**FLORIDA PUBLIC SERVICE COMMISSION**

 **Capital Circle Office Center, 2540 Shumard Oak Boulevard**

 **Tallahassee, Florida 32399-0850**

 **M E M O R A N D U M**

 **July 20, 1995**

**TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)**

**FROM: DIVISION OF COMMUNICATIONS (KING)**

 **DIVISION OF LEGAL SERVICES (BARONE)**

**RE: DOCKET NO. - 950740 - TL - REQUEST FOR APPROVAL OF PROMOTIONAL TARIFF FILING TO WAIVE NONRECURRING CHARGES FOR MOBILE SERVICE PROVIDERS WISHING TO MOVE THEIR NXX CODE DURING THE PERMISSIVE DIALING PERIOD OF THE 813/941 AREA CODE SPLIT BY GTE FLORIDA INCORPORATED. (T-95-371 FILED 6-20-95)**

**AGENDA: August 1, 1995 - REGULAR AGENDA - TARIFF FILING - INTERESTED PERSONS MAY PARTICIPATE**

**CRITICAL DATES: 60-DAY SUSPENSION DATE: August 19, 1995**

**SPECIAL INSTRUCTIONS: I:\PSC\CMU\WP\950740.RCM**

 **CASE BACKGROUND**

 Beginning May 28, 1995, a new area code was put into place in Southwest Florida. Much of the area that used the 813 area code will now use the 941 area code. Growth in Southwest Florida and the rapid increase in telecommunications applications such as cellular phones, facsimile machines, and pagers have caused a shortage of telephone numbers.

 On June 20, 1995, GTE Florida Incorporated (GTEFL or the company) filed a promotional tariff to waive nonrecurring charges for mobile service providers (MSPs) who want to move their NXX code during the permissive dialing period of the 813/941 area code split.

 **DISCUSSION OF ISSUES**

**ISSUE :** Should the request for approval of the promotional tariff filing to waive nonrecurring charges for mobile service providers wishing to move their NXX code during the permissive dialing period of the 813/941 area code split by GTE Florida Incorporated be approved?

**RECOMMENDATION:** Yes, the proposed promotional tariff filing to waive nonrecurring charges for mobile service providers wishing to move their NXX code during the permissive dialing period of the 813/941 area code split by GTE Florida Incorporated should be approved with a company requested effective date of September 1, 1995.

**STAFF ANALYSIS:** On June 20, 1995, GTEFL filed a promotional tariff to waive the nonrecurring charge specified in Section A20.7.5 of its General Service Tariff for MSPs wishing to move their NXX code during the permissive dialing period of the 813/941 area code split. The 941 area code was put into place on May 28, 1995, due to the growth in Southwest Florida as well as the increasing need for telephone numbers due to cellular phones, fax machines, pagers and other telecommunications applications. To familiarize its customers with this change, calls can be made using either the 813 or 941 area code until March 3, 1996.

 MSPs must re-program all of their subscriber's phones that will now be served out of the 941 Numbering Plan Area (NPA) with the new NPA and re-program the Electronic Serial Number within their switch. In addition, the 813/941 split was originally planned to maintain seven - digit dialing across NPA boundaries. MSPs were advised that seven - digit local dialing would be maintained in November 1994. However, due to code conservation issues, the company implemented 10 - digit dialing across NPA boundaries. The initiation of 10-digit dialing impacts the MSP's local calling plans.

 The company believes allowing the MSPs to move their respective NXX code(s) to another central office, thereby eliminating the need to change the NPA of the number, will lessen the negative impact on the MSPs and their subscribers. For example, if provider A's NXX is served out of central office A, and central office A has been converted to the 941 area code, provider A may move its NXX to central office B which uses the 813 area code and it will not be assessed the nonrecurring charge to do so. This move will eliminate the need for provider A to reprogram all of its subscriber's phones with the 941 area code and eliminate the need to reprogram the Electronic Serial Number within its switch.

 The company's proposed promotional tariff filing would waive the nonrecurring charge of $10,000 per NXX for all MSPs who:

 are provided service out of the Company's General Service Tariff, Section A20;

 have existing full NXX code in service as of May 28, 1995;

 are adversely affected by the area code split.

This special promotion would begin on September 1, 1995, and end when permissive dialing is ended, March 3, 1996.

 GTEFL expects a revenue loss due to this waiver. It is expected that approximately 12 NXX codes will be moved due to the split.

**REVENUE LOSS:**

 **$10,000 NRC X 12 Customers = $120,000**

 Staff believes that GTEFL's proposed promotional tariff to waive the nonrecurring charge specified in Section A20.7.5 of its General Service Tariff for MSPs wishing to move their NXX during the permissive dialing period of the 813/941 area code split is appropriate because it will lessen the negative impact of the area code split on the MSPs and their subscribers. Therefore, staff recommends that the proposed promotional tariff filing be approved with the company requested effective date of September 1, 1995.

**ISSUE 2:** Should this docket be closed?

**RECOMMENDATION:** Yes. If the Commission approves Issue 1, this promotional tariff should become effective September 1, 1995. If a timely protest is filed within 21 days from the issuance date of the Order, the tariff should remain in effect pending the resolution of the protest. If no timely protest is filed, this docket should be closed.

**STAFF ANALYSIS:** If the Commission approves Issue 1, this tariff should become effective September 1, 1995. If a timely protest is filed within 21 days from the issuance date of the Order, the tariff should remain in effect pending the resolution of the protest. If no timely protest is filed, this docket should be closed.