

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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COMMISSION

In the Matter of:

THE APPLICATION OF NANPA ON BEHALF )  
OF THE KENTUCKY TELECOMMUNICATIONS ) ADMINISTRATIVE  
INDUSTRY FOR APPROVAL OF NPA RELIEF ) CASE NO.  
PLAN FOR THE 270 NPA, AND NUMBER ) 2006-00357  
CONSERVATION MEASURES WITHIN KENTUCKY )

COMMENTS OF VERIZON WIRELESS  
SPRINT COMMUNICATIONS COMPANY L.P., NEXTEL WEST CORP.  
AND SPRINT SPECTRUM, L.P., D/B/A SPRINT PCS

Verizon Wireless, Sprint Communications Company L.P., Nextel West Corp., and Sprint Spectrum, L.P., d/b/a Sprint PCS (“Sprint Nextel”) support the recommendation of NeuStar for an all-services distributed overlay (“overlay”) plan as the choice for relief in the 270 NPA. The new exhaust forecast of 4<sup>th</sup> quarter of 2007 requires expeditious action by the Kentucky Public Service Commission (“KPSC”), which the Commission seems to recognize in its Order reopening this proceeding and requesting comment.<sup>1</sup> The NANPA has declared jeopardy status for the 270 NPA. Given the limited time to implement relief, plus the industry consensus<sup>2</sup> that an overlay is the superior form of relief, the KPSC should order an overlay and allow implementation to proceed with as little delay as possible.

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<sup>1</sup> Order, *In the Matter of: Application of NANPA on Behalf of the Kentucky Telecommunications Industry for Approval of NPA Relief Plan for the 270 NPA, and Number Conservation Measures Within the Commonwealth*, Administrative Case No. 2006-00357 at 6 (September 27, 2006).

<sup>2</sup> During a planning meeting in April 2001, the industry consensus to make an overlay their first choice for relief still stands. While some geographic split options were considered, and one deemed appropriate as a second choice to the overlay, the KPSC should understand the reasons why the industry chose the overlay as the best possible relief plan.

## I. THE KPSC SHOULD ORDER AN OVERLAY

The advantages of the overlay are noteworthy, in particular, an overlay would not require any subscriber to change telephone numbers *and* avoids many problems associated with numbering assignment conflicts in exchanges that border neighboring states. In addition, an overlay is the best choice because:

- No consumers will be required to endure the cost and inconvenience of changing stationery, business cards, and signage or contacting friends and colleagues about their changed telephone number;
- All consumers are treated equally, there is no “wrong side” of the split;
- Wireless consumers with phones that cannot be reprogrammed “over the air” (“non-OTA phones”) will not be required to manually reprogram their phones;
- Carriers can implement an all-services overlay more quickly than a split;
- There is no “flash cut” with an overlay. Thus, new numbering resources are assigned as needed instead of forcing current customers on the “wrong side” of the split to change their number. Once implemented, overlays allow numbers to be available for use throughout the entire footprint of the old NPA, allowing resources to be used where future demand exists without the need to forecast demand, unlike with geographic splits.<sup>3</sup>

As this list delineates, there are many advantages to issuing an all-services overlay.<sup>4</sup>

There are now eighteen (18) states (including Puerto Rico) that have adopted an all-services overlay.<sup>5</sup>

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<sup>3</sup> Split lines are recommended by NeuStar (as the NANPA) based on its analysis of likely future demand patterns -- to ensure that the split areas are relatively balanced and have similar life expectancies after the split. Such analysis is not necessary with an overlay.

<sup>4</sup> The FCC has considered the relative advantages and disadvantages of geographic splits and overlays. See *Numbering Resource Optimization, Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200*, 16 FCC Rcd. 306, ¶¶ 62-70 (2000). Among the disadvantages recognized by the FCC of geographic splits when compared to overlays are: (1) the fact that approximately half of the subscribers in the existing NPA must bear substantial costs associated with changing to a new NPA; (2) the difficulty of forecasting growth versus non-growth areas accurately, thereby increasing the likelihood of

## II. THE ORDER STRIKES THE RIGHT BALANCE BETWEEN RELIEF AND CONSERVATION

The Order states that the Commission may explore thousands block number pooling. While the Order acknowledges the usefulness of such conservation measures, it nevertheless states that it must move forward with this area code relief proceeding.<sup>6</sup> Verizon Wireless and Sprint Nextel agree that relief planning and implementation must go forward given imminent exhaustion. Moreover, number conservation measures such as pooling are not a substitute for timely area code relief.<sup>7</sup>

Exhaustion is now predicted to occur in the 4<sup>th</sup> quarter of 2007, approximately a year from now. In general, the planning horizon for an overlay is shorter than that for a geographic split. Nevertheless, the industry will require the remaining months before exhaust to implement an overlay. Verizon Wireless and Sprint Nextel urge the Commission to adopt the recommendation for an overlay and to allow relief implementation to commence immediately.

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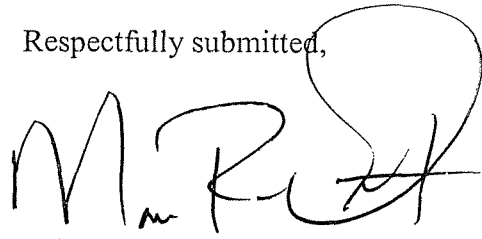
premature exhaust; and (3) splits can often create dialing confusion by requiring customers to use one dialing pattern for some calls (seven digits) and another dialing pattern for others (ten digits).

<sup>5</sup> The states that have implemented an all-services overlay include: California, Colorado, Florida, Georgia, Illinois, Massachusetts, Maryland, Michigan, Mississippi, North Carolina, New Jersey, New York, Ohio, Oregon, Pennsylvania, Puerto Rico, Texas and Virginia.

<sup>6</sup> Order, *In the Matter of: Application of NANPA on Behalf of the Kentucky Telecommunications Industry for Approval of NPA Relief Plan for the 270 NPA, and Number Conservation Measures Within the Commonwealth*, Administrative Case No. 2006-00357 at 5 (September 27, 2006).

<sup>7</sup> Numbering Resource Optimization, *Report and Order and Further Notice of Proposed Rulemaking*, 15 FCC Rcd 7574 (2000), ¶ 171. The KPSC acknowledged that there are no assurances that the projected exhaust date will change if pooling is implemented. At this juncture, the near exhaust of the 270 NPA is likely too far advanced for pooling to make a tremendous impact.

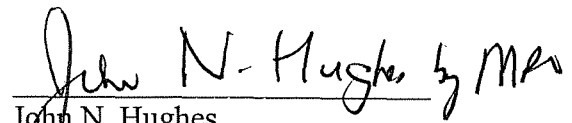
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M R Overstreet', with a large, stylized flourish above the 't'.

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COUNSEL FOR VERIZON  
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A handwritten signature in black ink, appearing to read 'John N. Hughes by Mark R. Overstreet', with a large, stylized flourish above the signature.

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COUNSEL FOR SPRINT NEXTEL

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by United States First Class Mail, postage prepaid, on this 27th day of October, 2006 upon the persons listed below:

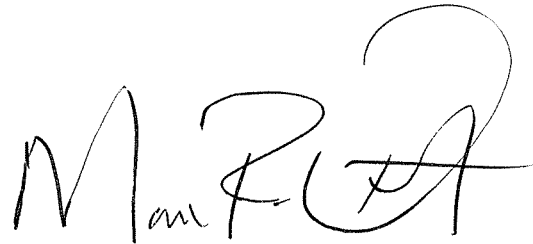
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A handwritten signature in black ink, appearing to read 'Mark R. Overstreet', written in a cursive style. The signature is positioned above a horizontal line.

Mark R. Overstreet