

FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center • 2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

MEMORANDUM

February 7, 1997

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

FROM: DIVISION OF COMMUNICATIONS (NORTON) *John RPH*  
DIVISION OF LEGAL SERVICES (STOVER) *MCB*

RE: DOCKET NO. 970163-TL - REQUEST FOR APPROVAL OF TARIFF  
FILING TO CEASE CHARGING FOR NXX ESTABLISHMENT TO MOBILE  
SERVICE PROVIDERS BY ALLTEL FLORIDA, INC. (T-97-061  
FILED JANUARY 22, 1997)

AGENDA: FEBRUARY 18, 1997 - REGULAR AGENDA - PROPOSED AGENCY  
ACTION - INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: 30 DAY SUSPENSION DATE - FEBRUARY 21, 1997

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\970163TL.RCM

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DISCUSSION OF ISSUES

ISSUE 1: Should ALLTEL Florida, Inc.'s filing to stop charging the approved non-recurring charge for establishment of a dedicated NXX to a Mobile Service Provider (MSP) be approved?

RECOMMENDATION: Yes, ALLTEL's filing should be approved effective February 21, 1997. However, the Commission's order should note that since ALLTEL still plans to continue to charge an MSP for moving an NXX to a different serving office, the Commission will review any future interconnection agreements with ALECs to ensure they are consistent with the requirements of the Telecommunications Act of 1996 and associated FCC orders.

STAFF ANALYSIS: ALLTEL has requested to modify its Mobile Interconnection tariff to provide that there will be no charge for establishment of a dedicated NXX. According to the Company, the purpose of the filing is to comply with the requirements of the FCC Interconnection Order dated August 1, 1996 in Docket No. 95-185. ALLTEL incorrectly states that the order requires that they "cease charging wireless providers for the establishment of an NXX."

DOCUMENT NUMBER-DATE

01385 FEB-66

FPSC-RECORDS/REPORTING

DOCKET NO. 970xxx-TL  
DATE: February 6, 1997

ALLTEL proposes to continue charging the same non-recurring amount of \$3915 for moving an NXX to a different serving office.

The FCC's order in fact requires simply that LECs permit non-discriminatory access to telephone numbers, at least equal in quality to that which it provides itself, to competing providers, including mobile service providers. (Paragraph 101, Second Report and Order, CC Docket No. 95-185, released August 8, 1996) It does not specify that the charge has to be eliminated. Most Florida LECs have, however, eliminated the charge entirely for both establishment of, and moving, a dedicated NXX. ALLTEL is to date, the only one to keep a charge in its mobile interconnection tariff. There is no revenue impact contemplated with this filing because ALLTEL has never received a request to provide a dedicated NXX to an MSP.

Staff has one concern, however. If and when ALLTEL enters into an interconnection arrangement with an ALEC, under the terms of the FCC's order, it must also include this charge for moving an NXX in the agreement. Staff believes that this charge provides for a very substantial contribution above the cost of providing this service, and an ALEC would more than likely contest it. ALLTEL states that it is unlikely that it will receive a request from an ALEC anytime in the near future, but that it would include this charge in any arrangement.

We believe that ALLTEL's proposal to retain the charge for moving an NXX does not, at this point, violate the requirements of the Telecommunications Act of 1996 or the associated FCC order. Staff believes, however, that it would be more appropriate and in keeping with the spirit of the Act for ALLTEL to eliminate this charge from their Mobile Interconnection tariff as other LECs have done. We believe that the current charge would not conform to the pricing requirements of the Act as applied to local interconnection arrangements, which we believe is why other LECs have eliminated it. As noted, however, ALLTEL has had no interconnection requests from ALECs, and there is no prohibition against the charge to MSPs.

With our reservations as described above, staff recommends that the Commission approve ALLTEL's filing. However, we also recommend that the order note that since ALLTEL plans to continue the non-recurring charge of \$3915 for moving an NXX to a different serving office, the Commission will review any future interconnection agreements with ALECs to ensure they are consistent with the requirements of the Telecommunications Act of 1996 and associated FCC orders.

DOCKET NO. 970xxx-TL  
DATE: February 6, 1997

ISSUE 2: Should this docket be closed?

STAFF RECOMMENDATION: Yes, if the Commission approves staff's recommendation in Issue 1, this tariff should become effective February 21, 1997. If a protest is filed within 21 days from the issuance date of the order, the tariff should remain in effect pending resolution of the protest. If no timely protest is filed, this docket should be closed.

STAFF ANALYSIS: If the Commission approves staff's recommendation in Issue 1, this tariff should become effective February 21, 1997. If a protest is filed within 21 days from the issuance date of the order, the tariff should remain in effect pending resolution of the protest. If no timely protest is filed, this docket should be closed.