

DT 00-001

Implementation of Number Conservation Methods
Authorized by the Federal Communications Commission

Order Nisi Adopting Allocation of Shared Pooling Costs for the Number
Pooling Trial in the 603 Area Code

O R D E R N O. 23,742

July 13, 2001

On November 30, 1999, the Federal Communications Commission (FCC) issued its Order (DA 99-2634 in CC Docket No. 96-98, NSD File No. L-99-71) granting to the New Hampshire Public Utilities Commission (Commission) certain delegated authority to implement number optimization measures in the 603 Area Code (FCC Delegation Order). The FCC Delegation Order granted the Commission authority to institute a thousands-block pooling trial and to determine the method for recovering, in a competitively neutral manner, the costs incurred to implement the pooling trial.

On January 7, 2000, the Commission exercised its delegated authority by issuing an Order Implementing Conservation Measures (Order No. 23,385) directing commencement of a thousands-block number pooling trial in Area Code 603. The Commission instructed NeuStar, Inc. (NeuStar), appointed as the pooling administrator for the trial, to negotiate a pooling administration agreement with the North American Portability Management, LLC (LLC). The LLC represents the

industry as a whole for local number portability matters. This Order adopts a method of allocation for pooling costs related to the New Hampshire thousands-block pooling trial.

The pooling costs contained in the pooling administration agreement can be divided into two categories: (1) non-recurring shared industry costs, and (2) recurring shared industry costs. Non-recurring shared industry costs are those costs incurred by the pooling administrator to create the pool, specifically the Pooling Implementation and Establishment Fee and the Implementation Meeting Fee. Recurring shared industry costs are the costs associated with processing carriers' requests to receive number blocks from the pooling administrator.

Thousands-block pooling benefits all carriers in the 603 area code and, as such, all the shared industry costs listed above should be allocated among all carriers in the 603 area code, regardless of local number portability (LNP) capability. Because telephone numbers have become a scarce resource, the Commission believes that a carrier should assume the costs of conserving this resource based on the amount of the resource the carrier uses. It is reasonable and competitively neutral for all carriers providing service within the area code to share the costs of pooling based on the carrier's share of thousands blocks assigned to it. This approach conforms with the requirements of '251 of the federal

Telecommunications Act of 1996 [47 U.S.C. ' 251(e)(2)] and the FCC's Number Resources Optimization (NRO) Order [*Numbering Resource Optimization*, CC Docket No. 99-200, Report and Order and Further Notice of Proposed Rulemaking, (Released March 31, 2000)].

Therefore, both the non-recurring and recurring shared industry costs shall be allocated among all carriers by a percentage based on the number of thousands blocks assigned to each carrier in the 603 area code. Whole NXX codes assigned to carriers shall be counted as ten blocks. We will rely on NeuStar to calculate the relative percentages of the total assigned blocks as described above.

Based upon the foregoing, it is hereby

ORDERED, that NeuStar shall allocate the non-recurring and recurring costs associated with the New Hampshire thousands-block pooling trial among all carriers, regardless of LNP capability, based on a percentage representing the total number of blocks within the 603 area code allocated to each carrier; and it is

FURTHER ORDERED, that whole NXX codes assigned to any carrier, including those assigned prior to implementation of the pool, shall be counted as 10 blocks for purposes of determining the above percentage; and it is

FURTHER ORDERED, that beginning September 1, 2001, and on a quarterly basis thereafter, NeuStar is instructed to recalculate, if

necessary, the percentage of shared industry costs attributable to each carrier and bill each carrier accordingly; and it is

FURTHER ORDERED, that the Executive Director and Secretary shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than July 23, 2001 and to be documented by affidavit filed with this office on or before July 30, 2001; and it is

FURTHER ORDERED, that all persons interested in responding to the Order Nisi be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than August 2, 2001; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than August 7, 2001; and it is

FURTHER ORDERED, that the Order Nisi shall be effective August 15, 2001, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire
this thirteenth day of July, 2001.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Claire D. DiCicco
Assistant Secretary