may force that carrier to request a full central office (NXX) code of 10,000 numbers, eliminating the benefits of pooling and the efficient use of numbering resources. If mandatory pooling existed in the currently optional rate centers, service providers would be required to assess their needs in a timely manner. As a result, blocks of numbers would be donated efficiently and would be available to be assigned when needed. Optional pooling leaves the decisions to pool to the discretion of competing service providers with few incentives to aid their own competitors. Number pooling is not a major burden on carriers but failure to implement it results in area code changes, which are a major burden on consumers.

The WUTC is especially concerned about the 360 and 509 NPAs as these two NPAs have the most critical exhaust timeline. The Commission should allow Washington to fully utilize all tools available to optimize its numbering resources and to delay any relief efforts. The WUTC believes that now is the time to deal with these NPA's optional pooling problems rather than wait until they are near exhaust and are still experiencing low utilization of the actual numbers available.

The Commission concluded in the Second Report and Order that the "state commissions are uniquely positioned to evaluate the best relief plan on a case-by-case basis and, therefore, the determinations of appropriate relief should be left to state

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commissions.”⁷ By delegating the WUTC the requested additional numbering authority, the Commission will place the WUTC in the position to be better prepared to deal with the numbering demands from new technologies, services, and providers. The FCC will be allowing the WUTC to more fully utilize all of the numbering resource tools available.

III. CONCLUSION

The WUTC further requests Commission action on these requests as soon as possible due to the approaching need to begin area code relief measures in the 360 and 509 NPAs.

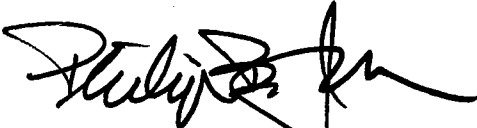
DATED at Olympia, Washington and effective this ~~6th~~ day of December, 2005.

Respectfully submitted,

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION


MARK H. SIDRAN, Chairman


PATRICK J. OSHIE, Commissioner


PHILIP B. JONES, Commissioner

⁷ Numbering Resource Optimization, Second Report and Order, CC Docket No. 99-200, FCC 00-429, ¶ 68, (December 29, 2000).