

**Donna Canzano McNulty** Senior Attorney Law and Public Policy



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RECORDS AND REPORTING

June 21, 1999

# VIA HAND DELIVERY

Ms. Blanca S. Bayo, Director Division of Records and Reporting The Florida Public Service Commission 2540 Shumard Oaks Boulevard Tallahassee, FL 32399-0850

Re: Docket No. 990373-TP - Establishment of a Statewide Emergency Area Code Relief Plan

Dear Ms. Bayo,

Enclosed for filing in the above-referenced docket is the original and fifteen copies of MCI WorldCom's Supplemental Prehearing Statement in the above-referenced docket.

Please acknowledge receipt of these documents by stamping the extra copy of this letter "filed" and returning the same to me.

Thank you for your assistance in this matter.

FPSC-BUREAU OF RECORDS

Sincerely,

Johna Causaro McKulty Donna Canzano McNulty

Enclosures

cc:

CTR EAG

LEG

MAS OPC RRR SEC WAW Parties of Record

ORIGINAL

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Establishment of a Statewide Emergency ) Docket No. 990373-TP

Area Code Relief Plan ) Filed: June 21, 1999

## SUPPLEMENTAL PREHEARING STATEMENT

MCI WorldCom, and its operating subsidiaries, (MCI WorldCom) through undersigned counsel, hereby files this its supplemental prehearing statement in the above-referenced docket to respond to the issues raised during the prehearing conference on June 16, 1999. The prehearing statement filed by MCI WorldCom on June 4, 1999 is hereby incorporated by reference.

### E. ISSUES AND POSITIONS

Issue: Does the Commission have jurisdiction to order carriers to assign telephone numbers sequentially?

MCI WORLDCOM'S POSITION: No, the Commission does not have the jurisdiction to order carriers to assign telephone numbers sequentially. Section 251(e)(1) of the Telecommunications Act of 1996 grants the Federal Communications Commission (FCC) plenary authority over numbering issues that pertain to the United States. The FCC retains jurisdiction over all matters it does not specifically delegate. Since the FCC has specifically declined to delegate to the states the task of NXX code allocation or assignment, this Commission does not have the jurisdiction to order carriers to assign telephone numbers sequentially.

FESC-RECORDS/RS PORTING

Issue:

Does the Commission have jurisdiction to impose a consecutive number distribution requirement on CMRS providers?

MCI WORLDCOM'S POSITION: No. See the discussion above.

Issue:

Is the Commission authorized to impose consecutive number requirements on all NXX code holders in Florida without adopting that requirement through formal rulemaking pursuant to Chapter 120, Florida Statutes?

MCI WORLDCOM'S POSITION: Since the Commission lacks the jurisdiction to impose consecutive number requirements on NXX code holders in Florida, this issue is moot.

Dated this 21st day of June, 1999.

Respectfully submitted,

Donna Canzano McNulty

Counsel for

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#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that true and correct copies of the Supplemental Prehearing Statement on behalf of MCI WorldCom, Inc., and its operating subsidiaries, in Docket 990373-TP have been served upon the following parties by Hand Delivery (\*) and/or U. S. Mail this 21st day of June, 1999.

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