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BEFORE THE  
FLORIDA PUBLIC SERVICE COMMISSION

- - - - -	x	
	x	Docket No.
	X	980671-TL
In the Matter of	x	
Request for review of	x	
proposed numbering	x	
plan relief for the	x	
407 area code.	x	
- - - - -	x	

PROCEEDINGS: HEARING

BEFORE: CHAIRMAN JULIA L. JOHNSON  
COMMISSIONER J. TERRY DEASON  
COMMISSIONER SUSAN F. CLARK  
COMMISSIONER JOE GARCIA  
COMMISSIONER E. L. JACOBS, JR.

DATE: FRIDAY, AUGUST 7, 1998

TIME: Commenced at 10:10 a.m.  
Concluded at 3:00 p.m.

PLACE: Orlando City Hall  
City Council Chambers  
Second Floor  
400 South Orange Avenue  
Orlando, Florida

Reported by: Ron Johnson

BUREAU OF REPORTING

RECEIVED 8-19-98

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APPEARANCES:

Mary Keyer, Esquire, 675 West  
Peachtree Street, #4300, Atlanta,  
GA 30375,  
On behalf of AT&T Communications of  
the Southern States, Inc., (AT&T)

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(Sprint)

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On behalf of Vista-United  
Telecommunications (Vista)

William P. Cox, Esquire,  
and Hans Ottinot, Esquire, Florida  
Public Service Commission, 1540  
Shumard Oak Boulevard Tallahassee,  
Florida 32399-0850,  
On behalf of the Commission Staff.

## I N D E X

ITEM	PAGE NO.
PRESENTATION BY MR. MILBY	14
WITNESSES	
WAYNE MILBY	16
Direct Statement	
WAYNE GARDNER	23
Direct Statement	
GARY HOLLAND	44
Direct Statement	
STEVE HARRIETT	52
Direct Statement	
C. ROGER COOPER	55
Direct Statement	
AL FASAMO	60
Direct Statement	
PAT MCGUFFIN	67
Direct Statement	

	(Witnesses (Continued))	Page No.
1	(Witnesses (Continued))	
2	ANDY GARDINER	75
3	Direct Statement	
4	BOB MILBURN	82
5	Direct Statement	
6	JOHN McREYNOLDS	84
7	Direct Statement	
8	CLAY PHIPPS	92
9	Direct Statement	
10	PETE EDWARDS	111
11	Direct Statement	
12		
13	WAYNE MILBY	
14	Direct Statement	128
15		
16	Prefiled Direct Testimony Inserted	14
17	Cross Examination by Mr. O'Roark	128
18	Cross Examination by Mr. Cox	133
19	Cross Ex. By Commissioner Deason	134
20	Cross Ex. By Commissioner Clark	137
21	ALLEN BENSON	
22	Direct Statement	156
23	Prefiled Direct Statement Inserted	148
24	Prefiled Rebuttal Statement Inserted	154
25	Cross Examination by Mr. Fox	158



1	Redirect Examination by Ms. Keyer	186
2	SUZANNE BROOKS	
3	Direct Statement	201
4	Prefiled Direct Statement Inserted	191
5	Prefiled Rubuttal Statement Inserted	197
6	Cross Examination by Mr. Fox	203
7	SANDRA KHAZRAEE	
8	Direct Statement	219
9	Prefiled Direct Testimony inserted	213
10	Cross Examination by Mr. Cox	220
11	THOMAS C. FOLEY	
12	Direct Statement	236
13	Prefiled Direct Testimony inserted	223
14	Cross Examination by Mr. Cox	236
15	ROBERT MERRICK	
16	Direct Statement	253
17	Prefiled Direct Testimony inserted	245
18	Cross Examination by Mr. Cox	253
19	Cross Exam. By Commissioner Deason	255
20		
21	EXHIBITS NUMBER	ID. ADMTD.
22	1 Official recognition list	119 119
23	2 I.D. # AS-1	121 121
24	3 Mr. Milby AAB-1	125 125
25	4 AAB-1 (Revised)	125 125

1	5	TCF-1 (Mr. Foley)	125 125
2	6	RPM-1	126 126
3	7	Report on Trunking	
4		(Allen Benson)	160 --
5	8	Late filed ECS & ES route plans	182 --
6	9	Sprite ES-SEC, Supplement	
7		late filed	239
8	10	Mr. Foley Supplement	
9		late filed	254
10			
11			
12			
13			
14			
15			
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P R O C E E D I N G S

(Hearing convened at 10:10 a.m.)

CHAIRMAN JOHNSON: My name is Julia Johnson. I'm going to call this hearing to order.

I apologize for the delay, but obviously there is a lot of interest from customers and the media is trying to get everything they can to insure that the public is well informed about the issues that we will be dealing with today.

And with that, Counsel, would you please read the notice?

MR. OTTINOT: Pursuant to Notice issued June 18th, 1998, this time and place was set for hearing Docket No. 980671-TL, in re: Request for review of proposed numbering plan relief for 407 area code.

MR. CHARLIE BECK: My name is Charlie Beck, Office of Public Counsel, Claude Pepper Building, Tallahassee, Florida, appearing as sponsor for the witnesses this morning.

1                   CHAIRMAN JOHNSON: Please come  
2 forward and introduce yourself and who you  
3 represent.

4                   MR. WAHLEN: Good morning. I'm Jim  
5 Wahlen of the law firm of Ausley & McMullen,  
6 Tallahassee, Florida, and I'm appearing for  
7 Vista-United Telecommunications.

8                   MS. KEYER: Good morning. I'm Mary  
9 Keyer. I'm here for BellSouth  
10 Telecommunications.

11                  MR. REHWINKEL: Good morning. I'm  
12 Charles J. Rehwinkel, and I'm from  
13 Sprint-Florida, Incorporated, Tallahassee,  
14 Florida.

15                  MR. O'ROARK: Commissioners,  
16 I'm D. L. O'Roark from MCI.

17                  CHAIRMAN JOHNSON: Again, I am Julia  
18 Johnson. I'm the chairman of the Public  
19 Service Commission and I will be presiding  
20 over both the customer hearing and the  
21 technical hearing this afternoon.

22                  Seated to my far left is  
23 Commissioner Leon Jacobs.

24                  Next to me to my left is  
25 Commissioner Susan Clark.

1           To my right is Commissioner Terry  
2       Deason.

3           And to my far right, Commissioner  
4       Joe Garcia.

5           Let me give you a little background  
6       about the case.

7           Actually let me start introducing  
8       the staff members.

9           Mr. Hans Ottinot, one of two  
10       attorneys that will be handling the legal  
11       matters for the PSC on this case.

12           Will Cox is also here, and he will  
13       be assisting, and we have several staff  
14       members, Ann Shelfer, Rick Moses, Sandy Moses,  
15       Kevin Bloom was the gentleman that greeted you  
16       out front and provided you with a special  
17       report, and we also have a court reporter who  
18       will be recording all of the public  
19       statements.

20           As relates to public statements, in  
21       the process that we have before us, the  
22       comments that are made by the public as part  
23       of the public testimony will be and is  
24       considered part of the evidence in the record  
25       upon which we can use to base our final

1 decision.

2 For that reason, at the appropriate  
3 time I will ask that you stand and we will  
4 swear you in so that we can rely upon that  
5 particular information that we receive.

6 Also, you notice the special  
7 report. It gives you background information  
8 on the case, how we got to where we are today,  
9 and relevant dates and deadlines.

10 There is also a section in here if  
11 you choose not to provide oral testimony, you  
12 can provide the Commission with written  
13 testimony, hand that in today, or if you would  
14 like to go home and read it and think about it  
15 tonight, you can submit that in the mail, that  
16 would be sufficient. Our 1-800 number and our  
17 internet site also provides a means of  
18 communication with the Commission.

19 Also I want to interject one thing.  
20 We are transmitting this hearing via the  
21 internet for those that could not or decided  
22 not to attend, but wanted to listen in via  
23 that process.

24 So all of your testimony will be  
25 transmitted over the internet today. And it

1 will also be available at a later time if you  
2 wanted to go into the website and listen to  
3 the testimony for the next several months.

4 Let me give you a little bit of  
5 background about the case, how we got to where  
6 we are today.

7 Certainly area code exhausts is a  
8 problem all over our nation. Numbers are  
9 being used at exponential rates.

10 Why? The computers, fax lines, cell  
11 phones, more than one line in the home,  
12 causing the need to use more and more  
13 numbers.

14 In this instance, the industry group  
15 as is usually the case when we determined that  
16 there was an exhaust issue, they got together  
17 and generally they tried to come up with a  
18 consensus plan.

19 They submit that consensus plan to  
20 the Public Service Commission. To the extent  
21 that there is no problem, there is no concern  
22 expressed by industry, customers or businesses  
23 in the area, that consensus plan is usually  
24 adopted.

25 In this instance, the industry

1 groups recommended overlays that could come in  
2 after 407 is exhausted and overlay a new area  
3 code over the entire area.

4 When that was introduced to the  
5 public, the Public Service Commission received  
6 a lot of calls and a lot of concerns as to  
7 whether or not that would be the best way to  
8 proceed.

9 When you are dealing with an  
10 overlay, what we do first is use the 407  
11 numbers, and as those exhaust, you would have  
12 to overlay the area code. That generally  
13 necessitates the need for ten-digit dialing  
14 throughout the area.

15 That places some concern for some  
16 customers and some businesses, and those are  
17 the kind of issues that we would like to hear  
18 you discuss and address today.

19 Also involved in the process is the  
20 North American Numbering Council or North  
21 American Numbering Administration.

22 Mr. Milby, Wayne Milby, one of the  
23 administrators, will at the appropriate time  
24 provide some background information on their  
25 role and on the process and will overview with



1 you all of the options that the Commission  
2 thus far is presented with.

3 With that, if there are no other  
4 preliminary announcements, I will go ahead,  
5 and if you could stand and you would like to  
6 testify, I will swear you in at this time.

7 (Witnesses were duly sworn by  
8 Chairman Johnson)

9 THE COMMISSIONER: Thank you. You  
10 may all be seated.

11 With that, I think we will start  
12 with our administrator, Mr. Wayne Milby.

13 Will you come forward?

14 (Direct testimony of Wayne Milby inserted,  
15 commencing top of next page)

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1 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

2 DOCKET NO. 980671-TL

3 ORDER NO. PSC-98-0767-PCO-TL

4 ISSUED: June 4, 1998

5 In re: Request for review of proposed numbering plan relief for 407 area code.

6

7 My name is Wayne Milby. I am employed by Lockheed Martin IMS as the Senior NPA

8 Relief Planner for the Eastern Region of the North American Numbering Plan. My

9 business address is 1133 15<sup>th</sup> Street, N.W., Washington, D.C. 20005.

10

11 Lockheed Martin IMS, in its role as North American Numbering Plan Administrator

12 (NANPA), is responsible for initiating NPA relief planning in areas within the US in

13 sufficient time to prevent the exhaust of numbering resources.

14

15 Pursuant to the NPA Code Relief Planning and Notification Guidelines (INC 97-0404-

16 016), see Exhibit 1 attached, NANPA hosted an industry meeting in Orlando, Florida on

17 March 31, 1998. The primary objective of the meeting was to review the Initial Planning

18 Document (IPD) and other alternatives from the industry, and come to a consensus on a

19 single relief plan to be presented to the Florida Public Service Commission. The industry

20 came to a consensus to recommend Alternative Relief Plan #1, an overlay, as the method

21 of relief for the 407 area code.

22

23 As a neutral party, NANPA cannot take a position or make any recommendation

24 concerning the type of relief for an area code. Our role is that of facilitating the industry

25 consensus process towards the recommendation of an alternative for relief to the

1 appropriate regulatory authority. On April 22, 1998, I filed documents with the Florida  
2 Public Service Commission that provided the status of the industry's efforts, industry  
3 meeting notes, and a description of the overlay alternative recommended by the industry.  
4 The documents, see Exhibit 2 attached, also include all of the relief alternatives  
5 considered by the industry.

1  
2  
3 MR. WAYNE MILBY

4 was called as a witness on behalf of the  
5 Citizens of the State of Florida, and, having  
6 been duly sworn, testified as follows:

7  
8 DIRECT STATEMENT

9  
10  
11 WITNESS MILBY: Thank you, Chairman  
12 Johnson, and Commissioners. Good morning to  
13 everyone.

14 My name is Wayne Milby. I am  
15 employed by Lockheed Martin IMS as a Senior  
16 NPA Relief Planner for the Eastern Region of  
17 the North American Numbering Plan. My  
18 business address is 1133 Fifteenth Street,  
19 Northwest, Washington, D.C., 20005.

20 Lockheed Martin IMS in its role as  
21 the North American Numbering Plan  
22 Administrator or NANPA, N-A-N-P-A for short,  
23 is responsible for initiating NPA relief  
24 planning in areas within the United States in  
25 sufficient time to prevent the exhaust of

1 numbering resources.

2 Pursuant to the NPA Code Relief  
3 Planning and Notification Guidelines, NANPA  
4 hosted an industry meeting in Orlando,  
5 Florida, on March 31st, 1998.

6 The primary objective of the meeting  
7 was to review the NPA relief alternatives in  
8 the initial planning document as well as the  
9 additional alternatives suggested by the  
10 industry and come to a consensus on the single  
11 relief plan to be presented to the Florida  
12 Public Service Commission.

13 And industry came to a consensus to  
14 recommend alternative relief plan number one,  
15 an overlay. It's a method of relief for the  
16 407 area code.

17 Industry also came to consensus to  
18 recommend ten-digit dialing for the  
19 all-service overlay relief plan as required by  
20 the federal regulations.

21 As a neutral party NANPA could not  
22 take the position to make any recommendation  
23 concerning the type of area code relief. Our  
24 role is that of facilitating the industry  
25 consensus process towards the recommendation

1 of an alternative for relief to the  
2 appropriate regulatory authority.

3 On April 22nd, 1998, I filed  
4 documents with the Florida Public Service  
5 Commission that provided the status of the  
6 industry's efforts, industry meeting notes,  
7 and a description of the overlay alternative  
8 recommended by the industry.

9 The documents also included all the  
10 relief alternatives that the industry had  
11 considered.

12 I have viewgraphs of those.

13 Alternative number one, the  
14 alternative recommended by the industry would  
15 overlay a new area code in the entire 407  
16 geographic area, which is highlighted in  
17 yellow, and use the existing 407 area code  
18 boundaries for the boundaries for the new area  
19 code as well.

20 The other alternatives that were  
21 considered by the industry are as follows:

22 And as I describe each alternative,  
23 I will be referring to Area "A" and Area "B"  
24 because I am provided with a chart at the  
25 table at the end of the presentation that

1 depicts the projected life of each area.

2           Alternative two is a single  
3 geographic split on this boundary. It splits  
4 the existing 407 area code into two geographic  
5 areas with Orange and Seminole Counties in  
6 Area "A" and Brevard and Osceola counties in  
7 Area "B."

8           Alternative number three is a single  
9 geographic split. It splits the existing 407  
10 area code into two geographic areas along this  
11 boundary (indicating), with Osceola County and  
12 Orange County, less the East Orange rate zone  
13 in Area "A," and Brevard County in East Orange  
14 rate zone and Seminole Seminole County in Area  
15 "B."

16           Alternative number four is a single  
17 geographic split. It splits the existing 407  
18 area code into two geographic areas on this  
19 boundary, with the Orlando, Winter Garden,  
20 Montverde, Windermere, Reedy Creek, Lake Buena  
21 Vista, West Kissimmee, Celebration, Kissimmee  
22 rate centers in Area "A" and the remaining  
23 geographic area in Area "B."

24           Alternative number five is a single  
25 geographic split.

1           It splits the existing 407 area code  
2 into two geographic areas with this boundary,  
3 with the Orlando and Winter Park rate zones  
4 comprising Area "A," all this surrounding  
5 geography comprising Area "B."

6           Alternative number six is a single  
7 geographic split.

8           It splits the existing 407 area code  
9 into two geographic areas with the Orlando  
10 rate center being Area "A," and all the  
11 surrounding geography in 407 in Area "B."

12           Alternative number seven is a single  
13 geographic split.

14           It splits the existing 407 area code  
15 into two geographic areas along this boundary  
16 with Seminole County and Orange County, less  
17 Windermere, Reedy Creek and Lake Buena Vista  
18 rate centers, in Area "A," and all the  
19 remaining geography comprises Area "B."

20           Alternative eight is a single  
21 overlay and boundary realignment to include  
22 the Orange City rate center, currently in the  
23 904 area code, which would overlay a new area  
24 code on the entire 407 existing area code as  
25 well as the Orange City rate center, and use



1 the boundaries that are outlined here in  
2 yellow.

3 Alternative number nine, is a single  
4 geographic split.

5 It splits the existing 407 area code  
6 into two geographic areas, with Orlando,  
7 Winter Park, Monteverde, Windermere, Reedy  
8 Creek, Lake Buena Vista, West Kissimmee,  
9 Celebration and Kissimmee rate centers in Area  
10 "A" and the remaining geographic area in Area  
11 "B."

12 Alternative number ten is a single  
13 geographic split. It splits the existing 407  
14 area code into two geographic areas along the  
15 east boundaries, with the Orlando and East  
16 Orange rate zones being in Area "A," and the  
17 remaining geography surrounding it in Area  
18 "B."

19 The projected life for each  
20 alternative in number of years, is under the  
21 two different growth assumptions depicted in  
22 this viewgraph.

23 Assumption one in these two columns  
24 is that code growth will continue on a  
25 straight line direction at a rate

1 approximately the same as the current rate of  
2 assignments.

3 Assumption two, depicted in these  
4 two columns, is that growth will continue in a  
5 straight line direction at a rate  
6 approximately the same as the current rate of  
7 assignments until the end of the year 2000,  
8 and then the growth rate is reduced by 50  
9 percent to provide an estimate of the  
10 potential impacts of any national number of  
11 conservation efforts.

12 A little additional explanation on  
13 the chart: For the overlays you only have one  
14 area, so if you depicted the life in the  
15 middle of the two columns, assumption one,  
16 columns, under assumption one, the life is 4.8  
17 years; with assumption two, we assumed the  
18 growth rate is reduced to half after the year  
19 2000 due to national conservation efforts, the  
20 life would be 8.3 under that possibility.

21 Then for each of the split  
22 alternatives -- I will just take number two as  
23 an example -- with that boundary line, Area  
24 "A" would last one to nine years, Area "B"  
25 would last 13.1 years.

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Under the second assumption, Area "A" would last 2.5 years, Area "B" would last 24.9 years.

I think everyone has a copy of this so I won't take the time to go through and read all of these lives.

And that concludes the presentation of the alternatives considered by the industry.

Thank you, Chairman Johnson.

CHAIRMAN JOHNSON: Thank you.

As has been stated, he will be available to answer questions not to whether the plans are good or bad, but for projected or implementation questions, he will be available later to assist us.

And with that, I think we are prepared for our public testimony.

- - -

WAYNE GARDNER

was called as a witness on behalf of the Citizens of the State of Florida and, having been duly sworn, testified as follows:

DIRECT STATEMENT

WITNESS GARDNER: Good morning,

1 Madam Chairman and Commissioners.

2 My name is Wayne Gardner. I'm a  
3 city commissioner for the City of Deltona.

4 First of all, I will apologize for  
5 my very casual dress. I was leaving on  
6 vacation this morning and I got a call at 8:30  
7 and said be here at 10:00. So I apologize.

8 The City of Deltona is located in  
9 southwest Volusia which is in the northernmost  
10 extreme of the area that you are speaking  
11 about today.

12 Presently we are a city of about  
13 60,000 people with a metropolitan area of  
14 about 100,000.

15 We are already divided by two phone  
16 companies, two LATAs and two area codes --  
17 already.

18 COMMISSIONER GARCIA: Mr. Gardner,  
19 just so I can get a good idea about what you  
20 are speaking about, I am geographically  
21 impaired, so if you could just tell me, point  
22 out exactly where Deltona is so I can get a  
23 good understanding of where you are.

24 WITNESS GARDNER: At the very  
25 northernmost portion of your map.

1 COMMISSIONER GARCIA: Okay.

2 WITNESS GARDNER: You have part of  
3 it listed as DeBary in one of your other --  
4 and you have it listed as Orange City. It's  
5 because the telephone exchanges, the southern  
6 half of Deltona are considered DeBary  
7 exchanges and the northern half of Deltona are  
8 considered Orange City exchanges.

9 COMMISSIONER GARCIA: Gotcha. No  
10 problem at all.

11 WITNESS GARDNER: Presently right  
12 now with two area codes, two LATAs and  
13 everything else, we have got areas in our city  
14 that it is just not a 25 cent toll call. We  
15 have areas where it is a long-distance call  
16 already to call across the street. This is a  
17 problem for our people.

18 The overlay -- I guess basically I  
19 am here to speak in opposition to alternative  
20 one and eight, or at least possibly in  
21 opposition.

22 The overlay idea would actually wind  
23 up with three area codes in the same county,  
24 city, neighborhood, and again on some streets  
25 you could have three area codes.

1           I think this would be extremely  
2 confusing to the general public, being like  
3 that, unless you required not only the 407  
4 area and you went to an overlay that was  
5 required to go to a ten-digit calling number,  
6 unless you actually required that of the 904  
7 area code that directly abuts that area. It  
8 would become extremely confusing.

9           You have got what appears to be a  
10 very difficult decision on how to split this  
11 thing up. I empathize with what you have to  
12 do. It would seem almost easier to take it on  
13 a statewide basis and consider requiring  
14 everybody to go to ten digits statewide  
15 instead of looking at individual solutions in  
16 individual areas of the state.

17           Basically I am hoping that you will  
18 find an alternative that would work out a  
19 little bit easier for our residents.

20           I might suggest that if you go to  
21 alternative one or alternative eight, that you  
22 were to split out the portion of Volusia  
23 County that that would affect so that you  
24 didn't have triple area codes in southwest  
25 Volusia, where they would be able to -- the

1 portion that has 407 remain 407, the areas of  
2 904, that's the area in your alternative  
3 eight, I believe brings in Orange City, that  
4 would remain 904.

5 Yes, we would probably have to get  
6 additional exchanges as it's growing. This  
7 area is growing extremely fast, but I think  
8 that might be one alternative to split up  
9 Volusia County from the overlay.

10 COMMISSIONER GARCIA: If I can ask  
11 you, since you gave us those alternatives, we  
12 have got to think of the geographic splits.  
13 Assuming this is a fact, which one would you  
14 favor? Which one makes more sense to you  
15 logically as a resident in that area?

16 WITNESS GARDNER: In looking at the  
17 geographic splits, and looking at the time  
18 line on how long it will last, and looking at  
19 the ways that you all can balance some of the  
20 best, just looking at the time lines  
21 alternative four would make the most sense  
22 without even looking at the geographic  
23 boundaries, that you would get the maximum  
24 amount of time in both assumption Area "A" and  
25 assumption Area "B," they would be evened off

1 about the same.

2 Personally, if it splits, I don't  
3 think it would make a whole lot of difference  
4 except for the confusion of it already being  
5 split.

6 COMMISSIONER GARCIA: All right.  
7 Let me ask you about a particular one and then  
8 you tell me.

9 If you will look on split five.

10 WITNESS GARDNER: Yes, sir.

11 COMMISSIONER GARCIA: Do you have  
12 it?

13 WITNESS GARDNER: Yes.

14 COMMISSIONER GARCIA: Or split  
15 four, which is one of those, do you think that  
16 that will cause a lot of confusion to the  
17 people in those boundary areas?

18 Since you are pretty much in that  
19 boundary area, do you think it would cause  
20 more confusion than it would be helpful? Did  
21 you understand?

22 WITNESS GARDNER: Knowing a split  
23 has to be done in some way, shape or form,  
24 either one of those I don't think would affect  
25 my area at all.



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COMMISSIONER GARCIA: Okay.

WITNESS GARDNER: Because if you look, we would still be retaining 407 and we would still be split between 904 and 407. My main concern is three area codes in the same city.

COMMISSIONER GARCIA: I will ask you one more question, if you don't mind.

WITNESS GARDNER: Yes, sir.

COMMISSIONER GARCIA: If you will look at seven.

WITNESS GARDNER: Yes.

COMMISSIONER GARCIA: Seven.

WITNESS GARDNER: Yes.

COMMISSIONER GARCIA: And I will give you for consideration that the shaded area would keep 407.

WITNESS GARDNER: Yes.

COMMISSIONER GARCIA: Does that make sense to you?

WITNESS GARDNER: Whether we keep 407 or changed to a new area code, frankly I don't think it makes a difference.

COMMISSIONER GARCIA: Well --

WITNESS GARDNER: Now, what was --

1 if you are meaning whether or not the southern  
2 half of Volusia County is able to call all the  
3 way down into Winter Park and Orlando and  
4 things like that, they are not local calls for  
5 us at this time.

6 COMMISSIONER GARCIA: They are not  
7 local as it is.

8 WITNESS GARDNER: As it is, the  
9 southern half of Deltona can call into Sanford  
10 and that's as far south as we can call.

11 I can call as far north as Deland,  
12 which is an exchange even north of the Orange  
13 City one that you are speaking about. That's  
14 in the 904 area code and that's local for me.

15 There are areas that you have in  
16 your -- if the Commissioners return to your  
17 number eight.

18 COMMISSIONER GARCIA: Okay.

19 WITNESS GARDNER: In number eight  
20 where you see the very northern portion, where  
21 you see Orange City and DeBary.

22 COMMISSIONER GARCIA: Yes.

23 WITNESS GARDNER: Basically those  
24 two take up the city of Deltona.

25 COMMISSIONER GARCIA: Okay.

1                   WITNESS GARDNER: Now, those people  
2 that are in Orange City that are in 904, they  
3 would be overlaid into 407, you are saying,  
4 so they could get a third exchange? And would  
5 they wind up losing their community calling  
6 over to Daytona Beach?

7                   COMMISSIONER GARCIA: They are not  
8 going to lose any of the -- by anything we do  
9 here today will not change anyone's calling  
10 rates. What will change is the number of  
11 digits. And it could be pointed out that this  
12 is one of the serious issues here that, you  
13 know, in an area that has so many different  
14 calling options, and I guess speaking on  
15 behalf of all of us, but in particular  
16 Commissioner Johnson who is from this part of  
17 the state, there is a tremendous amount of  
18 confusion and a lot of headache that goes with  
19 some of these areas where you have the LATA  
20 boundaries, but none of what we do here today  
21 will affect rates.

22                   WITNESS GARDNER: So  
23 hypothetically, someone who lives in the  
24 Orange City area where you go to number eight,  
25 would wind up with another area code

1 overlaying into the 904.

2 COMMISSIONER GARCIA: I think that  
3 alternative -- and I will get the numbering  
4 administrator to change that if I'm wrong,  
5 they are going to be taken out of the 904 area  
6 code if I'm not mistaken and brought into the  
7 407 and then overlaid. So 904 will no longer  
8 apply. They will get an area code change.  
9 They may -- I don't know if they will get this  
10 new area code automatically, but they will  
11 come into this area code.

12 WITNESS GARDNER: So you are  
13 basically going to take that and bring it into  
14 the Orlando LATA?

15 COMMISSIONER GARCIA: No, we're  
16 changing their area code. I don't know if we  
17 are bringing it into the Orlando LATA. I  
18 don't think so.

19 MR. MILBY: My understanding of it  
20 is it's already in that LATA.

21 CHAIRMAN JOHNSON: You will have to  
22 come to the microphone.

23 MR. MILBY: My understanding of it  
24 is it's already in that LATA, just has a  
25 different area code.

1                   COMMISSIONER GARCIA:    Yes.  What we  
2 would be doing is giving it out to 904 area  
3 code.

4                   WITNESS GARDNER:    There must be a  
5 split in there where the LATA does change.  It  
6 does.

7                   If I'm able -- and I'm in a 407  
8 number -- able to call some 904 numbers in the  
9 northern area of the city, some of the phone  
10 numbers in the southern area of the city have  
11 323 exchanges that are the same as Sanford.  
12 They cannot call the northern area of the city  
13 without it being a long-distance call.  They  
14 can't even call sometimes to the school to let  
15 them know their children are going to be late  
16 or whatever.

17                   COMMISSIONER GARCIA:  Right.

18                   WITNESS GARDNER:  My understanding  
19 is that is a LATA change at that point to a  
20 portion of our city.

21                   COMMISSIONER CLARK:  You're correct.  
22                   There are parts of Volusia County that fall  
23 into the Orlando LATA.

24                   WITNESS GARDNER:    But the eastern  
25 portion of my city, the City of Deltona, is in

1 the same LATA as Daytona Beach.

2 COMMISSIONER CLARK: It's also in  
3 Orlando LATA. And you're right, two different  
4 telephone companies, two different LATAs.

5 A LATA boundary doesn't necessarily  
6 mean you can't have extended area calling and  
7 that's probably the issue. LATA doesn't make  
8 that determination.

9 WITNESS GARDNER: Okay. We do have  
10 extended area calling in the north of the  
11 city, to be able to call Daytona Beach.

12 The southern part of the city can  
13 call Orlando, but the northern part cannot  
14 call the rest of its own county in extended  
15 area calling, so you split those 30,000 people  
16 out of Volusia County.

17 COMMISSIONER CLARK: My point is, it  
18 doesn't depend on LATA. It obviously has to  
19 do with these changes.

20 WITNESS GARDNER: I stand  
21 corrected. But still we would like to see if  
22 we could somehow get our city back united in  
23 the same area code, the same dialing area, the  
24 same exchanges, and the idea of a third area  
25 code in the same community, and again the

1 possibility of a third area code right down to  
2 the exact same street I think is a little bit  
3 much.

4 COMMISSIONER JACOBS: Mr. Gardner.

5 WITNESS GARDNER: Yes.

6 COMMISSIONER JACOBS: Do you know  
7 where the most interest is for your county or  
8 city? Do you deal most often with people in  
9 Daytona or people in the Orlando area?

10 WITNESS GARDNER: Deltona is kind  
11 of a unique community. It is a bedroom  
12 community. And when you go out and look at  
13 I-4, there's about 18,000 cars pulling out of  
14 Deltona heading south, heading towards  
15 Orlando; and you probably have another 10,000  
16 or 12,000 turn around heading the other way,  
17 head the other way. It's fairly -- probably  
18 more towards Seminole County and like that,  
19 and its affiliations.

20 COMMISSIONER JACOBS: Calling work,  
21 calling school, the direction seems to be  
22 towards Seminole?

23 WITNESS GARDNER: No, calling  
24 schools, calling things like that, they are  
25 all in Volusia County.

1 COMMISSIONER JACOBS: I see.

2 WITNESS GARDNER: It's the Volusia  
3 County school system.

4 COMMISSIONER JACOBS: Okay.

5 WITNESS GARDNER: You know, it's  
6 funny. I was speaking to one of the city  
7 commissioners, well, actually the County  
8 Council Chairman of Seminole County, and he  
9 told me about 35 percent of the city employees  
10 of the city of Sanford live in Deltona, and  
11 about the same percentage of the Seminole  
12 County workers live in Deltona. So, yes,  
13 there is an awful lot that goes south, but  
14 that is not to say that a lot of it does not  
15 go the other direction towards Daytona and the  
16 rest of the county.

17 We are an anomaly, the way our city  
18 is a bedroom community. It is not commercial  
19 or governmental or whatever base. Most of the  
20 people are commuting somewhere.

21 CHAIRMAN JOHNSON: Thank you.

22 COMMISSIONER DEASON: I have a  
23 question.

24 The question of Orange City, which  
25 area code is that in?



1 WITNESS GARDNER: Presently it's in  
2 904.

3 COMMISSIONER DEASON: Yes.

4 WITNESS GARDNER: I would propose  
5 it be moved into the 407 area code.

6 COMMISSIONER DEASON: Do you have a  
7 position to which area code Orange City should  
8 be in?

9 WITNESS GARDNER: I would not want  
10 to speak for the residents of Orange City, but  
11 speaking for the residents of Deltona, that is  
12 in that Orange City area.

13 You know, people will move into  
14 different areas and they realize what services  
15 are available in those different areas.

16 You take the north half of the city  
17 of Deltona that has the Orange City exchange  
18 numbers, they can call Daytona Beach, they can  
19 call Deland, DeLeon Springs and everything  
20 else, that would be a tremendous change over  
21 what they can or cannot do.

22 COMMISSIONER DEASON: My question  
23 did not assume there would be any changes in  
24 the calling rates. It just may necessitate  
25 the dialing of ten digits to complete a call

1 instead of seven.

2 WITNESS GARDNER: I know what you  
3 are saying, but part of that doesn't make  
4 sense. Let's just make up an area code 999,  
5 and that's the overlay number you use.

6 COMMISSIONER DEASON: Now, I'm  
7 talking to you about geographics.

8 WITNESS GARDNER: Geographics.

9 CHAIRMAN DEASON: Yes.

10 WITNESS GARDNER: And that's not an  
11 alternative that's listed here.

12 CHAIRMAN DEASON: Right, and that's  
13 what I'm trying to see.

14 We had testimony last evening from a  
15 commissioner in Brevard County, and one of the  
16 points that she made, she wanted all of  
17 Brevard County to be within one area code.  
18 Presently there's an area in the extreme  
19 southern part of Brevard County which is not.  
20 It's a different area code. And that is one  
21 of the things that we are going to take a look  
22 at. And while we will take a look at that, I  
23 was just going to see, even if we are not  
24 going to do an overlay, if we are going to do  
25 the split, it still makes sense that since we

1 are making changes, to put Orange City within  
2 the same area code as DeBary and Sanford and  
3 the other related areas.

4 WITNESS GARDNER: Well, why don't  
5 you -- well, what I would like to see you do  
6 is at least make sure that Orange City is in  
7 the area exchanges which would take in my  
8 whole city. I would love to see them all in  
9 the same area code if that's something you  
10 could do.

11 COMMISSIONER DEASON: Yes, that's  
12 why I am asking. You would like to see both  
13 Orange City and DeBary in the same area code  
14 if that's possible?

15 WITNESS GARDNER: Yes, sir.  
16 I'm going to have the city of Orange  
17 City calling me and the city of DeBary calling  
18 me, so again I relate to the residents of my  
19 community.

20 COMMISSIONER DEASON: Well, my  
21 question is just really kind of preliminary  
22 just to see if there is something that  
23 would -- that you know of that would make that  
24 an unlikely event to happen and it would be  
25 bad policy, and before we would do anything

1 like that, most likely we would survey the  
2 customers with some questions if they did want  
3 to change, but obviously those things are  
4 time-consuming and expensive, and if you have  
5 information right now that would show us that  
6 that is a terribly bad idea, we may not even  
7 pursue it, but that's one of the reasons I  
8 asked the question, to get a feedback  
9 reaction.

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10 WITNESS GARDNER: Mr. Commissioner,  
11 I have no information I could give you that's  
12 tangible or whatever that is in writing, as to  
13 those preferences, other than jut a feeling of  
14 the community that they would like to have a  
15 single area code. And it would also wind up  
16 bringing Volusia County into a single area  
17 code instead of being split because that's  
18 what you are doing. You are taking areas of  
19 Volusia County that is 407 and bringing them  
20 all into the 904 area code, and I think a  
21 single area code for the county would make  
22 sense.

23 COMMISSIONER DEASON: Thank you.

24 WITNESS GARDNER: Yes, sir.

25 COMMISSIONER JACOBS: The Volusia

1 County boundary is co-terminus with the DeBary  
2 city limits?

3 WITNESS GARDNER: The Volusia  
4 County boundary would be -- yes, because it is  
5 the St. John's River, and what you are looking  
6 at is areas that are called DeBary and Orange  
7 City, and those are all inside the Volusia  
8 County boundary.

9 COMMISSIONER JACOBS: All right.

10 CHAIRMAN JOHNSON: DeBary is in  
11 Volusia County?

12 WITNESS GARDNER: Yes, ma'am.

13 CHAIRMAN JOHNSON: All right.

14 WITNESS GARDNER: Anything else  
15 from me?

16 CHAIRMAN JOHNSON: No. Do any  
17 members of the industry or the commissioners?

18 COMMISSIONER GARCIA: Thanks for  
19 letting us grill you. As an elected official,  
20 you can sort of understand you have to look at  
21 that in a little more detail since you are in  
22 that area.

23 Thank you for coming.

24 WITNESS GARDNER: Thank you, ma'am;  
25 thank you commissioners.

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CHAIRMAN JOHNSON: Let me ask one question of the staff.  
Will we be prepared this afternoon, those companies who care to address some of the issues that were raised by the Commissioner, as to some of the anomalies and possible resolutions for this particular area?

MR. OTTINOT: I believe Mr. Cox could best address this issue.

CHAIRMAN JOHNSON: Mr. Cox is one of the Public Service Commission attorneys.

MR. COX: I do know that the companies are prepared to talk, but this issue in particular, I am not sure.

There are a couple of companies you say are serving that area, and I don't know specifically if they have looked at that issue.

CHAIRMAN JOHNSON: Okay.

MR. COX: You will have to ask the companies.

CHAIRMAN JOHNSON: Just to put the companies on notice, the issues that were raised and some of the questions that were asked by some of the commissioners, we will

1 probably when you bring forth your witness,  
2 have questions on that particular area as it  
3 relates to -- some of it for my edification  
4 will be the LATAs, the exchanges, what kind of  
5 impact will overlay have on this area versus  
6 the split, so that we can have a full and  
7 complete record upon which to make a decision  
8 if we were to decide on an alternative that is  
9 not before us today.

10 COMMISSIONER GARCIA: And generally,  
11 I know in the testimony it's touched upon, but  
12 it's important also, the LATA boundaries, and  
13 perhaps the companies have some information  
14 that the LATA boundaries, how it would be  
15 affected, not necessarily when did the  
16 geographics split this time, but when we would  
17 possibly go to an overlay later on. We don't  
18 want to create an area where, as the  
19 commissioner stated, you have ten-digit  
20 dialing, two different area codes, plus a LATA  
21 boundary. If we can somehow do this division  
22 so that in the future, clearly it's something  
23 that will occupy my thinking, that in the next  
24 split we don't adversely affect those boundary  
25 areas.

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CHAIRMAN JOHNSON: Thank you.  
Thank you, sir.

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GARY HOLLAND

was called as a witness on behalf of the  
Citizens of the State of Florida and, having  
been duly sworn, testified as follows:

DIRECT STATEMENT

WITNESS HOLLAND: I am Gary Holland.

I represent the City of Kissimmee. I work  
out of the city manager's office.

I actually have as many questions as  
I do testimony, but maybe I can intermix  
those.

One of the initial comments I wanted  
to make is that when we originally were  
presented with the options that we are talking  
about today, the idea that the area code split  
would result in acceleration of the need for  
another split later on, that doesn't appear to  
be borne out in the assumptions that are made  
here on the sheet that we got. It looks like  
there is some balance possible by going with  
the split as opposed to the overlay.



1           The overlay does raise several  
2 questions though in terms of whether it's  
3 possible for the new area code to be assigned  
4 initially to cell phones and beepers and other  
5 things like that where it's not quite so  
6 geographic --

7           COMMISSIONER GARCIA: (Interposing)  
8 Let me answer that real quick because it's a  
9 good idea. It's an idea that comes up by  
10 people who think about this issue, and it is  
11 something that has occurred to members of this  
12 Commission.

13           The FCC made a ruling that  
14 classifies it as discriminatory, and that's  
15 based with competition initially in cities  
16 like New York which clearly had these problems  
17 much earlier than we did. That's the way they  
18 went.

19           At that time the area code and  
20 beeper companies, the industry participants  
21 agreed to it, the reason being it was sort of  
22 a, you know, CACHE-TOUCHE (phonetic) to having  
23 a different area code, but in today's market  
24 in which we try to drive competition, the FCC  
25 has said that that discriminates against those

1 types of carriers and they have determined  
2 it's discriminatory; nonetheless, I believe  
3 that the state of Connecticut has asked the  
4 FCC to reconsider that decision, and that's  
5 before them. We don't know when it will be  
6 decided. We clearly, I think, have always  
7 thought it was a relatively good idea, the  
8 problem is that the carriers participating  
9 think it's discriminatory, so it's not one of  
10 the options before us.

11 CHAIRMAN JOHNSON: If I may just add  
12 to that, it is still an uphill battle because  
13 when the case was first pursued by some of the  
14 carriers in New York, the decision was upheld  
15 at the federal court level on, I believe, more  
16 of a competitive neutrality grounds, so there  
17 are -- the FCC is intimately involved in this  
18 process, and they have also had some rulings  
19 from the federal court as to statutory  
20 interpretations. So not to say that the  
21 states and officials won't consider it, or  
22 continue to pursue that and that perhaps there  
23 may be some reversal of the opinions of the  
24 FCC and perhaps in the court systems, but  
25 right now we have to pursue other means.

1                   WITNESS HOLLAND:    This subject is  
2 not available to you right now?

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3                   CHAIRMAN JOHNSON:   Not today.

4                   WITNESS HOLLAND:    The other  
5 question I have with the overlay area code is,  
6 would it be possible for existing businesses,  
7 institutions that more than likely are going  
8 to need to add phone lines over the next five  
9 years to have some kind of block of the  
10 numbers that would allow them to continue with  
11 the same area code within the same  
12 organization?

13                   I know the city of Kissimmee is  
14 growing very rapidly and we constantly are  
15 building remote sites and it would create a  
16 considerable amount of confusion if we had a  
17 different area code for the city of Kissimmee  
18 offices.

19                   COMMISSIONER GARCIA:   Let me say  
20 that there is something that is called a  
21 distributed overlay, when we are doing an  
22 overlay, but we want to preserve a certain  
23 area's identity, and the case was in the  
24 Florida Keys, and when we did the overlay down  
25 there which is a Dade County and Monroe case,

1 clearly Key West is always threatening to  
2 secede from the Union, so this Commission  
3 hoping to keep them in the Union gave them a  
4 special set which was called distributed  
5 overlay, and clearly the Keys are very  
6 distinguishable from the rest of the counties  
7 that are in the state, and in that case, what  
8 we did is we reserved a series of NXXs so that  
9 they would have the ability to keep seven  
10 digit dialing, so if the idea was to reserve a  
11 series of NXXs within a certain area, I think  
12 it might be able to be done, but could it  
13 because of the exhaust pressures, it would be  
14 quite difficult. In that case, the Keys are  
15 very distinguishable because of their  
16 inability to grow so we don't expect that  
17 issue of growth.

18 COMMISSIONER DEASON: Sir, your  
19 question was more a problem for the county  
20 offices themselves potentially having  
21 different area codes in an office or within  
22 some type of an annex in the courthouse or  
23 whatever, that type of situation? Is that  
24 your concern?

25 WITNESS HOLLAND: Exactly.

1                   COMMISSIONER DEASON: The problem  
2 with that is just inherent with an overlay.  
3 The way an overlay is administered is that new  
4 numbers would continue to utilize the existing  
5 area code until all numbers would be exhausted  
6 and then new numbers would receive the new  
7 area code. And I'm personally not aware of  
8 where a county government was given any  
9 exception so that it could continue to have  
10 the same area code for new numbers that it  
11 received. I'm not aware of that ever  
12 happening in the past.

13                   That is your question, correct?

14                   WITNESS HOLLAND: It may be  
15 unprecedented, but it seems to make sense.

16                   As an example, we added a fax line  
17 to the city manager's office just recently, so  
18 it's going to create a considerable amount of  
19 confusion if we have a different area code for  
20 a line in the very same office.

21                   Relative to the area code split, it  
22 appears to me that alternative three or  
23 alternative four would be viable for  
24 Kissimmee, possibly Osceola County.

25                   Alternative three would be the most

1 preferable because for the city of Kissimmee's  
2 purposes, particularly in terms of business  
3 transactions, we identify more closely with  
4 the Disney area and Orange County than we  
5 would with the East Coast.

6 And it appears in terms of your  
7 assumptions of how long these alternatives are  
8 going to last, alternative three does strike  
9 some kind of a balance with the amount of time  
10 that an overlay is going to last. So I know  
11 that is not real specific, but it does kind of  
12 give you our interest in terms of what Osceola  
13 County would prefer.

14 COMMISSIONER GARCIA: Let me ask  
15 you about alternative nine.

16 WITNESS HOLLAND: Well, obviously  
17 alternative nine is to Kissimmee's benefit,  
18 but in all fairness, it looks like the  
19 remainder whichever -- Area "A" looks like it  
20 doesn't fare too well.

21 COMMISSIONER GARCIA: So you are  
22 saying if we go with the geographic split, you  
23 want to stay identified with the Orlando area  
24 because you see yourself as -- that's part of  
25 your market.

1 WITNESS HOLLAND: That's correct.

2 CHAIRMAN JOHNSON: What did you say  
3 your preference is?

4 WITNESS HOLLAND: Alternative  
5 three.

6 What that allows us to do is  
7 continue to be identified with the Orlando  
8 area, but it doesn't split away the rest of  
9 Osceola County.

10 CHAIRMAN JOHNSON: Have you taken a  
11 position as far as overlay?

12 WITNESS HOLLAND: We have not taken  
13 an official position as to that.

14 COMMISSIONER JACOBS: Let me ask one  
15 question.

16 You indicated that your preference  
17 was to be identified with Orlando. Is it  
18 Orlando proper or most of the vacation areas  
19 in the southwestern part?

20 WITNESS HOLLAND: Orange County and  
21 southwest Orange County.

22 COMMISSIONER JACOBS: So your scope  
23 of interest is not so much the city proper.

24 WITNESS HOLLAND: That's correct.

25 COMMISSIONER JACOBS: Have you

1 looked at alternative seven?

2 WITNESS HOLLAND: Alternative seven  
3 appears to segregate Kissimmee and Osceola  
4 County from Orange, so I would suspect that  
5 that would not be a preferable alternative.

6 COMMISSIONER JACOBS: Thank you.

7 CHAIRMAN JOHNSON: Any other  
8 questions?

9 Thank you, sir.

10 - - -

11 STEVE HARRIETT  
12 was called as a witness on behalf of the  
13 Citizens of the State of Florida, and having  
14 been duly sworn, testified as follows:

15 DIRECT STATEMENT

16 WITNESS HARRIETT: Good morning,  
17 Madam Chairman and Commissioners.

18 I am Steve Harriett and I'm the  
19 chief deputy of the Seminole County Sheriff's  
20 Office in Sanford, Florida.

21 The Seminole County Sheriff's Office  
22 generally supports the overlay concept as an  
23 efficient and equitable means to expand the  
24 area code numbers.

25 As all of you are aware, Central



1 Florida has experienced a phenomenal growth  
2 rate. And, of course, this growth rate and  
3 the communication age are at phone exchanges  
4 and probably no relief is anticipated so the  
5 overlay concept will provide for a stable if  
6 somewhat permanent area code numbers for the  
7 established subscribers, and as a public  
8 safety agency, one who has educated and  
9 informed its service population of how to  
10 access us, it's important that we have  
11 stability and consistency; otherwise, if we  
12 are anticipating geographical splits every two  
13 years or three years, that would be disruptive  
14 and confusing for our service population.

15           So we would also anticipate an added  
16 expense of constantly changing stationary and  
17 business cards, and as part of our educational  
18 effort to encourage our citizens to utilize  
19 our services.

20           It seems reasonable as we transition  
21 into the 21st century that a ten-digit dialing  
22 scheme may be a reality as we grow in Central  
23 Florida, so it would just seem more efficient  
24 to implement the overlay concept, that is, to  
25 issue new area codes to new subscribers and

1 let the established customers maintain their  
2 consistency.

3 If the geographic split is to be,  
4 then the Seminole County Sheriff's Office is  
5 generally favorable of alternatives two or  
6 seven.

7 CHAIRMAN JOHNSON: Any questions?

8 COMMISSIONER GARCIA: Do you want to  
9 just -- if you don't mind, tell me why you  
10 favor alternatives two and seven?

11 WITNESS HARRIETT: Because I think  
12 it maintains -- if I assume it retains 407  
13 designations for Seminole County's benefit and  
14 from our own ownership from that  
15 identification.

16 COMMISSIONER GARCIA: Let me ask you  
17 about the confusion issue because of the  
18 different LATA boundaries and calling areas.

19 WITNESS HARRIETT: I think being a  
20 public safety agency, wanting to maintain a  
21 consistency for identity for the calling  
22 service population and they not have to be  
23 reformed or reeducated on how to contact us  
24 for our services.

25 COMMISSIONER GARCIA: Right. Thank

1 you.

2 CHAIRMAN JOHNSON: Any other  
3 questions?

55

4 WITNESS HARRIETT: Thank you very  
5 much.

6 CHAIRMAN JOHNSON: Thank you for  
7 your testimony.

8 - - -

9 ROGER COOPER  
10 was called as a witness on behalf of the  
11 Citizens of the State of Florida, and having  
12 been duly sworn, testified as follows:

13 DIRECT STATEMENT

14 WITNESS COOPER: Good morning.

15 My name is Roger Cooper. I am here  
16 to read a letter submitted from the Office of  
17 the City Manager for the City of Sanford dated  
18 August 6, 1998.

19 The City Manager's name is Tony  
20 VanDerworp.

21 The letter is addressed to Walter  
22 D'Haeseleer, Director, Division of  
23 Communications, Florida Public Service  
24 Commission, 2540 Shumard Oak Boulevard,  
25 Tallahassee, Florida, 32399-0850.

1 Dear Mr. D'Haeseleer: On July 27th,  
2 1998, the City Commission of the City of  
3 Sanford, Florida agreed by consensus to  
4 support the overlay concept in dealing with  
5 telephone number growth demands within the  
6 existing 407 area code geographical area.

7 Given the trend of exponential  
8 growth in demand for telephone numbers in  
9 Florida, we realize that continuing to  
10 subdivide numbering plan areas geographically  
11 and having to deal with it every few years  
12 will create an unnecessary burden on our city,  
13 its citizens, and its businesses.

14 In essence, without an overlay plan,  
15 we could be required to change our code, thus  
16 our telephone numbers, every few years.

17 Sanford supports the overlay as it  
18 will not divide or disrupt the greater Orlando  
19 marketplace of which Sanford is a part and  
20 will not require frequent changing of  
21 telephone numbers for the city, its citizens  
22 and its businesses.

23 We believe the overlay approach is  
24 the most realistic and user friendly method to  
25 address the public's increasing demand for

1 more telephone numbers as we move into the  
2 next century.

57

3 Please note that the City's  
4 recommendation for the overlay concept assumes  
5 no change in local calling areas or rates.

6 Sincerely, Tony VanDerworp, City  
7 Manager.

8 CHAIRMAN JOHNSON: Thank you,  
9 Mr. Cooper.

10 WITNESS COOPER: Do you want this  
11 letter?

12 CHAIRMAN JOHNSON: If we could, we  
13 will put that in the correspondence side of  
14 the record provided it is with  
15 Mr. VanDerworp's permission.

16 Any questions from the  
17 Commissioners?

18 COMMISSIONER GARCIA: Yes, I have a  
19 couple.

20 I understand that one of the reasons  
21 you support your overlay concept is because of  
22 the disruption that is caused by future  
23 geographic splits.

24 You do understand that the overlay  
25 is going to be -- it has a concerted period

1 itself in which there would have to be some  
2 other remedy at the end of expiration time.

3 For example, under assumption number  
4 one, it was indicated earlier with the overlay  
5 projected it would last 4.8 years. So even at  
6 the expiration of that, there can be  
7 essentially another overlay of another area  
8 and we would have three area codes within your  
9 area. Do you realize that?

10 WITNESS COOPER: I can't speak for  
11 the Commission, but I assume they do.

12 COMMISSIONER GARCIA: I'm not  
13 speaking for the Commission, but I assume  
14 someone in that area, if you had to pick a  
15 geographic, which one would you go for?

16 WITNESS COOPER: I would choose the  
17 overlay because I think dialing ten-digit  
18 numbers is inevitable. So if you had one  
19 additional overlay or two additional or three  
20 additional --

21 COMMISSIONER GARCIA: Let's say that  
22 wasn't one of the options.

23 If we only had geographic split,  
24 which one would you pick, the geographic  
25 splits that you have before you?

1           If you haven't studied it, that's  
2 fine. I understand you studied the overlay  
3 and that's fine.

4           WITNESS COOPER: Well, I think  
5 Sanford needs to be a part of the Greater  
6 Disney area.

7           COMMISSIONER GARCIA: Okay.

8           COMMISSIONER JACOBS: Okay. Which  
9 do you value greater, stability; i.e., keeping  
10 the same area code or connection with the  
11 Disney area? Which is more important to you?

12          WITNESS COOPER: I think to keep  
13 the greater, the same area code probably would  
14 not be a consideration because eventually you  
15 are going to have to try it anyway in some  
16 fashion.

17          COMMISSIONER JACOBS: Thank you.

18          CHAIRMAN JOHNSON: Thank you.

19          COMMISSIONER DEASON: One last  
20 question and I guess maybe a comment to some  
21 extent. You know, we are getting to see a  
22 pattern here. Everyone wants to be included  
23 with the Orlando area and I can certainly  
24 understand that.

25          We just had testimony from the city

1 of Kissimmee and they indicated that they  
2 wanted to be associated with that.

3 If there is going to be a geographic  
4 split though, I don't think there is any  
5 alternative which as both Sanford and  
6 Kissimmee as part of the Orlando area because  
7 the growth pattern is such that if you include  
8 more with the Orlando area, you are expecting  
9 to exhaust the new area code in less than two  
10 years. So I guess you understand the dilemma  
11 we are in.

12 WITNESS COOPER: Yes.

13 CHAIRMAN JOHNSON: Thank you, sir.

14 - - -

15 AL FASAMO

16 was called as a witness on behalf of the  
17 Citizens of the State of florida, and having  
18 been duly sworn, testified as follows:

19 DIRECT STATEMENT

20 CHAIRMAN JOHNSON: Would you state  
21 your name, please?

22 WITNESS FASAMO: My name is Al  
23 Fasamo, F-A-S-A-M-O.

24 CHAIRMAN JOHNSON: And your address?

25 WITNESS FASAMO: 109 Shadow Bay



1 Drive, Orlando.

2 CHAIRMAN JOHNSON: Thank you.

61

3 WITNESS FASAMO: I have been in the  
4 communication business for over 25 years and  
5 looked at the overlays on different boundary  
6 splits that have been presented to me.

7 I have a question about all the  
8 technicalities: If the Public Service  
9 Commission has looked at the possibility when  
10 you look at Central Orlando, and this area is  
11 tourism, every one of those hotels out on  
12 I-Drive and every one of those businesses out  
13 on I-Drive either have secondary lines or  
14 outbound trunks. They have 407 numbers as I  
15 do.

16 My question to you today is: Why  
17 isn't the Public Service Commission looking at  
18 the outbound trunks that will never receive an  
19 inbound call, they carry a 407 area code.

20 Use the split plan in a modified way  
21 that frees up 407, uses the new area code for  
22 outbound commercial which will never be  
23 called, therefore, extending the life of 407,  
24 and that would have minimal financial impact  
25 on the businesses in Osceola, Orange and

1 Seminole County.

2 I wrote down just a few notes here  
3 and I just want to make sure that I cover them  
4 all.

5 I think that's about it. I mean, I  
6 came to Florida in 1971. I remember going  
7 down to Disney on a local highway. The  
8 chance of seeing a hotel was very very  
9 unlikely. There was a tremendous amount of  
10 orange groves.

11 Today if you take a trip from  
12 downtown Orlando to Disney, you will probably  
13 go past 200,000 to 300,000 rooms. A small  
14 percentage of those numbers to those hotels  
15 are outbound calls and they could be changed  
16 to the new area code without disturbing any  
17 cellular users, pager users, and also being in  
18 the business for 25 years, I mean, they could  
19 have taken and maintained the 407 identity for  
20 secondary lines and it could be the new area  
21 code with a hunting feature, invisible to the  
22 caller, so we are able to maintain the 407  
23 area code for longer than the projected two  
24 years, and we also could better use and  
25 overlay the new area code for functions that

1 are not related to incoming calls.

63

2 Thank you.

3 CHAIRMAN JOHNSON: Thank you.

4 Any questions?

5 COMMISSIONER JACOBS: I am just  
6 intrigued. How do you envision accomplishing  
7 that kind of a scenario? Would you have any  
8 exceptions there or -- ?

9 WITNESS FASAMO: Well, in years gone  
10 by, I can remember where we used to install  
11 trunks into businesses and we would get a  
12 listed number, and the rest of the group would  
13 be terminals of the same number, okay?

14 So, therefore, from the balance  
15 perspective you could actually go in and  
16 change those outbound trunks, knowing that you  
17 are not going to get any incoming calls on  
18 them. It's invisible to the customer. In  
19 order for them to maintain that 407 presence,  
20 a lot of us could come in, identify which  
21 trunks are used for outbound calls only and  
22 change those numbers.

23 COMMISSIONER DEASON: Let me ask  
24 you: You have been in the telecommunications  
25 business for a long time. Maybe you can

1 educate me a little bit.

2 If there are outbound trunks that  
3 are not designed to have incoming calls, why  
4 were they ever assigned a telephone number to  
5 begin with?

6 WITNESS FASAMO: That's a very good  
7 question. I can show you many businesses that  
8 have second, third, fourth outbound trunks  
9 that do have telephone numbers assigned to  
10 them.

11 COMMISSIONER DEASON: That would  
12 have been done at a time when it was really  
13 not necessary to conserve numbers?

14 WITNESS FASAMO: That's absolutely  
15 correct. And we didn't do a real good job of  
16 conserving numbers.

17 COMMISSIONER GARCIA: Right, but  
18 don't -- the repeaters do need a number to  
19 use those systems. In other words, they don't  
20 need an area code or seven-digit number, but  
21 they need some type of ID for the central  
22 number to be able to place those other  
23 numbers?

24 WITNESS FASAMO: That is absolutely  
25 true as well.

1           When we look at the 911 issue that  
2           is going to be coming out very shortly, where  
3           businesses who have outbound trunks have to be  
4           able to get identified, they won't be  
5           identified by the telephone number. They will  
6           do that by codes to identify the location of  
7           the building rather than a telephone number  
8           associated with it.

9           COMMISSIONER GARCIA: I guess you  
10          also realize that part of the problem is the  
11          inefficiency that continues in distributing  
12          these numbers and some of the rules associated  
13          with central office distribution which we have  
14          hundreds and thousands of numbers out there  
15          beyond what you are talking about which are  
16          distributed to possible competitors, but we  
17          don't have competition, so as soon as they  
18          file in an area, we're caught up by -- I mean,  
19          federal rules -- force them to give them out  
20          in blocks of 10,000.

21          WITNESS FASAMO: When you look at it  
22          from a business perspective, I think what we  
23          have heard here today is maintaining their 407  
24          identity; therefore, if you were to free up  
25          those lines -- and I would hate to guess how

1 many there is out there --

2 COMMISSIONER GARCIA: Yes.

3 WITNESS FASAMO: -- you would at  
4 least maintain that 407 identity for many more  
5 years to come. And when a split is necessary  
6 the third time, I think that is less of an  
7 impact because it would be split even four to  
8 six or eight years from now.

9 COMMISSIONER GARCIA: Right.

10 CHAIRMAN JOHNSON: The suggestions  
11 with respect to how we can conserve numbers,  
12 Mr. Milby, do you have any reaction?

13 I know that the Administration is  
14 looking at some of those issues. Do you have  
15 any reaction to what Mr. Fasamo said?

16 MR. MILBY: I don't know the  
17 technicalities. I think one of the companies  
18 that service maybe could answer that and  
19 whatever would take place, that scenario.

20 CHAIRMAN JOHNSON: Okay. Thank you.

21 I didn't want to put you on the spot.

22 Maybe our legal counsel -- do we  
23 have flexibility in this proceeding to look at  
24 some of those with respect to conserving  
25 numbers?

1 MR. COX: The number of conservation  
2 issues, the number of pooling issues, those  
3 are all raised in the testimony of the parties  
4 and we will more than likely discuss that in  
5 the technical hearing.

6 CHAIRMAN JOHNSON: Perhaps we could  
7 powwow this gentleman.

8 MR. COX: Okay.

9 CHAIRMAN JOHNSON: And have some  
10 additional questions for him.

11 Thank you, sir. We appreciate your  
12 testimony.

13 - - -

14 PAT MCGUFFIN

15 was called as a witness on behalf of the  
16 Citizens of the State of Florida, and having  
17 been duly sworn, testified as follows:

18  
19 DIRECT STATEMENT

20  
21 WITNESS MCGUFFIN: Good morning. I  
22 am Pat McGuffin and I am a home owner in the  
23 Apopka area and also a business owner in the  
24 Apopka area.

25 CHAIRMAN JOHNSON: Sir, could you

1 spell your name and give your address?

2 WITNESS MCGUFFIN: Sure. McGuffin,  
3 M-C-G-U-F-F-I-N.

4 I know you have a hard decision to  
5 make and I certainly don't envy you.

6 Basically what I am going to do  
7 today is just speak in favor of keeping at  
8 least Orange and Seminole County together.

9 I know we have heard a lot of  
10 testimony and initially, with all due respect  
11 to those, there were some comments that had  
12 the splits according to rate centers and  
13 technical issues that I am not able to speak  
14 on, but I am going to speak on something  
15 called life issues.

16 The flow of Apopka is toward  
17 Altamonte Springs or Orlando.

18 It is part of Orange County. And  
19 that is the way business goes. That's the way  
20 people go to church. If they don't go in  
21 Apopka, they certainly go to Orlando, school  
22 system that way, business system that way.

23 I have -- in my past career, I  
24 started as president and publisher of nineteen  
25 newspapers with a quarter of a million



1 circulation a week, and in starting that in  
2 the metropolitan area, one of the things we  
3 had to decide was where to draw the  
4 boundaries. And we tried to draw boundaries  
5 in the metropolitan area according to life  
6 flow.

7           Where does business come from in a  
8 given area?

9           Where do people go to church?

10          Where do they go to school?

11          How does the traffic flow?

12           And we looked at those issues on  
13 determining where the boundaries we were going  
14 to put up for these nineteen newspapers,  
15 separate newspapers, in the metropolitan  
16 area. And those are what I call life issues.  
17 They are not technical, I realize that, they  
18 do affect political boundaries, but those are  
19 key issues that need to be addressed, and I  
20 just respectfully ask the board to consider  
21 not just the technical aspects of where rate  
22 zones and rate boundaries are, but how does  
23 life flow into the area?

24           And certainly in northwest Orange  
25 County, it flows toward Orlando and toward

1 Altamonte Springs.

2 And I certainly -- you know, one of  
3 the questions that is going to be brought up,  
4 having sat in and listened, to which area do  
5 we favor, alternative we favor, I would favor  
6 two or seven. So I thought I would let you  
7 know that.

8 COMMISSIONER GARCIA: How do you  
9 feel about the overlays?

10 WITNESS MCGUFFIN: Well, I'm not in  
11 favor, in general, of the overlay for a few  
12 reasons.

13 Most on the board of the Apopka  
14 Chamber, you will hear from our executive  
15 director shortly, about how they recruited  
16 businesses, if you will, to come to the area  
17 for a long time. I'm a publisher of the  
18 Apopka Chief Newspaper, so I have a lot of  
19 interest in northwest Orange County. I have  
20 helped a lot of businesses grow in that realm,  
21 and I think that it would be very awkward on  
22 our austere economic development committee to  
23 have someone come into Orange County to want  
24 to put a satellite office in Central Florida.

25 Okay. Now, we are in Orange

1 County.

2 Where do I want my employees to  
3 live?

71

4 Well, you can live anywhere you  
5 want.

6 I mean, Orange County is great,  
7 Seminole County is great.

8 By the way, part of Orange County  
9 and Apopka, that's in another area code.

10 You know, that's going to be rough.  
11 I think quite frankly it devalues our home  
12 values.

13 Now, if the move because life flows  
14 toward Orlando and Altamonte Springs, a heavy  
15 devaluation of homes; I also think from the  
16 business perspective, business opportunities.

17 Let's take again the incoming  
18 businesses.

19 Where are you going to locate your  
20 business?

21 In a different area code in the same  
22 county?

23 In a different area code to  
24 Orlando?

25 I don't think so.

1 I think quite frankly the plans that  
2 don't include Apopka as part of Orange County  
3 render us impotent. We aren't able to grow as  
4 a residential community, which we used to be a  
5 stand-alone community.

6 Probably what you used to do years  
7 ago would have been okay with us, but we have  
8 truly become a bedroom community for Orlando,  
9 the Altamonte area. A lot of people work in  
10 that area. And so, you know, from that  
11 perspective, incoming business --

12 COMMISSIONER GARCIA: Can I ask you  
13 another question opposite of what I have asked  
14 everyone else?

15 If we only -- if we were looking at  
16 not leaving you within the 407 code, would you  
17 then favor an overlay?

18 If we couldn't draw it in a way that  
19 would keep you within the same area code that  
20 Orlando is going to be in, would you then  
21 think it's best to go with an overlay?

22 WITNESS MCGUFFIN: As opposed to?

23 COMMISSIONER GARCIA: As opposed to  
24 a geographic split, would you --

25 WITNESS MCGUFFIN: Well, yes, I --

1                   COMMISSIONER GARCIA:    We could go  
2 with 207 is what I'm saying.  Then you think  
3 an overlay would be better?

4                   WITNESS MCGUFFIN:    Well, I would  
5 think that would be --  certainly that would  
6 be the best of the least acceptable options.

7                   COMMISSIONER GARCIA:  Right.

8                   WITNESS MCGUFFIN:  But I do feel,  
9 you know, if you look at different things,  
10 there are reasons and lifestyles that have  
11 been built around political boundaries.

12                   Just take us as being a part of  
13 northwest Orange County.  We are a large land  
14 area and we have built a life.  People have  
15 moved to that area feeling that they are a  
16 part of the metro Orlando area.  They have  
17 brought their business to Central Florida or  
18 in that area.

19                   COMMISSIONER GARCIA:  You can  
20 imagine the people from Kissimmee and see  
21 those life flows similarly from another angle.

22                   WITNESS MCGUFFIN:  Well, I think  
23 this has to do with the business that I own,  
24 and I certainly say probably the areas I do  
25 business in are Orange, Seminole and Osceola

73

1 County. Those are the three areas.

2 But if you have to make a judgment  
3 call contrary to what people may like, I would  
4 keep the Orange-Seminole flow together. I  
5 mean, even when you look at the -- I can't  
6 speak from the standpoint of any of the board,  
7 but where did Orlando Magic place their  
8 training facility?

9 They placed it in the northern end  
10 of town. That's where their season ticket  
11 holders are. They are in Seminole and Orange  
12 County.

13 So I would keep those two counties  
14 together. There are a lot of studies I think  
15 you can do to say where are the primary  
16 political life-flow issues, be it church,  
17 business, residential?

18 And just going back to my experience  
19 of having to set boundaries on where to put  
20 newspapers, I try to look at issues other than  
21 just the technical and we have parameters here  
22 of where lines are and where billing areas  
23 are, but in the greater context, we are all  
24 here to serve people.

25 And I am not here speaking only for

1 myself and my business, and I certainly would  
2 appreciate your considerations on what I call  
3 life flow boundaries rather than just  
4 technical boundaries.

5 CHAIRMAN JOHNSON: Any questions?

6 Thank you, Mr. McGuffin.

7 We are going to take a short  
8 five-minute break for the benefit of our court  
9 reporter.

10 We are about halfway through, but we  
11 will stand in recess for five minutes.

12 (Short recess taken)

13 CHAIRMAN JOHNSON: We will go back  
14 on the record.

15 Could you call the next public  
16 witness?

17 - - -

18 ANDY GARDINER

19 was called as a witness on behalf of the  
20 Citizens of the State of Florida, and having  
21 been duly sworn, testified as follows:

22 DIRECT STATEMENT

23 WITNESS GARDINER: I am Andy  
24 Gardiner. My last name is spelled  
25 G-A-R-D-I-N-E-R.

1           There are a couple of things I had  
2 wanted to touch on this morning.

3           If you all could turn to alternative  
4 one just for a reference.

5           There is something missing in this  
6 map that I think is very relevant to our  
7 discussions here, and I don't think it's  
8 deliberate, but I think it's important to  
9 point it out.

10           I-4 -- people in Orlando refer to it  
11 as the I-4 corridor -- comes right down  
12 through Seminole County, touches Winter Park,  
13 through Orlando. Highway 441 is just west of  
14 I-4, through Apopka, up into Lake County.

15           One road that I hope has been  
16 discussed is that presently they are building  
17 a major highway in Apopka referred to as the  
18 Western Beltway that will tie into the entire  
19 expressway system down near Windermere-Winter  
20 Garden area, and eventually into the Florida  
21 Turnpike.

22           And the reason I mention this is I  
23 know there is a lot of discussion about the  
24 technical aspects of this in a geographical  
25 split, but what we at the Apopka Chamber and



1 Apopka area are very interested in is to  
2 consider the economic split.

3 And when you take into consideration  
4 the roads, State Road 441 and the impact the  
5 Western Beltway is going to have on Apopka,  
6 any plan that removes Apopka from the rest of  
7 Orange County and Seminole County, in our  
8 opinion, would be detrimental to the economics  
9 of the Apopka area.

10 I dropped off on everybody's desk a  
11 letter from the mayor of Apopka, Mayor Lane.  
12 It's very brief, and he also supports the idea  
13 of keeping Apopka which is part of Orange  
14 County in the 407 area code.

15 As I mentioned with the Western  
16 Beltway, economically Apopka is closely  
17 aligned with Orlando. 441 connects us to  
18 Orlando, the Western Beltway is being built  
19 for a quicker access to the Orlando area.  
20 When we promote Apopka, that is the corridor  
21 that we talk about. We talk about the fact  
22 that, yes, we have our own business community  
23 that is thriving, but we also are in close  
24 proximity to the Orlando area.

25 On this map you have Seminole

1 County. You have Sanford. What is missing  
2 which is very important is Altamonte Springs.  
3 Apopka -- Altamonte Springs is considered  
4 Seminole County, but Apopka and Altamonte  
5 Springs flow together.

6 If you have ever driven 436 which  
7 connects Altamonte Springs and Apopka, there  
8 is really no difference between the two. They  
9 flow together. There is no break. There is  
10 no large open land. It's all one big area.

11 It's simpler with Orlando, to, as  
12 with the rest of Orange County, to come down  
13 441 into Orlando from Apopka. It's all one  
14 flow.

15 We are very concerned about anything  
16 that would take us out of that. To be quite  
17 honest, some of the split plans that lump us  
18 into simply Seminole County or some of the  
19 others. The ones we are opposed to are 3, 4,  
20 5, 6, 9, 10, a split. We're not giving you  
21 many options there, but in your --

22 CHAIRMAN GARCIA: (Interposing) You  
23 are for which ones?

24 WITNESS GARDINER: Really the split  
25 plan number two we view most ideal for us

1 because it takes into consideration --

2 COMMISSIONER GARCIA: I assume  
3 number seven would be your second best choice?

4 WITNESS GARDINER: Well, the  
5 problem with number seven is that it doesn't  
6 take into consideration the Windermere area.

7 COMMISSIONER GARCIA: Okay.

8 WITNESS GARDINER: I think that is  
9 the difference between number seven and number  
10 two.

11 COMMISSIONER GARCIA: All right.

12 WITNESS GARDINER: That ties into  
13 that Western Beltway corridor that is being  
14 built presently and will be done within two  
15 years.

16 If you look at -- knowing the road  
17 system of the area, East Orange County,  
18 Oviedo, has absolutely exploded. It is  
19 probably one of the reasons you are here  
20 because of the amount of growth that has come  
21 to that area.

22 The Western Beltway that's being  
23 built in Apopka is the exact same road and  
24 same velocity behind the Greenway that went  
25 into Oviedo.

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And when the freeway is built, that area has taken off. They have just built a new mall out there, Oviedo Marketplace. The amount of roads is just tremendous.

They are predicting the same type of road for the Apopka area. As a chamber, we represent close to 600 businesses in that area. We are very interested not only what the Western Beltway is going to do for us, but also the close association with Seminole County and the rest of Orange County.

One of the commissioners brought up schools.

If you go with the plan that takes Apopka out of -- a split plan that would take Apopka out of the rest of Orange County, our parents in our community would have to dial a separate area code to call the Orange County Public School System.

To dial the school board, they would have to dial a separate area code for that.

That causes us a tremendous amount of concern.

Just so you demographically are familiar with the Apopka area, presently we

1 are 25,000, but it's anticipated in the next .  
2 ten years it is going to double. A lot of  
3 that has to do with that Western Beltway we  
4 have discussed.

5 The northwest Orange County that  
6 Apopka is a major part of it, but there is  
7 also unincorporated Orange County. You are  
8 looking at a population of about 122,000 in  
9 the next ten years. That's going to double.  
10 We want to stay a part of that 407, and if  
11 there is any changes, we want to stay with  
12 Orange County, specifically Orlando, and the  
13 Seminole County area, Altamonte Springs.

14 I think that's very important to  
15 remember. That's why I point out the roads,  
16 yes, there are geographical splits, but there  
17 is also economic splits to take into  
18 consideration.

19 COMMISSIONER DEASON: I have a  
20 question.

21 Which telephone exchange does  
22 Altamonte Springs fall into, or does it?

23 WITNESS GARDINER: Well, I think if  
24 you get up into -- and that's why Sanford --  
25 we don't really have a specific connection

1 with Sanford. I couldn't tell you right now  
 2 if I had to dial 407 right now to dial  
 3 Sanford, but Altamonte Springs, you don't.

4 And that's our connection between  
 5 Altamonte Springs and Apopka, is that it's  
 6 just one community.

7 COMMISSIONER DEASON: Is it with the  
 8 Winter Park telephone exchange, Altamonte  
 9 Springs?

10 WITNESS GARDINER: I believe so,  
 11 yes.

12 COMMISSIONER DEASON: You believe  
 13 so.

14 CHAIRMAN JOHNSON: Any other  
 15 questions?

16 Thank you for your testimony.

17 WITNESS GARDINER: Thank you.

18 CHAIRMAN JOHNSON: Our next speaker.

19 - - -

20 BOB MILBURN  
 21 was called as a witness on behalf of the  
 22 Citizens of the State of Florida, and having  
 23 been duly sworn, testified as follows:

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 25 DIRECT STATEMENT

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WITNESS MILBURN: My name is Bob  
Milburn.

I live at 1921 Taylor Avenue in Winter Park,  
and I have been a businessman in the area for  
over 35 years.

I feel the single overlay is by far  
the simplest for business people who are  
responsible for the production of letterheads  
and stationery and business cards and many  
other things.

We went through this with 305, and  
it was a tremendous upheaval, and I realize  
it's necessary, but I don't think we should  
have to go through it again. So I believe the  
overlay is by far the best effort and the  
simplest for all of the businesses in the  
location affected.

COMMISSIONER GARCIA: Let me ask a  
quick question. You have heard me ask it.

If you have overlay as an option,  
which of the plans do you think make the most  
sense?

WITNESS MILBURN: Seven or two.

COMMISSIONER GARCIA: Okay.

1 CHAIRMAN JOHNSON: Any other  
2 questions?

84

3 Thank you.

4 WITNESS MILBURN: Thank you.

5 COMMISSIONER CLARK: Madam Chairman,  
6 I don't have any questions, but I think it was  
7 Witness Foley who has mentioned that ten-digit  
8 dialing for all of North America is being  
9 looked at. And when Mike comes on the stand,  
10 we can maybe get an answer through that  
11 discussion about ten-digit dialing and the  
12 conclusion of it.

13 I think if that is still under  
14 discussion as something that will come, I  
15 would like to know if it's going to be sooner  
16 or later because that would certainly have an  
17 impact on what we do here.

18 CHAIRMAN JOHNSON: Thank you.

19 - - -

20 JOHN McREYNOLDS

21  
22 was called as a witness on behalf of the  
23 Citizens of the State of Florida, and having  
24 been duly sworn, testified as follows:

25 DIRECT STATEMENT



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2 WITNESS McREYNOLDS: Madam Chair,  
3 Members of the Commission, I apologize for  
4 being out of the room when I was called and  
5 thank you for your letting me come up now.

6 My name is John McReynolds.

7 I'm the head of governmental affairs  
8 for Universal Studios in Florida, and I wanted  
9 to talk to you a little bit about the  
10 uniqueness of the marketplace, the uniqueness  
11 of being a multi-day destination which we are  
12 currently growing into, and how this would be  
13 affected by the decisions you are making here  
14 today, if I can.

15 As you may or may not be aware --

16 COMMISSIONER GARCIA: Mr.  
17 McReynolds, just so I can get you in context,  
18 where are you on the map?

19 WITNESS McREYNOLDS: We are located  
20 in the -- actually right on the border of the  
21 City of Orlando and Orange County.

22 COMMISSIONER GARCIA: Well, give me  
23 borders.

24 South? North? West?

25 WITNESS McREYNOLDS: Well, we would

1 be down I-4 towards the Orlando -- Orange  
2 County going down towards the Osceola area.

86

3 COMMISSIONER GARCIA: So the borders  
4 would be southeast?

5 WITNESS McREYNOLDS: Southwest.

6 COMMISSIONER GARCIA: All right.

7 Thank you.

8 WITNESS McREYNOLDS: As you may or  
9 may not be aware, we are currently in the  
10 middle of a \$3 billion expansion.

11 Quite honestly, we are going from  
12 about 6,000 employees to about 18,000 or  
13 20,000 employees in the next twelve to  
14 twenty-four months, and we are -- probably one  
15 of the reasons why we are here discussing this  
16 issue, as we and others who are here, we are  
17 in the midst of this growth, so we thank you  
18 for the opportunity for a solution.

19 If we discuss what the industry is  
20 looking at today, and where we are today  
21 versus where we are tomorrow, the idea of an  
22 overlay quite honestly troubles us because we  
23 are going from a single-day destination to a  
24 multi-day destination. And I can't stress  
25 that enough, that the difference from anywhere

1 else you see in this country versus what we  
2 have in Orlando is people come to an area,  
3 they come to a geographical spot, whether it's  
4 the Universal area or the Disney area, and so  
5 forth, and are going to spend multiple days.

6 We have multiple corporations in a  
7 multiple place; i.e., with Universal you are  
8 going to have two theme parks, 5,500 hotel  
9 rooms at five or six hotels, that are being  
10 done in partnership with other entities; i.e.,  
11 the Loew's Corporation, and so forth.

12 You are going to have a City Walk  
13 complex which is going to be a partner in all  
14 different types of entertainment outlets with  
15 Universal Studios, and our worry is as we  
16 continue to grow, how do we retain the  
17 identity and make it easy for the visitor?

18 And easiness is important for the  
19 visitor since we have done our polling data  
20 that says simplicity is a key to a good  
21 vacation experience for the international and  
22 the domestic visitor.

23 Our worry is as we bring hotels on  
24 line and as some of our partners on the  
25 I-Drive area bring other things on line, it's

1 going to confuse the visitor to be having  
2 multiple ten-digit numbers or area included  
3 when they could be on the same Universal  
4 property.

5           Now, there is discussion about  
6 portability, there is discussion about  
7 overlays eventually happening and ten-digit  
8 area codes, ten-digit numbers happening all  
9 over the country, and we will say it's fine,  
10 we will be glad to deal with that when it  
11 happens, but to use Orlando as a marketplace  
12 to initiate this approach before other  
13 municipalities do around the country, means  
14 that the visitors who are normally not in that  
15 environment will come to Orlando and going to  
16 have to do something that they are not used to  
17 doing in their own home cities.

18           So this is one of the few times when  
19 I would say the City of Orlando and the whole  
20 Central Florida area, I guess we would urge  
21 that this be the one time that we are not the  
22 leader in something. In fact, we should let  
23 some of these issues come to fruition before  
24 we have to go through and educate our own  
25 visitors on how to make connections in our

1 property or from Universal over to I-Drive or  
2 from I-Drive down to Kissimmee.

3 We feel that even if we have to  
4 revisit this issue in a couple of years, which  
5 very well may have to happen, it is important  
6 to keep an identity, because what we are  
7 doing, we are creating an identity.

8 We are getting different areas,  
9 geographical locations within Central Florida  
10 and specifically within Orange County that are  
11 again multiple-day destinations and people  
12 will congregate around those areas, and to  
13 create any confusion about geographical  
14 locations for the visitor means quite honestly  
15 that some businesses might get hurt.

16 In other words, if you have some at  
17 the I-Drive area looking in a telephone book  
18 and they are used to a single area code, they  
19 see an area code different from where they are  
20 staying, a restaurant in another location,  
21 they are going to be confused about where that  
22 place is and they are automatically going to  
23 skip and go somewhere else that they think is  
24 closer to their hotel or closer to them, when  
25 in fact, that new restaurant may be just two

1 or three blocks down the road.

2 So again, simplicity is the key for  
3 visitation and we would urge you to consider  
4 that in your decision.

5 COMMISSIONER GARCIA: Now, giving us  
6 that background, tell us which one you think  
7 is simplest.

8 WITNESS McREYNOLDS: Well, we are  
9 sort of fortunate because as you have heard  
10 today, everyone wants to be attached to Orange  
11 County, and being in Orange County, we would  
12 like to assume it's us, but we realize there's  
13 other players in the marketplace as well.

14 As we look at these splits, quite  
15 honestly there is -- obviously the overlay we  
16 do not favor at this time.

17 When you look at the single or the  
18 split locations, quite honestly you have heard  
19 some of Orange County, you have heard Osceola,  
20 and Orange County -- I guess we would urge you  
21 to look at the numbers and the assumptions  
22 that you all have performed. One is going to  
23 be the time periods because we would prefer  
24 not to have to deal with this situation again  
25 simply a year or two from now.

1           As long as you keep Orange County  
 2 intact, which is where most of the vendors and  
 3 so forth come, you know, geographically, right  
 4 around the service locations of Universal and  
 5 others, it would be our preference.

6           I know there are others in the  
 7 industry, tourism industry, that have  
 8 mentioned the alternative four, which is  
 9 Orange and Kissimmee and so forth.

10           We would not be adverse to that, but  
 11 again, the key is to keep the tourism, tourism  
 12 corridor together if at all possible, which  
 13 again is southwest Orange County.

14           Obviously the preference is to keep  
 15 the Universals and the Sea Worlds and the  
 16 Disneys so forth in the same geographical  
 17 split.

18           CHAIRMAN JOHNSON: Any other  
 19 questions?

20           Thank you for your testimony. I can  
 21 say I appreciate your comments about keeping  
 22 it simple for the tourism industry. As a  
 23 consumer, I was in L.A. a week or so ago, and  
 24 I was the trying to contact a friend of mine,  
 25 and I was in three different area codes,

1 paying thirty-five cents a pop.

2 It is an issue and we are very  
3 sensitive to that issue to the extent that we  
4 are looking for solutions, but the solutions  
5 are becoming fewer and fewer.

6 WITNESS McREYNOLDS: Well, we  
7 appreciate the hard decisions you are going  
8 through, and again, we would just urge that  
9 even if we have to address this a few years  
10 from now, for Orlando with the dependency on  
11 tourism and the Osceola markets to take a  
12 lead, prior to a lot of other areas going  
13 through the same decisions, means that we have  
14 got to educate our guests that this is like  
15 one community.

16 Thank you very much.

17 CHAIRMAN JOHNSON: Thank you.

18 - - -

19 CLAY PHIPPS  
20 was called as a witness on  
21 behalf of the Citizens of the State of  
22 Florida, and having been duly sworn, testified  
23 as follows:

24 DIRECT STATEMENT

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WITNESS PHIPPS; My name is Clay Phipps. That's C-L-A-Y P-H-I-P-P-S.

I reside in Orlando. I believe the information is on my page.

Chairman Johnson and members of the commission, I am a four-generation Florida native with a bachelor's degree and serious graduate work in computer science; thus, I am one of these people that are at least in theory responsible for the need for relief in the area code in this area.

A couple of procedural matters first.

I checked the Public Service Commission website. While it's nice to have it voiced by the internet, it would be very nice to get the very simple things from the internet.

For instance, as of two days ago there was no press release announcing this hearing. There was no meeting announcement in any kind of plain text. It may have been there in Adobe Acrobats, but that really is demanding too much for people to have software just to find information like where the

1 hearing is being held, and when it's being  
2 held.

3 And there was also no agenda in  
4 plain text. In fact, I don't even -- I can't  
5 guarantee -- I can't even assume with  
6 confidence that the material was in Adobe  
7 Acrobat format, because your press releases I  
8 think were no more recent than May.

9 You must have had a summer recess  
10 and I assume there were things warranting  
11 press releases since then. That is something  
12 for the Commission to look into.

13 So without any information on the  
14 web, I looked at the Orlando Sentinel this  
15 morning to learn the time.

16 I assume using common sense, if this  
17 commission is genuinely interested in  
18 benefiting from the input, of course, the  
19 hearing would not be in the middle of the  
20 working day where people would have to take  
21 time off from work or sneak away from work to  
22 participate in this process.

23 I urge the Commission to reconsider  
24 this work week, middle of the day scheduling.

25 If I had known that I would be

1     testifying at lunch time, that would have been  
2     great, but, of course, the way things work,  
3     you come at the beginning and when your name  
4     is called, it's pretty much a whim of fate or  
5     a shuffling order by the Chairman.

6             Although I should caution you that I  
7     am as a result of expecting to get some sleep  
8     before this hearing, I'm running on zero sleep  
9     from last night. I did it as a concession to  
10    the -- I did at least shave before I walked  
11    over here.

12            Technical issues, as this  
13    background, I think you need to keep in mind  
14    that this area, the only thing that is really  
15    politically considered better than growth is  
16    faster growth. Thus, the assumption two as  
17    far as the relief periods or duration of  
18    relief is really speculation, a notion, that  
19    is, I understood what I thought I heard. That  
20    you said the rate of growth being a constant,  
21    which I think even that is implausible. I  
22    think it should be increasing, that you  
23    actually have a rate of growth decreasing  
24    after the year 2000.

25            COMMISSIONER GARCIA:     No, the

1 assumption is that the distribution of numbers  
2 will change, not necessarily that -- I think  
3 they still take into account the rapid growth  
4 of the area, but the way that numbers are  
5 given to competitors in the field will change,  
6 and thereby create -- the NXXs will last  
7 longer, in other words, will be distributed  
8 more efficiently, not that there will be less  
9 people coming into the area. I think both  
10 formulas take growth as a given. It is simply  
11 a question of how it's going to be  
12 distributed.

13 CHAIRMAN JOHNSON: Maybe to explain  
14 this a little bit. I think they are  
15 anticipating that they will pass some  
16 conservation measures and have them in place  
17 and that numbers won't be used as rapidly  
18 because they are working on -- "they" being  
19 the North American Numbering Council -- coming  
20 up with new and improved conservation methods.

21 WITNESS PHIPPS: Given that there  
22 is only so much you can do with digits, that  
23 certainly would indicate --

24 COMMISSIONER GARCIA: Sort of like  
25 the comments the gentleman made about PBX,

1 sort of like the comments that I made in terms  
2 of competitors.

3           When a competitor enters the central  
4 office in today's world, they are given --  
5 before they put out number one, they are given  
6 10,000 numbers, I think. They get a whole NXX  
7 number and that's what it means to be able to  
8 work. Most of those are -- fill those  
9 numbers rather quick, but that's the way the  
10 system works now and I think what -- maybe  
11 you would like to speak on that for a second,  
12 but that is where they are trying to change,  
13 some of those patterns in terms of how these  
14 numbers are distributed.

15           WITNESS PHIPPS: I figured with the  
16 amount of sleep that I have had, it might go  
17 over my head.

18           I would be interested in learning  
19 more about it in the future and I'm not sure.  
20 It seems like it might be even somehow out of  
21 the scope of this hearing.

22           One thing that was admitted here  
23 that seems to be lost in all the news media  
24 accounts is that area code relief is not a  
25 one-time thing, but it's a repeating need.

1                   Although you can provide tidy  
 2 explanations for overlays now, that is, these  
 3 are all new numbers. As relief is needed  
 4 subsequently and for some of these last times,  
 5 relief was surprisingly short in number of  
 6 years, that issue, if you were to go with the  
 7 early scheme, rather quickly you lose the tidy  
 8 explanations of which area code you are  
 9 dealing with.

10                   Well, let's see. My uncle doesn't  
 11 have the new overlay. He has the overlay  
 12 before that.

13                   I don't think that is something that  
 14 is convenient for the public. I suspect it's  
 15 not good for -- particularly advantageous for  
 16 business, and I just think we need to  
 17 emphasize -- it needs to be emphasized that  
 18 this is not a one-time permanent solution.  
 19 It's something that needs to be addressed  
 20 again and again.

21                   The key, I guess, to the overlays as  
 22 a public convenience is it's immediately and  
 23 always inconvenient. Once it is put in place,  
 24 you immediately have to use ten-digit phone  
 25 numbers, and you always have to use them.

1           By contrast, if you do a geographic  
2 split, you will have the inconvenience once.  
3 You reprint your letterhead or business cards  
4 or you -- and have a stamp made that you can  
5 stamp over the area code with the new area  
6 code as you see people do, and then you are  
7 back to your usual seven-digit dialing. And I  
8 think that's  
9 immediately -- it's a pain and an  
10 inconvenience, and this occurs exactly once,  
11 perhaps repeated every five or so years, but  
12 after that, it's a fact and inconvenience  
13 people are accustomed to, and in that context,  
14 it bothers me somewhat to hear the conflict  
15 between overlays and splits presented as a  
16 problem of education.

17           Perhaps I misunderstood because of  
18 my lack of sleep, but I feel a little  
19 condescended to when something that is clearly  
20 inconvenient, permanently inconvenient, is  
21 explained to me like, "Well, you just need to  
22 be educated about it."

23           I don't accept that.

24           Finally, I guess technically, I  
25 would also welcome an explanation as may not

1 be precisely the right form as to why it is  
 2 that the phone companies seem to be sponsoring  
 3 overlays.

4 I would really like an explanation  
 5 in some proper form of why that is not simply  
 6 the technically lazy and financially lazy  
 7 approach to the solution, because that's the  
 8 way it looks to me.

9 Therefore, with my position made  
 10 clear, I believe the Commission made the wrong  
 11 decision under area code relief for metro  
 12 Miami, it made the wrong initial decision for  
 13 the Tampa Bay area.

14 I believe the Commission made the  
 15 right final decision to the Tampa Bay area.

16 Now, the Chairman mentioned Los  
 17 Angeles.

18 Indeed, Los Angeles is a horrible  
 19 case where you don't even know which phone  
 20 book to reach for dangling from the phone --  
 21 what used to be a phone booth in olden times.

22 And I lived for 16 years in the San  
 23 Francisco area, they now have five area codes,  
 24 and I was within -- I dealt with most of them  
 25 on a fairly regular basis. They are set up



1 geographically and are easily understood.

2 I think there is an excellent model  
3 there for Florida, as was done in Tampa Bay,  
4 what the Commission did there, should be a  
5 precedent for the rest of the state for area  
6 code relief and not the solution approved by  
7 the Commission for the Metro Miami area.

8 In fact, as area code relief is  
9 repeatedly applied, unless there are some  
10 magical solutions, I believe the Commission  
11 should consider monoscale geographic  
12 adjustments.

13 For example, the gentleman from, I  
14 forget, Deland or DeBary, mentioned that his  
15 city was split into two areas.

16 It's not at all clear to me why the  
17 boundary in that vicinity wasn't the St.  
18 John's river in the first place. If you live  
19 in that region, you should know which side of  
20 the St. John's River you are on, and that  
21 should tell you what area code you are on.

22 I see some potential for some  
23 readjustments; likewise, as the St. John's  
24 River flows -- well, actually it flows north  
25 from Brevard into the Seminole-Volusia County

1 border. I don't understand why there should  
2 be a large notch there, and perhaps that's  
3 something that as, if you follow the splits,  
4 which I hope the Commission will, I feel it  
5 will become more and more important to have --  
6 when you have multiple area codes, they are  
7 usually understood, and therefore they should  
8 remove the serious artifacts of what might  
9 have been -- seemed to be an extremely  
10 sensible regulatory decision at the time.

11 I guess in contrast to the  
12 statements made by the man from Deland or  
13 DeBary, which I thought were eminently  
14 sensible, I have heard some rather astonishing  
15 statements here this afternoon.

16 The statement regarding the concern  
17 for public safety.

18 Well, the key to public safety  
19 service is 911 as far as I can imagine. Any  
20 overlays versus certain geographic splits  
21 would not affect how a person dials 911. It's  
22 still those three digits, I trust.

23 As far as providing nonemergency  
24 services to the rest of the county, if all of  
25 Seminole County is in one area code, whatever

1 it happens to be and whoever they are aligned  
2 with, there will be no issue of area code  
3 changes for calls made by residents within  
4 that county. After all, some residents of the  
5 county that the public safety (inaudible) hold  
6 the county responsible to, and those are the  
7 people you are going to be getting the calls  
8 from.

9           So they won't need to use an area  
10 code for dialing within the county if the  
11 county is intact as far as being placed in a  
12 single area code.

13           And there is perhaps a hidden hazard  
14 regarding the overlays that were favored by  
15 that speaker.

16           As the county grows in population,  
17 as generally in this region the business  
18 people tend to promote, at some point the  
19 county will be moving into larger and grander  
20 offices, and that would suddenly put them most  
21 likely into new overlay area, so they will  
22 have new numbers because they will probably  
23 have more people working for them in the  
24 larger and grander county office building and  
25 you just won't be able to keep the old phone

1 numbers.

2 I believe the principle, the  
3 fundamental principle on this should be that  
4 area codes not produce surprises.

5 You ought to be able to come in  
6 advance of your area code if you know where  
7 you are.

8 I spent -- as far as how it should  
9 be split up, I spent my adolescence here in  
10 Orlando. Our Boy Scout troop went camping  
11 near St. Cloud, which you see on the map,  
12 Osceola County.

13 We went to St. Cloud because it was  
14 so far from everything. As far as we were  
15 concerned, as a scout troop based in downtown  
16 Orlando, Osceola County and St. Cloud and  
17 Kissimmee were the wilds.

18 The areas we had some sort of  
19 cultural thinking with were Orlando, Altamonte  
20 Springs, and so on.

21 So I urge the Commission to keep  
22 Orange and Seminole county together as entire  
23 counties in the area code.

24 The alternatives set forward that I  
25 prefer and I think make the most sense for

1 these counties are alternatives two and seven.

2 So I believe that -- I thank you for  
3 your indulgence of what may be perhaps my less  
4 than best speaking ability day, and I guess if  
5 there aren't any questions, then I thank you  
6 for your time.

7 CHAIRMAN JOHNSON: Any questions?

8 COMMISSIONER GARCIA: I will talk to  
9 you after we finish. I am interested about  
10 how we can improve our webpage from someone  
11 who is computer literate because we have had  
12 some comments, so if you don't mind.

13 WITNESS PHIPPS: Certainly.

14 COMMISSIONER GARCIA: Thank you.

15 CHAIRMAN JOHNSON: Do you have any  
16 questions for him?

17 I do have a couple comments to make  
18 and ask some questions.

19 And again we appreciate your  
20 comments that you made with respect to the  
21 information that we provide because we do need  
22 to provide updated information.

23 Commissioner Garcia has been on top  
24 of that issue, so if you talk to him, that  
25 will be helpful.

1           You make a point about informing and  
2           educating the public, and I might have missed  
3           your point.

4           You said -- I know that you state  
5           that if we go into ten-digit dialing, that  
6           that will be inconvenient, but I didn't  
7           understand the point that you were making  
8           about make the educational value or what we  
9           should do in that regard.

10           WITNESS PHIPPS:       Well, it seems to  
11           me that you were suggesting that we will  
12           accept something that's really fundamental and  
13           palpable if we are simply educated about it.

14           COMMISSIONER GARCIA:   You are  
15           talking about distinguishing it from ten-digit  
16           dialing?   Is that what you are saying?

17           WITNESS PHIPPS:       It's the notion  
18           that I thought the particular Commissioner was  
19           attempting to convey was that, well, like it.  
20           If we are educated, we will like it.   Sort of  
21           like, you know, we will eat this spinach and  
22           we are going to educate you about how  
23           wonderful it is and all these fine nutrients,  
24           and you are going to like it once we get you  
25           educated about it.

1 CHAIRMAN JOHNSON: I see your point.  
2 The education and information issue  
3 didn't go to the inconvenience issue because  
4 it will be inconvenient, but it went to just  
5 that, information.

6 We had customers wanting to know if  
7 it was going to cost more money now that we  
8 dial a ten-digit number. They don't  
9 understand this process.

10 What will the pricing be?

11 Will our extended area of service  
12 still be the same?

13 Those are the kind of things that we  
14 would hope to -- and understanding, when will  
15 this take place?

16 Will it be next month?

17 Will it be a year from now?

18 Will there be a transition?

19 Those are the kinds of issues that  
20 the Public Service Commission will try to  
21 focus on to the extent that we go with an  
22 overlay.

23 WITNESS PHIPPS: The fairest terms  
24 or charges issue is certainly -- tends to be  
25 very murky in the way this is presented in the

107

1 press, and, of course, historically, there has  
2 been this association that new area codes is  
3 long distance by definition and cross area  
4 codes is long distance charges by definition,  
5 and it apparently doesn't quite work that way,  
6 and, indeed, that is sort of something that  
7 people -- the possibility that it could be any  
8 different just perhaps doesn't occur to them.

9 CHAIRMAN JOHNSON: And on the other  
10 issue, the issue of the time of the hearing,  
11 we hold it at six o'clock and people say,  
12 "After work, I have to come home and feed my  
13 kids."

14 We did yesterday's at six o'clock  
15 and today's at ten. We try to accommodate as  
16 many people as we can, but it's just a very  
17 difficult thing to do.

18 And I really appreciate your coming,  
19 too, especially after staying up all night.

20 Your comments have been excellent  
21 and well taken. Thank you.

22 WITNESS PHIPPS: Thank you.

23 COMMISSIONER GARCIA: Madam  
24 Chairman, I may suggest, and I just want to  
25 get it on the record, because of the media



1 interest that there has been here today, you  
 2 may find that there are going to be numerous  
 3 persons who want to speak to this.

4           You may want to for our own  
 5 edification in the future, maybe create  
 6 another day for the  
 7 Orlando -- there always is so much interest  
 8 from the media and I assume after this runs in  
 9 today's news, there are going to be other  
 10 people that are going to want to comment to  
 11 you, so you may want to locate some day in the  
 12 future before we make a final decision on this  
 13 to take a little more customer testimony maybe  
 14 even through videoconferencing, not  
 15 necessarily to come here again, but I would  
 16 imagine that the type of interest that has  
 17 been shown today, that we may have to do that.

18           CHAIRMAN JOHNSON: Yes, I think that  
 19 is something that we will discuss and have to  
 20 consider.

21           I had at least two from the media  
 22 express that customers do want to be more  
 23 involved and they are trying to get the  
 24 information out to the customers, and to the  
 25 extent that we can come up with solutions,

1 before and after the vote to make sure that  
2 they understand what is happening in their  
3 area, we will endeavor to do that.

4 WITNESS PHIPPS: Madam Johnson,  
5 just one other point -- Clay Phipps for the  
6 record on this -- in the Tampa Bay area code  
7 relief issue, I did a lot of reading before  
8 the hearings and I did contact the Commission  
9 on this, and there seemed to be no notion of a  
10 deadline for written comment from the public,  
11 and I -- certainly my experience is not in  
12 this particular public arena, I think there is  
13 generally a presumption that you have a  
14 certain number of days after the last hearings  
15 to submit your comments and have it fully  
16 considered, whether it's, you know, two weeks  
17 or thirty days or whatever, and that's not  
18 clear -- at least in my thinking, it's not  
19 clear as to what the deadline would be, so I  
20 believe even if it is intended to be the date  
21 of the last hearing, I believe it should be  
22 explicitly stated so the people can either  
23 find out, great, I have still got time, or  
24 expletive deleted, I'm too late.

25 CHAIRMAN JOHNSON: Good suggestion.

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Thank you.

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PETE EDWARDS

was called as a witness on behalf of the  
Citizens of the State of Florida, and having  
been duly sworn, testified as follows:

DIRECT STATEMENT

WITNESS EDWARDS: Good afternoon,  
Madam Chairman.

My name is Pete Edwards. I  
represent here today the St. Cloud Greater  
Osceola Chamber of Commerce, so we do feel  
like we pretty much own Osceola County.

Representing that area though, and  
although we recognize if you look at different  
plans, that they are all basically relatively  
short-term type of deals, and if we take a  
look at the benefits of the overlay, we still  
are here today to propose that we would prefer  
at this time to consider one of the splits.

And it obviously goes without saying  
we would like to keep the area code 407, 407  
with Orlando being part of the 407. That's  
going to be part of this presentation and it

1 will be short.

2 We think it's very important  
3 that -- we have gone through a history in  
4 Osceola County being split by almost  
5 everything.

6 I mean, we are a smaller town,  
7 140,000-plus people, and it seems like in the  
8 Legislature and everywhere when there is a  
9 split, we're the one that gets gerrymandered,  
10 so we are going to speak up for ourselves and  
11 ask that we can be able to keep our entire  
12 county together, whichever way we go.

13 Obviously for us we think that the  
14 option that makes the most sense is for us to  
15 be attached to Orange County.

16 It's a little bit about what you  
17 heard from Universal Studios, because the bulk  
18 of this massive tourism industry of ours  
19 borders on Orange and Osceola County, and we  
20 think that it's important to keep that  
21 tourism, that district is what it amounts to,  
22 together.

23 Some of the most significant things  
24 that will be happening in Central Florida in  
25 the next few years having to do with the

1 tourism industry are going to happen right  
2 along that border. Most of us are very  
3 familiar with what is happening with growth at  
4 Disney and Universal Studios.

5 In Osceola County, the World Expo  
6 Center which is now approved will be the  
7 largest exhibition of this type in the world,  
8 2.4 million square feet of space.

9 It will have a large -- it will have  
10 a more significant impact on tourism in  
11 Central Florida than does the Orange County  
12 Convention Center. It's going to be a massive  
13 project.

14 Just down the street from that,  
15 approval now before the County Commissioners  
16 on property for the Opryland Hotel.

17 It will be another massive tourism  
18 impact in our immediate area. And some of the  
19 things that have been left out of here, the  
20 expansion of the international airport is not  
21 only going to be expanding Orange County, but  
22 the impact with sort of entrances into Osceola  
23 County, access to 407, we are going to have an  
24 incredible impact in that area from the  
25 international airport expansion.

1                   We find ourselves to be, you know,  
2 with the life movement that we have heard  
3 about from other folks surrounding the Orange  
4 County area, we see the tourism industry as a  
5 very important part of our economic base.

6                   We are a bedroom community for  
7 Orange County for all of those jobs, and  
8 obviously Disney kind of straddles the border  
9 with us, so we think it is very important to  
10 us to keep those together.

11                   Our preferences in the splits then  
12 would be -- our first choice would be number  
13 three, that keeps us together, and our second  
14 choice would be number seven and our third  
15 choice would be number two.

16                   We also in looking at your -- I  
17 hadn't received this sheet until I arrived  
18 here today, but on that sheet, each of those  
19 splits, at least in our area, there would be a  
20 significant amount of time before we need to  
21 be explaining that area code, which again I  
22 think is very important for our tourism  
23 industry because actually thinking when I  
24 heard the gentleman from Universal speaking,  
25 how often did I kind of relate a particular

1 area code to a geographic area that I am going  
2 to vacation in, and all of us know how  
3 important tourism is to the economy in Central  
4 Florida.

5 Now, of particular interest to us  
6 would be to be oppose plans four and nine, so  
7 those two are the least favored.

8 As I sit down, I share with you,  
9 though I am the president of the Chamber of  
10 Commerce of St. Cloud, I also am an Osceola  
11 County, one of their political hackers,  
12 president of the Osceola County School Board,  
13 so I know exactly where the five of you are in  
14 trying to decide how to divide up the baby.

15 We find this regularly in  
16 redistricting children, the difference is ours  
17 are probably going to be a little more  
18 emotional than yours would be, but just as  
19 important, so I know what you're going through  
20 in trying to make this decision.

21 Any questions for us in St. Cloud?

22 COMMISSIONER GARCIA: Mr. Edwards,  
23 you said you were president of the Chamber of  
24 Commerce?

25 WITNESS EDWARDS: Yes, sir.

1 COMMISSIONER GARCIA: St. Cloud,  
2 Greater Osceola. We represent more of the St.  
3 Cloud, Eastern Osceola County.

4 COMMISSIONER GARCIA: And obviously  
5 your least favorite is four, nine, and your  
6 favorite is three, seven, and two, and I guess  
7 the overlay would be somewhere between those  
8 two extremes -- your favorite or least  
9 favorite?

10 WITNESS EDWARDS: That's true.

11 CHAIRMAN JOHNSON: Any questions?  
12 Thank you for your testimony. We  
13 appreciate it.

14 WITNESS EDWARDS: Thank you very  
15 much.

16 CHAIRMAN JOHNSON: That being the  
17 last witness who signed in, are there any  
18 other members of the audience who did not sign  
19 in to testify who might testify today?

20 Seeing none, I want to thank you for  
21 coming out today. We have enjoyed the public  
22 testimony that we have received. It will be a  
23 part of the record that we use as the basis  
24 for our final decision.

25 We are going to stand in recess



1 before starting the technical part of our  
2 hearing. We are going to reconvene at one  
3 o'clock.

4 (Short recess)

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1 AFTERNOON SESSION  
2 TECHNICAL HEARING

118

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5 CHAIRMAN JOHNSON: We will go back  
6 on the record and start the technical portion  
7 of our hearing.

8 Counsel, were there any preliminary  
9 matters?

10 MR. COX: Yes, Madam Chairman, there  
11 are several preliminary matters. Just one  
12 moment.

13 The official recognition list, if  
14 anyone would like a copy, it is on the podium  
15 here in front.

16 The first item is the official  
17 recognition list and the staff.

18 We ask that it be marked exhibit one  
19 and with the parties in agreement, and seeing  
20 no objection, we ask that it be received at  
21 this time.

22 CHAIRMAN JOHNSON: It will be marked  
23 as exhibit one with a short title "Official  
24 recognition list," Docket No. 980671-TL, and  
25 it will be admitted without objection.

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(The exhibit referred to above was marked as Exhibit 1 for Identification, and received in Evidence)

MR. COX: Chairman Johnson, I do have one additional order I would like to include as number eight, and that is the FCC order issued in July, regarding the New York waiver petition involving overlays, and we would like to have this -- I was just made aware of it yesterday -- and I will give that to the court reporter as well.

CHAIRMAN JOHNSON: And would you describe it?

MR. COX: I'm sorry. It's New York, waiver of petition, it's FCC Order No. 98-1434, issued July 28, 1998.

COMMISSIONER GARCIA: What is that order for?

MR. COX: I believe there was an issue, and I think Chairman Johnson is aware of the issue.

They were having a problem -- let me see if I can do my best to summarize this -- they requested an expedited waiver of a

1 ten-digit dialing department, and there was  
2 some problem with that and with the overlay.

3 CHAIRMAN JOHNSON: Was that  
4 granted, the waiver?

5 MR. COX: I believe the request was  
6 denied.

7 CHAIRMAN JOHNSON: Was it?  
8 That was issued yesterday?

9 MR. COX: No. I'm sorry. I found  
10 out about it yesterday. It was issued before  
11 that.

12 CHAIRMAN JOHNSON: Okay. Thank you.  
13 We will add that to exhibit one and take  
14 official recognition of all of the issues  
15 stated in exhibit one, and that exhibit has  
16 been admitted for the record.

17 The next one?

18 MR. COX: The next one is an  
19 exhibit proffered by the staff. Everyone  
20 should have a copy.

21 It's "Current EAS and ECS Routes for  
22 the 407 Area Code." And it is I.D. No. AS-1.

23 This information basically details  
24 the dialing patterns in the 407 area code.

25 The companies did verify this

1 information and it was prepared using the  
2 Commission's cost statistics.

3 We move it into the record at this  
4 time.

5 CHAIRMAN JOHNSON: I.D. AS-1 will be  
6 marked and received into evidence as number  
7 two.

8 (Exhibit 2 marked and for  
9 Identification and Received in Evidence.)

10 MR. COX: Just a couple of brief  
11 preliminary matters.

12 I think most people are aware that  
13 Mr. Milby, one of the North American Numbering  
14 administrators, is here to testify today. He  
15 is not represented by an attorney as are the  
16 companies, but with the parties' agreement and  
17 stipulation, he will be allowed to go into  
18 some of his testimony, and will then be  
19 available for cross-examination by the  
20 attorneys and the Commission and the  
21 Commission staff.

22 CHAIRMAN JOHNSON: Okay.

23 MR. COX: Again, we have maps. If  
24 anyone wants to reference the maps, we do have  
25 those available at the podium.

1           The only thing left that I have is  
2 the parties' stipulation regarding the  
3 testimony.

4           CHAIRMAN JOHNSON: That's it?

5           Should we proceed with the  
6 stipulation?

7           MR. COX: I think so.

8           CHAIRMAN JOHNSON: The first witness  
9 we have listed is Mr. Milby.

10          MR. COX: I was thinking we could  
11 proceed with the stipulation and then take up  
12 with Mr. Milby.

13          CHAIRMAN JOHNSON: Was his testimony  
14 going to be stipulated also?

15          MR. COX: I didn't think it was.

16          CHAIRMAN JOHNSON: Okay.

17          MR. COX: It will be stipulated  
18 that it be inserted into the record because he  
19 doesn't have an attorney, but as far as him  
20 being cross-examined, I believe that those who  
21 want to cross-examine could do so.

22          CHAIRMAN JOHNSON: So should we  
23 start with Allen Benson, BellSouth?

24          MR. COX: We need to have the  
25 stipulation approved that we insert in their

1 testimony.

2 CHAIRMAN JOHNSON: All of them?

3 MR. COX: Right.

4 CHAIRMAN JOHNSON: Okay. So you  
5 would take all of the witnesses and have all  
6 of the testimony stipulated as read?

7 MR. COX: Correct.

8 CHAIRMAN JOHNSON: Is there a motion  
9 to do that?

10 COMMISSIONER CLARK: I move we  
11 accept that stipulation and accept the  
12 testimony as read.

13 COMMISSIONER JACOBS: Second.

14 CHAIRMAN JOHNSON: The motion  
15 carries.

16 BellSouth, on your exhibits, you  
17 have some changes.

18 MS. KEYER: Yes, Mary Keyer from  
19 BellSouth Telecommunications.

20 Mr. Benson's exhibit which has been  
21 marked as AAB-1 to his testimony, his direct  
22 testimony, we did have a problem, an updated  
23 version of that that we would like to submit.

24 And the only other thing I would  
25 like to note is in Mr. Benson's testimony, he

1 indicated that we were the administrator, but  
2 as of the end of July, that went to Lockheed  
3 Martin. So that's the only difference there  
4 from his testimony.

5 CHAIRMAN JOHNSON: And all of the  
6 parties stipulate to the filing of the  
7 testimony of all of the witnesses, including  
8 the change to Mr. Benson's testimony?

9 MR. MELSON: That's fine, Chairman  
10 Johnson.

11 MCI would like to cross-examine  
12 Mr. Miller.

13 CHAIRMAN JOHNSON: Okay. So they  
14 will show all of the testimony, including that  
15 as revised by Mr. Benson and will be inserted  
16 into the record.

17 MR. MELSON: Does that include the  
18 exhibits as well?

19 CHAIRMAN JOHNSON: Yes.

20 MR. MELSON: And have them inserted?

21 CHAIRMAN JOHNSON: Yes, we are going  
22 to do the exhibits separately.

23 MR. MELSON: Okay.

24 CHAIRMAN JOHNSON: And since we have  
25 moved them all together, the testimony goes



1 in, and the exhibits go in separately.

2 So that all the testimony goes in  
3 without objection and will be inserted into  
4 the record as though read, and the exhibits  
5 come in separately.

6 The first exhibit I will identify is  
7 exhibit number three, it is EWM-1, that is  
8 Mr. Milby's exhibit.

9 Any objections to moving that  
10 exhibit into the record?

11 (No objections were raised)

12 CHAIRMAN JOHNSON: Show that it was  
13 admitted.

14 (Exhibit No. 3 was identified  
15 and received in evidence)

16 CHAIRMAN JOHNSON: The next one is  
17 AAB-1. That has been revised. So we will  
18 show it revised AAB-1, identified as exhibit  
19 four and received without objection.

20 (AAB-1, revised, marked and received  
21 in evidence as Exhibit No. 4)

22 CHAIRMAN JOHNSON: The next is TCF-1  
23 identified as exhibit five. That's  
24 Mr. Foley's exhibit.

25 Any objection to that?

1                   Hearing no objection, it will be  
2 admitted into the record as read.

3                   (Exhibit No. 5 marked for  
4 Identification and received in Evidence)

5                   The next is a composite exhibit  
6 RTH-1, identified as exhibit six, that's  
7 Mr. Merrick's exhibit.

8                   COMMISSIONER GARCIA: RPM-1.

9                   CHAIRMAN JOHNSON: RPM-1?

10                  COMMISSIONER GARCIA: Yes.

11                  CHAIRMAN JOHNSON: Identified as  
12 six.

13                  Any objection to that being  
14 admitted?

15                  It will be admitted without  
16 objection.

17                  (Mr. Merrick's exhibit, RPM-1, was  
18 marked for Identification and received in  
19 Evidence.)

20                  Any other outstanding exhibits other  
21 than the ones that I have just listed?

22                  Now we have all of the testimony  
23 inserted into the record, and the exhibits,  
24 including the revised BellSouth exhibit.

25                  Any other preliminary matters?

1 MR. COX: I don't have any.

2 CHAIRMAN JOHNSON: Okay.

3 Mr. Milby?

4 And the way that we are situated  
5 here, unfortunately, you will have to stand at  
6 the microphone, and I believe that counsel do  
7 have questions -- oh, you have microphones.

8 Sir, are you going to ask questions?

9 MR. MELSON: I'm sorry. I thought  
10 the witness was going to give a summary first.

11 CHAIRMAN JOHNSON: Well, you can  
12 come forward and ask your questions, but you  
13 need to be in front of the witness.

14 If all the witnesses, including  
15 those we already worked on and stipulated, if  
16 you could stand?

17 (The witnesses were sworn in by  
18 Chairman Johnson)

19 CHAIRMAN JOHNSON: Thank you.

20 You may be seated.

21 You can begin with your summary.

22 (Prefiled statement inserted  
23 commencing at top of next page)

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1  
2 DIRECT STATEMENT

3 OF

4 WAYNE MILBY  
56 WITNESS MILBY: I have nothing else  
7 to add other than what was in the document  
8 testimony.

9 CHAIRMAN JOHNSON: Quick summary.

10 MR. O'ROARK: Let me try it from  
11 here if that would be okay.12 Mr. Milby, my name is D. O'Roark  
13 from MCI. I understand you are not  
14 represented by counsel here today.15 If I ask you anything that is  
16 unclear, please feel free to ask me to  
17 rephrase the question and I will try my best  
18 to do so.19 I have only a few questions for you  
20 today.21 I understand that there are  
22 approximately 7.92 million numbers in the 407  
23 area code, is that right?

24 MR. MILBY: That's correct.

25 MR. O'ROARK: Can you tell us about

1 how many of those are being used today?

2 MR. MILBY: We have no records what  
3 the utilization is of the numbers, only the  
4 NXX schedules.

5 MR. O'ROARK: So can you tell us  
6 whether it was above or below 50 percent?

7 MR. MILBY: I have no records.

8 MR. O'ROARK: Would you agree with  
9 me that under-utilization of the numbers is a  
10 major factor in what brings us here today?

11 MR. MILBY: I don't think I can  
12 express an opinion on that.

13 MR. O'ROARK: Do you have any  
14 opinion as to whether sequential number  
15 signing will increase the utilization rate?  
16 And that's the low numbers.

17 MR. MILBY: No, again, as a neutral  
18 party, I am not to express any opinions on  
19 things that could be construed to support one  
20 plan or another.

21 MR. O'ROARK: So you have no opinion  
22 today as to number pooling or any other  
23 conservation measure?

24 WITNESS MILBY: Again, those  
25 conservation issues were not part of the

1 relief proceedings and I can't express an  
2 opinion on the conservation issues.

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3 MR. O'ROARK: Mr. Milby, did you at  
4 least describe what they are, the factors in  
5 when expressing your opinion, whether they are  
6 good or bad?

7 COMMISSIONER DEASON: The concept  
8 that he's asking you about, what is it?

9 WITNESS MILBY: That there are many  
10 possible types of conservation and different  
11 companies have very strong positions about  
12 them.

13 MR. O'ROARK: Could you tell me  
14 what number pooling means, and how it works?

15 WITNESS MILBY: Number pooling,  
16 there's a couple possibilities under  
17 consideration that I know of in number  
18 pooling.

19 One is 1,000 blocks pooling which  
20 will allow assignment of the codes in blocks  
21 of 1,000 to different entities versus the  
22 10,000 that's required today.

23 Also under consideration is the  
24 possibility of an individual number pooling,  
25 which would mean that individual numbers would

1 be assigned to anybody.

2 MR. O'ROARK: Do you know what  
3 sequential number assignment is?

4 MR. MILBY: I'm not sure what is  
5 meant by that term.

6 MR. O'ROARK: Let me tell you what I  
7 understand it to mean.

8 I understand it to mean the  
9 assignment of numbers sequentially within  
10 1,000 number blocks so that someone who took  
11 an NXX would have to go through those 1,000  
12 numbers at a time rather than drawing from all  
13 10,000 numbers at once.

14 Is that a concept you are familiar  
15 with?

16 WITNESS MILBY: That sounds like  
17 1,000 blocks pooling.

18 MR. O'ROARK: Okay.

19 And then are you familiar with rate  
20 center consolidation?

21 Can you tell us about that?

22 WITNESS MILBY: Okay. I can't  
23 express any opinion about that. I would just  
24 say combining rate centers together.

25 COMMISSIONER GARCIA: How does that

1 produce savings? How does that produce  
2 savings when you combine rate centers, of  
3 numbers?

4 WITNESS MILBY: Under the existing  
5 plan today, if a service provider wants to  
6 provide service in the rate center, they have  
7 to have a code.

8 Today they have to assign a code of  
9 10,000 numbers, so if the rate centers were  
10 combined, they would have to assign 10,000  
11 numbers.

12 COMMISSIONER GARCIA: Thank you.

13 MR. O'ROARK: Mr. Milby, just a  
14 couple more questions.

15 In your testimony you refer to the  
16 industry consensus in favor of the overlay.

17 The industry is not unanimous on  
18 that, is it?

19 WITNESS MILBY: That's correct.

20 MR. O'ROARK: There are at least a  
21 couple of carriers that oppose the overlay?

22 MR. MILBY: Yes. The consensus  
23 process does not have to have unanimity. I  
24 believe in the minutes there were, I think,  
25 three carriers who made statements for the



1 record that weren't in favor of the consensus.

2 MR. O'ROARK: Thank you.

133

3 I have no further questions.

4 CHAIRMAN JOHNSON: Thank you.

5 Any other questions?

6 Anything from any of the other

7 parties?

8 Does the staff have questions?

9 MR. COX: I have a couple questions.

10 I'm Will Cox, Commission staff.

11 Now, when you submitted your  
12 petition to the Commission for its approval of  
13 the industry consensus, what was the predicted  
14 exhaust date of the existing 407 area code?

15 WITNESS MILBY: When I sent in the  
16 initial information letter to the industry,  
17 the exhaust was the fourth quarter of 1999.

18 These projections of exhaust have  
19 been made by the incumbent code administrator  
20 at the time which was BellSouth.

21 At the time we sent out the IPDs to  
22 the industry, it had been re-projected to the  
23 third quarter of 1999.

24 There is an annual code, utilization  
25 survey, that is done once a year and that was

1 not available at the time we had this meeting,  
2 but it has been made available since and it's  
3 on the website, but the exhaust shown there is  
4 the first quarter of 2000.

5 COMMISSIONER DEASON: So that is  
6 the current prediction?

7 WITNESS MILBY: Yes.

8 MR. DEASON: I'm sorry. You  
9 mentioned the third quarter of 1999 and the  
10 first quarter of 2000.

11 What's the difference?

12 WITNESS MILBY: Well, it's three  
13 months' difference.

14 COMMISSIONER DEASON: Well, I  
15 understand what the difference is.

16 WITNESS MILBY: I'm sorry.

17 (Laughter)

18 WITNESS MILBY: I'm a little bit  
19 hesitant to speak on this because BellSouth  
20 made these projections, so I'm not sure if I  
21 should be speaking about them or whether they  
22 should.

23 COMMISSIONER DEASON: Well, just  
24 tell me in simple terms what the  
25 projection -- the third quarter of 1999, what

134

1 projection that is, what it's based upon, and  
2 the first quarter of the year 2000, what that  
3 projection is based upon.

4 WITNESS MILBY: Okay. If BellSouth  
5 doesn't object, I can give you my  
6 understanding.

7 COMMISSIONER DEASON: I am not  
8 asking you to express an opinion whether it's  
9 a good projection or a bad projection. Just  
10 tell me what it is.

11 WITNESS MILBY: Okay. What I am  
12 concerned about is, I can tell you the method  
13 as I understand it, that BellSouth used to  
14 make this projection, but they would have to  
15 verify it.

16 The method as I understand it was  
17 each month they take the number of codes  
18 assigned that month, and use a six-month  
19 rolling history, so they take the past six  
20 months of codes as they are assigned, the  
21 number assigned each month, they would project  
22 that straight line into the future and come up  
23 with the exhaust date. So each month when you  
24 get the number of codes assigned in the  
25 current month, you add that and drop off the

1 oldest month, and so in each month you can  
2 come up with a different projection.

3 That's not saying -- that's hearsay.

4 I have nothing to exactly establish that's  
5 the way they do it. That's my understanding.

6 You can come up with your projection  
7 results each month as you have the number of  
8 codes that have been assigned.

9 COMMISSIONER DEASON: And what is  
10 your opinion as to when the exhaust will take  
11 place?

12 WITNESS MILBY: Okay. NANPA just  
13 took over code assignment just last week, so  
14 at this point we have no records to be able to  
15 make any kind of a projection of exhaust. The  
16 latest that is available would be the last one  
17 that BellSouth did.

18 CHAIRMAN JOHNSON: So as of now, you  
19 are relying upon the BellSouth number as the  
20 exhaust date, officially?

21 WITNESS MILBY: Yes.

22 CHAIRMAN JOHNSON: And that's what  
23 you would recommend that we rely on at this  
24 point in time?

25 WITNESS MILBY: At this point,

1 that's the only thing that's available.

2 CHAIRMAN JOHNSON: Now, do you  
3 anticipate over the next several months you  
4 may be coming out with something else or do we  
5 rely upon this?

137

6 WITNESS MILBY: Normally speaking,  
7 this is done once a year to come up with  
8 projections. BellSouth refined that to be  
9 able to project it on a monthly basis, so I  
10 guess things change so drastically from one  
11 year to the next.

12 At this point, it would probably be  
13 next year before NANPA would come up with a  
14 projection on an annual basis.

15 CHAIRMAN JOHNSON: Thank you.

16 COMMISSIONER CLARK: We have heard  
17 testimony today that Universal is putting in a  
18 huge project.

19 My question is: Do you know if  
20 there is a projection of the utilization of  
21 codes?

22 Is there any analysis done of  
23 potential growth that may be different from  
24 historical growth?

25 WITNESS MILBY: NANPA would have no

1 information of the utilization of codes. That  
2 would be confidential information that each of  
3 the companies have.

138

4 COMMISSIONER CLARK: So I need to  
5 ask the companies?

6 WITNESS MILBY: Yes.

7 COMMISSIONER CLARK: Okay.

8 CHAIRMAN JOHNSON: Would you explain  
9 to me this procedurally?

10 What is the process and what is your  
11 organization's involvement in coming up with  
12 some methodology or forming some criteria for  
13 the conservation issue, conservation numbers?

14 What is your exact involvement?

15 How will that work?

16 WITNESS MILBY: No, NANPA would not  
17 come up with a conservation issue.

18 The North American Numbering Council  
19 has established the inroad, the number  
20 resources compensation working group, I  
21 believe it is, to work on national  
22 conservation issues, and I believe they are  
23 expected to report on September 23rd, and are  
24 supposed to detail how at least some of the  
25 conservation issues could be implemented by

1 the fourth quarter of 1999.

2 CHAIRMAN JOHNSON: Okay. So it  
3 would be through the North American Numbering  
4 Council, that work group, that I would receive  
5 this information?

6 WITNESS MILBY: Yes.

7 COMMISSIONER JACOBS: Did I see some  
8 sworn testimony that there is a software  
9 upgrade that is timed with that report,  
10 anticipated as well?

11 There is some software numbering  
12 allocation that's necessary to go from the  
13 10,000 allocation down to the 1,000  
14 allocation.

15 I'm not sure whose testimony that  
16 was. Are you familiar with that at all?

17 WITNESS MILBY: That report is  
18 supposed to include something concerning 1,000  
19 blocks.

20 COMMISSIONER JACOBS: Okay.

21 MR. COX: Referring to exhibit three  
22 here today, and these are attachments to your  
23 direct testimony, please refer to exhibit two,  
24 attachment B, attachment six -- attachment  
25 six, towards the end is probably the best way

1 to identify it.

2 I believe this attachment contains  
3 information as of April 10, 1998, the number  
4 of --

140

5 CHAIRMAN JOHNSON: What are you  
6 referring to, Mr. Cox?

7 MR. COX: Attachment six. It's the  
8 spreadsheet type report. The top of it says  
9 initial planning document or 407 alternatives.

10 And it goes through, I believe --

11 CHAIRMAN JOHNSON: The number of  
12 pages?

13 WITNESS MILBY: Is that at the  
14 bottom of the page?

15 MR. COX: Yes.

16 CHAIRMAN JOHNSON: All right.

17 MR. COX: Page 32 is correct.

18 Could you explain exactly what  
19 information is contained in this document,  
20 generally speaking?

21 WITNESS MILBY: Okay. Under the  
22 column number of codes the time of the  
23 submission of the document, that was the  
24 number of curves that had been assigned at  
25 that time for each rate center.



1 MR. COX: What is the purpose of  
2 this document?

141

3 WITNESS MILBY: The purpose of this  
4 document is to prepare a document when the  
5 industry is going to come together and pool  
6 their responsibilities to prepare this  
7 document and have certain suggested  
8 alternatives for the industry to consider, and  
9 then for them to add any additional ones that  
10 they desire.

11 So the document is set up to take  
12 the projected growth data at the time prepared  
13 by BellSouth, and essentially it took it on a  
14 straight line into the future.

15 The document is set up so you can  
16 project this into the future and then you can  
17 take any alternative and calculate the life  
18 for each area.

19 MR. COX: Now, since -- now, since  
20 the time you submitted this, do you have  
21 updated information regarding this  
22 information, the numbers (reading from  
23 document) in the 407 area code?

24 WITNESS MILBY: The document that  
25 BellSouth I believe has submitted is the

1 latest information on the codes.

2 MR. COX: So BellSouth would have  
3 the most recent up-to-date and not NANPA at  
4 this time?

142

5 WITNESS MILBY: NANPA essentially  
6 assumed responsibility last week. There are  
7 pending requests. Sixteen codes have not been  
8 assigned.

9 MR. COX: So if we wanted to update  
10 the information, we would have to ask  
11 BellSouth for that, is that correct?

12 WITNESS MILBY: Yes. I believe it's  
13 in the exhibit already.

14 MR. COX: Yes, I believe it is.  
15 Okay.

16 The last question is regarding  
17 attachment five, just in front of that exhibit  
18 on page 31, page 31, attachment five.

19 It's the percentage of workers  
20 commuting to places of work outside the county  
21 of residence.

22 WITNESS MILBY: Yes.

23 MR. COX: This document I guess is  
24 used in the planning process which arrived at  
25 the industry consensus?

1           WITNESS MILBY: This was during the  
2 industry meeting. This information came from  
3 the University of Florida. It was just  
4 provided for the industries' information as  
5 they made their decision.

6           MR. COX: So it was prepared by the  
7 University of Florida. Okay.

8           WITNESS MILBY: Yes.

9           MR COX: Did the NANPA Commission  
10 prepare it, or they were just -- how was this  
11 information obtained?

12           WITNESS MILBY: I purchased a  
13 booklet they issued.

14           MR. COX: Do you know how current  
15 this information is or when it was compiled?

16           WITNESS MILBY: Well, I can't see  
17 that date. I believe it's within the past  
18 year. I don't see the date on this though.

19           MR. COX: Okay.

20           WITNESS MILBY: Right here.

21           MR. COX: I believe it says forecast  
22 1997 at the bottom.

23           WITNESS MILBY: Yes, I don't have  
24 the original book with me. It's about an inch  
25 thick.

143

1 MR. COX: Thank you.

2 CHAIRMAN JOHNSON: Questions from  
3 the Commissioners?

144

4 COMMISSIONER GARCIA: You have been  
5 talking about the possible number of  
6 conservations or on a national level going to  
7 ten-digit dialing.

8 Do you have any information to  
9 provide us on that? I don't want opinions. I  
10 just want general information on how that's  
11 proceeding and where that's proceeding.

12 WITNESS MILBY: I do not have any  
13 current information on how that's proceeding.

14 COMMISSIONER GARCIA: Do you  
15 understand that to be occurring anywhere?

16 Is there some group meeting to  
17 consider whether the nation should go to  
18 ten-digit dialing?

19 WITNESS MILBY: I do not have any  
20 information on it. That doesn't mean it  
21 doesn't exist.

22 CHAIRMAN JOHNSON: So you haven't  
23 gotten the information that the North American  
24 Numbering Council might be considering that  
25 issue?

1                   WITNESS MILBY: I just don't have  
2 that information. It's possible they are.

3                   COMMISSIONER CLARK: Madam Chairman,  
4 I guess I want to ask you a question. Do you  
5 know if they are considering that?

6                   CHAIRMAN JOHNSON: Yes, I know that  
7 is a proposal that's been on the table. And  
8 in fact, some staff has been working at a  
9 group level on some resolutions that were  
10 being developed for the telecommunications  
11 committee to consider.

12                   Those resolutions never made it out  
13 of committee. They didn't come before the  
14 full telecommunications committee, but it's my  
15 understanding that that was being floated --  
16 in fact, that the FCC was looking into whether  
17 or not there should be some national ten-digit  
18 dialing, just to kind of ease the problem we  
19 are all going to be having over the next  
20 several years.

21                   WITNESS MILBY: If that's your  
22 understanding, I'm sure that's correct. I'm  
23 not able to --

24                   CHAIRMAN JOHNSON: Yes, sir, some of  
25 the industry members may have some knowledge

145

1 of what is happening there.

2 COMMISSIONER JACOBS: One question.

146

3 The projection results, dates, two  
4 assumptions; one is low growth and one is the  
5 high growth.

6 And I understand that the basis is  
7 utilization in NXX codes as opposed to  
8 actually population increases?

9 WITNESS MILBY: These two  
10 assumptions, I can tell you how this  
11 developed.

12 Originally in industry meetings we  
13 only showed the straight line projection.

14 Many times in meetings questions  
15 would come up, conservation measures, or  
16 whatever. It wouldn't necessarily have to be  
17 conservation. It could be the combining of  
18 the companies or whatever.

19 If anything were to reduce the  
20 demand in the future, what would that do to  
21 the LATAs?

22 So then in the initial planning  
23 documents, we just started providing, saying  
24 at the end of the year 2000, that the demand  
25 did reduce by 50 percent, to give everybody an

1 idea of what the life would be. It gives you  
2 the balance of the possibilities of what life  
3 would be.

4 COMMISSIONER JACOBS: Is that taking  
5 into consideration any conservation method?

6 WITNESS MILBY: No specific  
7 conservation issue that goes with it.

8 COMMISSIONER JACOBS: Yes. Thank  
9 you.

10 CHAIRMAN JOHNSON: Do you have any  
11 questions?

12 Thank you for your testimony.

13 WITNESS MILBY: Thank you.

14 COMMISSIONER CLARK: Madam Chairman,  
15 I have a question for Ms. Brooks.

16 COMMISSIONER GARCIA: Maybe the  
17 staff has questions for each and maybe we  
18 should bring --

19 CHAIRMAN JOHNSON: And we have some  
20 for Allen Benson from BellSouth.

21 COMMISSIONER GARCIA: I have at  
22 least one question for each.

23 CHAIRMAN JOHNSON: Mr. Benson?

24 (Direct and Rebuttal prefiled testimony  
25 commences at top of next page)

1                   BELLSOUTH TELECOMMUNICATIONS, INC.  
2                   DIRECT TESTIMONY OF ALLEN BENSON  
3                   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
4                   DOCKET NO. 980671-TL  
5                   AUGUST 6, 1997

6  
7 Q.     Please state your name and business address.

8  
9 A.     My name is Allen Benson. My business address is 301 W. Bay St.,  
10        Jacksonville, Florida.

11  
12 Q.    By whom are you employed and in what capacity?

13  
14 A.    I am employed by BellSouth as a Manager in Infrastructure Planning  
15        for the North Florida Area.

16  
17 Q.    Please summarize your educational background, work experience, and  
18        current responsibilities.

19  
20 A.    I received a bachelor of science degree in Business Administration,  
21        with a major in Economics, from the University of Central Florida in  
22        1972. For the past twenty five years, I have been an employee of  
23        BellSouth Telecommunications, Inc. From 1973 to 1983, I held  
24        positions in the Traffic and Network Switched Services Departments as  
25        forecaster, programmer, budget analyst and traffic engineering



1 manager. From 1983 to 1995, I held positions in the Network  
2 Department as Engineering Manager for Operations Support Systems,  
3 Switching Equipment, Circuit Engineering and Common Systems. In  
4 1995, I assumed responsibility as Manager for Infrastructure Planning  
5 for North Florida; the position I currently hold.

6

7 BellSouth's North Florida Area stretches from Hobe Sound in Martin  
8 County to Pensacola, including the metropolitan areas of Melbourne,  
9 Orlando, Gainesville, Jacksonville, and Panama City. I am responsible  
10 for interoffice facility, switching and fundamental loop planning as well  
11 as other planning requirements like NPA relief.

12

13 Q. What is the purpose of your testimony?

14

15 A. The purpose of my testimony is to provide BellSouth's support, as a  
16 member of the Telecommunications Industry in the state of Florida, for  
17 the 407 NPA Relief selection made in the Industry Meeting held March  
18 31, 1998. Additionally, my testimony suggests an alternative relief  
19 solution should the Commission deny the industry selection.

20

21 Q. What is BellSouth's recommendation for relief of the 407 NPA?

22

23 A. BellSouth agrees with the Industry Recommendation resulting from the  
24 Industry Meeting held March 31, 1998. The consensus of the Industry  
25 was to implement NPA relief via a single overlay.

1

2 The overlay option provides:

3 - The most cost effective arrangement in that customer number  
4 changes would not be required and the associated expense for  
5 such number changes would not be incurred.

6 - The longest NPA relief period for all customers.

7 - The most consistent and least confusing dialing arrangement  
8 since ten digit dialing would be required for the entire area.9 Additionally, the institution of ten digit dialing for the entire area  
10 maintains dialing parity.11 - The easiest implementation method from both a technical per-  
12 spective and a customer education perspective.13 - The best and simplest migration path to future NPA relief by  
14 assuring the elimination of number changes and the associated  
15 costs and confusion.

16

17 Q. What dialing patterns will be required for local, toll, EAS, and ECS calls  
18 if the overlay is adopted?

19

20 A. For local and EAS calls, a ten digit dialing pattern will be mandatory  
21 with the overlay solution. All toll calls and those ECS calls subject to  
22 allowable Interexchange Carrier competition should be dialed on a 1  
23 plus ten digit dialing pattern. For ECS calls where Interexchange  
24 Carrier competition is not allowed, dialing requirements should be  
25 required to be the same as local and EAS calls. This dialing pattern will

1 help to ensure dialing parity among all communications users and  
2 providers and begin the transition to the dialing patterns mandated in  
3 Commission Order No. PSC-96-0558-FOS-TP.

4

5 Q. If the Commission denies the overlay method as the relief solution for  
6 the 407 NPA exhaust, does BellSouth have an alternative  
7 recommendation for relief?

8

9 A. Yes, BellSouth would support alternative number 7 in lieu of the overlay  
10 should the Commission deny the overlay method as a relief solution.  
11 BellSouth's desire is to minimize the impact of an NPA exhaust on all  
12 communications customers. Should the overlay relief option be  
13 deemed inappropriate, alternative number 7, a geographic split, would  
14 be the least disruptive to communities of interest.

15

16 The geographic split alternatives developed for presentation to the  
17 industry at the Industry Meeting used two different assumptions to  
18 develop Area Code Lives. These assumptions forecasted consumption  
19 of NXXs on the basis of 1. Low growth for the area, and 2. High growth  
20 for the area. The future exhaust dates for 407 and the new area code  
21 using Alternative No. 7 as the relief method and the low growth  
22 assumption are 2003 and 2022 respectively. The exhaust date for the  
23 new area code obviously violates NPA Code Relief Guidelines.

24

25

1 BellSouth believes, however, that Osceola and Brevard Counties are,  
2 in fact, more suited to inclusion in a high growth assumption. Using the  
3 high growth assumption, the exhaust dates for 407 and the new area  
4 code are 2002 and 2012 respectively.

5

6 This alternative maintains 7 digit local calling for what is perceived to be  
7 the highest community of interest; Orange and Seminole counties.

8 Additionally, this alternative changes fewer NXX codes, 238 versus 372  
9 with split alternative #4.

10

11 Q. What dialing patterns will be required for local, toll, EAS, and ECS calls  
12 if geographic split alternative No. 7 is adopted?

13

14 A. No change to dialing patterns will be required except where EAS exists  
15 between communities where one EAS point is included in the new area  
16 code and the other remains in the 407 area. As mentioned earlier, this  
17 alternative preserves 7 digit dialing between the two counties with the  
18 greatest community of interest. Changes to ECS dialing patterns  
19 where Interexchange Carrier competition is allowed should be  
20 transitioned to the dialing pattern mandated in Florida Public Service  
21 Commission Order PSC-96-0558-FOS-TP.

22

23 Q. When should NPA relief be implemented?

24

25

1 A. As the current Code Administrator for Florida, we are providing the  
2 attached spreadsheet reflecting the number of assigned and available  
3 NXX Codes. BellSouth assigns these NXX Codes in conformance with  
4 INC 95-0407-008, Central Office Code (NXX) Assignment Guidelines ,  
5 dated May 18, 1998. It can be seen from the spreadsheet that the  
6 number of NXX Codes in the 407 NPA are dwindling rapidly (Exhibit  
7 AAB-1). With an NXX code assignment rate of 9 or more a month, it is  
8 in the best interests of the subscribers to communications services in  
9 the 407 NPA that the Commission decide upon a relief solution in a  
10 timely manner to meet the industry-proposed implementation dates  
11 detailed in the minutes of the March 31, 1998 meeting.

12

13 Q. Does this conclude your testimony?

14

15 A. Yes, it does.

16

17

18

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25

1                   BELLSOUTH TELECOMMUNICATIONS, INC.  
2                   REBUTTAL TESTIMONY OF ALLEN BENSON  
3                   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
4                   DOCKET NO. 980671-TL  
5                   JULY 6, 1998  
6  
7

- 8 Q.   Please state your name, address and position with BellSouth  
9       Telecommunications, Inc. ("BellSouth" or "The Company").  
10  
11 A.   My name is Allen Benson. I am a Manager in the Infrastructure  
12       Planning Department. My business address is 301 West Bay Street,  
13       Jacksonville, Florida.  
14  
15 Q.   Are you the same Allen Benson that filed direct testimony in this  
16       hearing?  
17  
18 A.   Yes, I am.  
19  
20 Q.   What is the purpose of your rebuttal testimony?  
21  
22 A.   The purpose of my rebuttal testimony is to comment on certain points  
23       put forward by MCI witness Suzanne Brooks in her direct testimony.  
24       Specifically, I will comment on number pooling and rate center  
25       consolidation.

1 Q. Witness Brooks for MCI states in her direct testimony that alternatives  
2 exist to mitigate the exhaust of the 407 NPA. Do you agree?

3

4 A. No. At this point in time, the recommendation for the use of number  
5 pooling or rate center consolidation is too premature to have any effect  
6 on the exhaust of the 407 NPA.

7

8 Rate center consolidation will require significant work on BellSouth's  
9 behalf as well as significant expenditures to change billing systems.  
10 While we have no stringent objections to an analysis of such an effort,  
11 its purpose seems vague.

12

13 BellSouth is not opposed to the institution of number pooling.  
14 BellSouth is, however, extremely opposed to studying and  
15 implementing ad hoc solutions. Currently, the number pooling issue is  
16 under study in national forums. When those studies are complete, an  
17 industry solution for number pooling will be provided. That industry  
18 solution will be the most cost effective and technologically accurate  
19 arrangement. BellSouth is participating in such forums and will abide  
20 by the industry solution. Number pooling, unfortunately, will not offer  
21 any longevity to the 407 NPA even if it were available today.

22

23 Q. Does that conclude your testimony?

24

25 A. Yes, it does.

1  
2 ---  
3 DIRECT TESTIMONY  
4 OF  
5 ALLEN BENSON  
6

7 CHAIRMAN JOHNSON: Any of the other  
8 industry members -- we will allow you to give  
9 a summary, but do any of the other industry  
10 members have questions of Mr. Benson?

11 MR. O'ROARK: MCI does not.

12 CHAIRMAN JOHNSON: Sir, we probably  
13 won't need a summary. We can go directly to  
14 the questions.

15 WITNESS BENSON: That's fine.

16 CHAIRMAN JOHNSON: Staff?

17 MR. COX: Mr. Benson, I think in  
18 your testimony, you indicated BellSouth  
19 supports the overlay for the 407 area code.

20 WITNESS BENSON: That's right.

21 MR. COX: Why does BellSouth  
22 support that plan?

23 WITNESS BENSON: There are four key  
24 reasons that we support that plan.

25 The first is that with the overlay



1 solution, it's not necessary to change  
2 telephone numbers and we think that that's the  
3 most economic solution for our customers.

4           There are several other reasons that  
5 we think are important, including the fact  
6 that it provides a reasonably longer relief  
7 interval.

8           According to those who have looked  
9 at, approximately five to eight years of  
10 relief would be provided with that plan.

11           The third item is that it requires a  
12 dialing pattern change, but that dialing  
13 pattern we think will be consistent in that it  
14 will require ten-digit dialing for local  
15 calling in the area as compared to a  
16 geographic split will require ten-digit  
17 dialing on some routes but seven-digit dialing  
18 will be permitted on other routes.

19           The final thing that I think is  
20 important about that is that it does establish  
21 a pattern for future growth.

22           So with an overlay, you create the  
23 pattern and expectation of ten-digit dialing.  
24 And as we anticipate this area will continue  
25 to grow, there will be a pattern established

1 to allow the growth for the accommodation of  
2 telephones.

3 MR. COX: If the Commission were to  
4 reject the overlay plan, BellSouth then  
5 advocates alternative number seven, is that  
6 right?

7 WITNESS BENSON: That's correct.

8 MR. COX: Why does BellSouth  
9 support that as the best solution?

10 WITNESS BENSON: When we looked at  
11 that, it was our opinion that the alternative  
12 seven did the least disruption to the local  
13 communities of interest.

14 We did that based on examination of  
15 the information. For example, the commuting  
16 from county to county. I also looked at the  
17 number of trunks that we have that cross NPA  
18 boundaries under the different alternatives.

19 So what we see is that based on our  
20 calling capability, at least BellSouth, that  
21 there is a very significantly smaller amount  
22 of cross NPA calling according to the amount  
23 of trunking under alternative seven than there  
24 would be under, for example, alternative four.

25 We did not look at all of the

1 alternatives, but it appeared to us that the  
2 cross NPA by calling on a local basis would be  
3 least impacted by alternative number seven.

4 One more thing that spoke in favor  
5 of alternative seven is that in our  
6 discussions, it appears that alternative seven  
7 would be the easiest to explain to customers.

8 It may not be obvious from the maps,  
9 but the boundary between Orlando and Winter  
10 Park, the exchange boundaries and the  
11 franchise boundaries for both Sprint and  
12 ourselves don't exactly follow the county  
13 lines.

14 So there are going to be some  
15 situations where either we have to make  
16 horrendous numbers of telephone number  
17 changes, or we are going to have to follow the  
18 telephone company boundaries. And that's  
19 going to be a little bit difficult to  
20 explain.

21 That's also true when splitting off  
22 East Orange, for example, because that is an  
23 exchange boundary that we don't think people  
24 are intuitively aware of.

25 So inasmuch as possible, it seemed

1 more appropriate to try to follow the  
2 political boundaries in alternative seven.

3 MR. COX: Now, the information you  
4 gathered on the community of interest in  
5 commuting, is that the information that was  
6 contained in Mr. Milby's testimony or is there  
7 something more than that?

8 WITNESS BENSON: I also have some  
9 information on trunking quantities. Trunking  
10 is what we provide to be able to facilitate  
11 calling and it's just a count of trunks that  
12 go from one area to the other.

13 And I summarized those to show which  
14 would be affected through alternative seven  
15 and alternative four so, yes, I have.

16 MR. COX: I ask that this exhibit be  
17 marked as exhibit number seven.

18 CHAIRMAN JOHNSON: It will be marked  
19 exhibit number seven.

20 (Exhibit No. 7 marked for Identification)

21 MR. COX: And BellSouth trunking  
22 information for 407 area code.

23 WITNESS BENSON: Correct.

24 MR. COX: And why does BellSouth not  
25 support alternative number four? Why does it

1 choose number seven is the question I'm  
2 asking.

161

3 WITNESS BENSON: Well, for the  
4 converse of much the same reason that I  
5 explained in number seven, that alternative  
6 number four seems to interrupt the significant  
7 community of interest between Orange County  
8 and Seminole County to the north.

9 That meant that the intent of the  
10 geographic split is to preserve seven-digit  
11 calling wherever possible, and that will be  
12 defeating that objective because in order to  
13 call between those two areas, that very  
14 heavily called route, ten digits will be  
15 required to cross that geographic split.

16 Also it doesn't follow exactly the  
17 political boundaries so there would be a  
18 problem with people again being in the wrong  
19 area for their county, so to speak. So those  
20 are some of the reasons why we felt  
21 alternative number four was not acceptable and  
22 would be more difficult to explain to  
23 customers.

24 MR. COX: Attached to your  
25 testimony, direct testimony, was the exhibit.

1 And I believe that's the cost information,  
2 coding information, and it was updated today  
3 by Ms. Keyer.

162

4 WITNESS BENSON: Yes.

5 MR. COX: Now, Mr. Milby just  
6 testified that you would have the most current  
7 information regarding that. Now, is that  
8 information submitted, that is the most  
9 current information?

10 WITNESS BENSON: That is the most  
11 current information we have. Again,  
12 understand that Lockheed Martin assumed  
13 responsibility for that administration at the  
14 end of last month.

15 So I understand from talking with  
16 Mr. Milby that there have been no assignments  
17 during the past week or two; therefore, I  
18 believe it to be correct as of the current  
19 time.

20 MR. COX: A couple of questions for  
21 you regarding some conservation issues that  
22 have been discussed.

23 The first topic is number four, and  
24 could you briefly give your understanding of  
25 what is referred to as number pooling?

1                   WITNESS BENSON: Well, while Mr.  
2 Milby did a good job of explaining it, there  
3 are a number of options for number pooling.  
4 One of the options that is being considered is  
5 using thousand-block pooling, which means that  
6 routing could be done for a thousand block  
7 rather than what we have today, is it requires  
8 an entire NXX. There are also other proposals  
9 to trim that to an even smaller chunk that are  
10 being studied within the industry.

11                   MR. COX: Do you have a copy of  
12 your rebuttal testimony that you filed in this  
13 proceeding?

14                   WITNESS BENSON: Yes.

15                   MR. COX: Would you comment on the  
16 testimony of the MCI witness, Brooks?

17                   WITNESS BENSON: Yes.

18                   MR. COX: Basically it seems to me  
19 you indicate that BellSouth will only take  
20 part in number pooling in national industry  
21 forums, not ad hoc solutions.

22                   WITNESS BENSON: Yes, we are  
23 concerned about having to implement something  
24 and then do it again if we come up with a  
25 different solution than that on a national

1 basis.

2 MR. COX: So that it shouldn't  
3 engage in number pooling at the state level?  
4 Is that what you're saying?

5 WITNESS BENSON: I think it would be  
6 appropriate to become aware of what's going on  
7 at the national level.

8 MR. COX: Okay.

9 WITNESS BENSON: But I would be -- I  
10 think it would be inefficient to try to  
11 implement one number pooling scheme and then  
12 perhaps later have to change to some other  
13 scheme.

14 MR. COX: Uh-huh.

15 WITNESS BENSON: Or perhaps create  
16 two different schemes for number pooling, and  
17 that would vary depending on what state or  
18 company you would be referring.

19 MR. COX: What specific national  
20 industry forums are you referring to?

21 WITNESS BENSON: The North American  
22 Numbering Council has established a committee  
23 that is comprised of industry, members of  
24 regulatory bodies, members of concerned  
25 citizens and the like.

164



1           They are evaluating alternatives.  
2   My understanding, and I get this -- I looked  
3   at their website, and read up on that, and my  
4   understanding is that the working group is  
5   proposing a redial to the North American  
6   Numbering Council at the end of October.

7           I would anticipate then that the  
8   North American Numbering Council will take  
9   some action from that.

10           What the industry group is doing, I  
11   quite frankly do not know the details. I  
12   believe BellSouth is participating.

13           They are not a direct participant or  
14   member of the group that is debating these  
15   alternatives, but were very much interested in  
16   that, and we would support whatever the  
17   solution is that comes out of this effort to  
18   come up with a national approach to number  
19   pooling.

20           MR. COX: Do you have any estimate  
21   at all on when these types of number pooling  
22   mechanisms might actually be implemented?

23           WITNESS BENSON: Well, Mr. Milby in  
24   his assumptions was thinking that something  
25   might happen in the year 2000. That would be

1 my opinion. I have no data to base that on,  
2 other than that -- I anticipate that it will  
3 take a period of time to actually be able to  
4 do that.

5 MR. COX: Also listed on page two of  
6 your rebuttal testimony, that you stated,  
7 "Number pooling, unfortunately, will not  
8 offer any longevity to the 407 NPA even if it  
9 were available today."

10 Is that correct?

11 WITNESS BENSON: I believe that  
12 would be correct.

13 MR. COX: And why do you believe  
14 that to be true?

15 WITNESS BENSON: Well, my  
16 understanding of number pooling is that it  
17 will tend to slow down the rate of the growth  
18 of the use of numbers, but it's not going to  
19 allow us to recapture numbers; therefore, it  
20 may minutely change the exhaust date, but  
21 essentially we are not going to recover  
22 numbers. We are going to continue to use the  
23 numbers we got, and that there will hopefully  
24 be a slowing of the rate of growth.

25 COMMISSIONER JACOBS: Do I

166

1 understand you said that you will not be able  
2 to capture numbers that are not used and not  
3 anticipated to be used? 167

4 WITNESS BENSON: I do not know the  
5 answer to that. I'm sorry.

6 MR. COX: The next matter you  
7 discussed was rate center consolidation. And  
8 on page two you indicated that rate center  
9 consolidation will require significant work  
10 and expenditures on the part of BellSouth.

11 WITNESS BENSON: Yes.

12 MR. COX: Do you have any idea what  
13 would be involved when you say significant  
14 work and expenditures?

15 WITNESS BENSON: Well, we are  
16 looking at the possibility of rate zone  
17 consolidation within BellSouth and we are  
18 studying possible alternatives for that.

19 The cost associated with that is to  
20 change any billing systems that would be  
21 necessary in order to accommodate the fact  
22 that we close down or reduce the number of  
23 exchanges. I don't have any estimate of the  
24 impact of that. Of course, it depends on the  
25 extent which we do rate center consolidation.

1 We are looking at alternatives all the way  
2 from consolidating a small number of rate  
3 centers to consolidating all the way to one  
4 center for a LATA. I am not suggesting that  
5 either of those are appropriate, but we're  
6 looking at them.

168

7           There is a significant impact from  
8 the standpoint of the revenue that is, you  
9 know, at risk, because by consolidating rate  
10 centers, there may be situations in which we  
11 have consolidated rate centers that previously  
12 had long distance for ECS-type calling between  
13 them.

14           So that is an issue that we are  
15 reviewing and we are at the data gathering  
16 stage to try to compute what the effect of the  
17 different alternatives would be so that we can  
18 move forward, but I think we are committed to  
19 trying to reduce the number of rate centers  
20 within BellSouth where we appropriately can.

21           MR. COX:    And is that something  
22 BellSouth is going to do on its own initiative  
23 or is that on a national forum as well?

24           WITNESS BENSON:   Yes.

25           MR. COX:    What's the answer?

1 WITNESS BENSON: I'm sorry.

2 MR. COX: Is it some part of a  
3 national effort or is it something BellSouth  
4 is doing on its own initiative?

5 WITNESS BENSON: Well, I anticipate  
6 that rate center consolidation may be  
7 addressed on a national basis.

8 That would appear to me, however, as  
9 something that we could also do on a local  
10 basis and that our efforts within BellSouth  
11 are not contingent on some national forum. We  
12 are going ahead based on our approach and what  
13 we think is appropriate.

14 MR. COX: So this is more feasible  
15 at a local level than the number pooling?

16 WITNESS BENSON: I believe so, yes.

17 MR. COX: The last question I have  
18 regarding that was you stated in your  
19 testimony the purpose of any analysis of rate  
20 center consolidation is vague. What did you  
21 mean by that statement?

22 WITNESS BENSON: I'm sorry. Would  
23 you repeat that?

24 MR. COX: You stated that the  
25 purpose of any analysis of rate center

1 consolidation as MCI proposed was vague.

2 What did you mean by that?

3 WITNESS BENSON: Would you point out  
4 the--?

5 MR. COX: Sure. Just one second.

6 WITNESS BENSON: Are you referring  
7 to page two, line eleven?

8 MR. COX: Yes.

9 WITNESS BENSON: What I meant by  
10 that statement is that rate center  
11 consolidation has some potential to slow down  
12 rate growth of code assignments.

13 The point of the rebuttal testimony  
14 was to make the point, that we think that the  
15 407 NPA will exhaust, that we need a relief  
16 plan, despite the fact that we are pursuing  
17 and considering these conservation techniques,  
18 that any of these conservation techniques I  
19 believe will not be in time to avoid taking a  
20 relief plan for the 407 NPA.

21 You have from the summary that I  
22 provided you approximately 180 codes left to  
23 assign or assigning them at approximately the  
24 rate of nine a month. So at this point it  
25 looks like about 18, 20 months before those

170

1 will be exhausted.

2 MR. COX: I have a few questions  
3 regarding some of the public testimony we have  
4 heard so far in this case.

5 The first is regarding testimony  
6 last night in Brevard County. Were you  
7 present last night?

8 WITNESS BENSON: Yes, I was.

9 MR. COX: The issue of (inaudible)  
10 and bringing some people in Brevard County not  
11 presently in the 407 area code into the 407  
12 area code.

13 Do you recall this?

14 WITNESS BENSON: Yes.

15 MR. COX: Does BellSouth have any  
16 possible solutions to this problem or have you  
17 looked at these problems?

18 WITNESS BENSON: We have looked at  
19 that problem. We have discussed it.

20 We can make those number changes.  
21 In fact, BellSouth is willing to make those  
22 number changes if it is in the interest of the  
23 customers of that area and in the order of the  
24 Commission.

25 We would suggest that it is

1 necessary to poll those customers in that area  
2 because of wanting to ascertain that that is  
3 in fact their desire, because it does mean  
4 that they will have a number change.

5 We currently have the NXX available  
6 so the number change will only be for the NPA.

7 .

8 The NXX is currently available in  
9 407 and may also be available in whatever the  
10 relief plan is, so I believe that we can do  
11 this without changing their seven digit  
12 telephone number, but it would require  
13 changing the NPA, of course.

14 MR. COX: How many NXXs are we  
15 talking about here?

16 WITNESS BENSON: Two.

17 MR. COX: And you stated it would  
18 require customer balloting, opinion?

19 WITNESS BENSON: Yes.

20 MR. COX: To your knowledge, are  
21 there other counties --

22 COMMISSIONER JACOBS: (Interposing)  
23 Can I ask just one, please?

24 MR. COX: You may.

25 COMMISSIONER JACOBS: Those



1 customers whom you are speaking of, they are  
2 dialing ten digits to get to Melbourne now,  
3 aren't they?

4 WITNESS BENSON: Now they are  
5 dialing seven digits to get to Melbourne.  
6 It's a local call from Barefoot Bay to  
7 Melbourne and they are dialing seven digits  
8 when they call.

9 COMMISSIONER JACOBS: Do you know if  
10 they are in a different area code?

11 WITNESS BENSON: That's correct. We  
12 have a -- excuse me. May I interject that  
13 particular statement?

14 My recollection was that they dial  
15 seven digits -- I believe that they do --  
16 they dial seven digits to call to Melbourne  
17 even though it's across the NPA so that  
18 requires code reservation across (inaudible).

19 COMMISSIONER CLARK: That's weighing  
20 the fact that those NXXs are available to 407,  
21 right?

22 WITNESS BENSON: That's right.

23 MR. COX: Mr. Benson, I have one  
24 question along those same lines.

25 Are you aware of any other counties

1 that currently have two different area codes  
2 in the same county that are split so that they  
3 have two area codes in the same county?

174

4 WITNESS BENSON: Well, in this area,  
5 of course, we have discussed already Volusia  
6 County.

7 Volusia County has several wire  
8 centers in the 407 NPA and the remainder of  
9 the county is in 904. I am not aware of any  
10 others. I suspect that there might be, but  
11 I'm not aware of any others at this point.

12 MR. COX: With regard to Volusia  
13 County, we had some testimony earlier today on  
14 that issue.

15 What is your understanding of the  
16 issue as he explained it?

17 WITNESS BENSON: Could you explain?

18 MR. COX: What is your understanding  
19 of the problem that the gentleman explained  
20 earlier from Deltona, the commissioner from  
21 Deltona?

22 WITNESS BENSON: Well, he was  
23 describing the Deltona area, as I understood  
24 it, to include our DeBary exchange and also  
25 Orange City which is -- the problem there is

1 that Orange City is a Sprint office. It is in  
2 the 904 area code. The DeBary exchange,  
3 including Deltona, is in the 407, and that's  
4 in our Southern Bell territory.

5 So his position I think was that  
6 there were already two area codes serving the  
7 Deltona metropolitan area.

8 So one of the proposals that we have  
9 discussed was again a boundary realignment as  
10 reflected in alternative "A."

11 The industry consensus at that point  
12 was that it would require number changes and  
13 it was thought that that would be an  
14 inappropriate alternative at that time.

15 MR. COX: So alternative number  
16 eight would most likely mitigate the problems  
17 that you described for this community?

18 WITNESS BENSON: It would mitigate  
19 the problems of the Greater Deltona area,  
20 having one area code; however, it would not  
21 resolve the problem of the ultimate situation,  
22 that it would be nice to have one area code in  
23 the county.

24 If you wanted to include all of the  
25 areas in the county, then I presume an

1 alternative would be to move DeBary into the  
2 904.

3 MR. COX: Would that require a  
4 number change?

5 WITNESS BENSON: It would require an  
6 NPA change. I do not know if it would require  
7 a number change because I don't know if that  
8 NXX is available in 904.

9 MR. COX: You don't know if they  
10 are dialing ten digits to call?

11 You don't know if they are dialing  
12 ten digits to call across the county?

13 WITNESS BENSON: From DeBary to  
14 Deland, I do not. I have that. I would have  
15 to look it up.

16 CHAIRMAN JOHNSON: Would you go back  
17 to one of your resolutions and I just have  
18 half of my notes here.

19 You said something that would  
20 require a boundary change. I don't know which  
21 one you said switching to the other. You said  
22 it would require a boundary change, but there  
23 was a problem with a boundary change. Maybe  
24 you can't remember it.

25 MR. GARCIA: Yes, he was talking

170

1 about Orange City.

2 WITNESS BENSON: In this case,  
3 Orange City is in the 904 area code, and so  
4 that would require an NPA boundary change  
5 there incorporated in the 407 area.

177

6 CHAIRMAN JOHNSON: Okay. What is  
7 wrong with that?

8 Why wasn't that feasible?

9 WITNESS BENSON: Well, it would be  
10 feasible. The two problems that we have to  
11 confront, one, it means an NPA change for  
12 those people --

13 CHAIRMAN JOHNSON: Right.

14 WITNESS BENSON: The second problem  
15 is that I don't know that that NXX is  
16 available in 407.

17 CHAIRMAN JOHNSON: I see.

18 WITNESS BENSON: And if that were  
19 not available, that would be the entire seven  
20 digit number.

21 CHAIRMAN JOHNSON: I follow you.

22 Could we find out what the -- I know  
23 it would require an NPA change, but could we  
24 also find out if NXX was available?

25 WITNESS BENSON: Could I defer that

1 to the Sprint witness because the Orange City  
2 office is his office?

3 CHAIRMAN JOHNSON: That's true.

4 Okay.

5 And if Sprint could -- if you aren't  
6 prepared to answer that today, maybe  
7 Sprint -- I'm talking to Sprint -- would you  
8 do it perhaps in the late fall?

9 MR. COX: The last question, Mr.  
10 Benson.

11 If the Commission were to go ahead  
12 and sign on to -- not sign on to, if they were  
13 to agree to move the folks in Barefoot Bay  
14 into the 407 area code, do you believe by  
15 making that decision, we would be setting a  
16 precedent which may be problematic in the  
17 future?

18 WITNESS BENSON: The boundary line  
19 realignment from a technical standpoint is not  
20 terribly difficult. The cost of doing that  
21 is -- there is some cost, so we have to have  
22 translations, changes and so forth, so we are  
23 not enthusiastic about making boundary  
24 changes, but we can understand if that's the  
25 desire of the customers, that in some cases

178

1 such as this, why, it makes sense, but as far  
 2 as doing that wholesale, then it becomes a  
 3 significant cost issue, and, you know, we are  
 4 talking about changing the numbers for a lot  
 5 of people if we do that on a more wholesale  
 6 basis.

7 So, you know, I have reservations  
 8 about doing that on a more general basis, but  
 9 what those reservations are would depend on  
 10 the specifics of whatever that proposal might  
 11 be.

12 MR. COX: The last question I have  
 13 is regarding some testimony you heard earlier  
 14 today regarding all the new hotels, the  
 15 outbound calls from the hotels.

16 What was your understanding of the  
 17 solution that that gentleman presented?

18 WITNESS BENSON: The solution that  
 19 he suggested, that outgoing trunks not have a  
 20 telephone number assigned to them, he perhaps  
 21 was referring to days of old when we had  
 22 electro-mechanical offices and so forth.

23 Today with our electronic offices,  
 24 we really don't assign numbers other than for  
 25 two reasons: One is because the customer

1 requests it, or because of the need to do it  
2 for billing reasons.

3 Now, it is possible on these  
4 outgoing trunks that telephone numbers are  
5 assigned, and it has been done in that fashion  
6 because the customer has asked that he have  
7 special billing arrangements, or the ability  
8 to also receive incoming calls directly.

9 So we -- to my knowledge, we don't  
10 tie up any significant block of numbers or  
11 extraneous numbers other than where we feel it  
12 is dictated by the requirements of the  
13 customer or to properly bill those outgoing  
14 calls.

15 MR. COX: So it would be your  
16 opinion that that solution does not provide  
17 much, if any, relief?

18 WITNESS BENSON: I cannot see that  
19 it would provide any relief to the situation.

20 COMMISSIONER CLARK: I understood  
21 what he was asking a little differently, that  
22 is, that you do the overlay, that you assign  
23 those new numbers to the outbound first so you  
24 can delay how long you need to incorporate  
25 them.

180



1 Does that help at all?

2 I guess it wouldn't help if changing  
3 or taking the outbound, the numbers from the  
4 outbound would not significantly put off the  
5 exhaust date, would likewise, not  
6 significantly affect when you would have to  
7 start the new numbers?

8 WITNESS BENSON: I can't see that it  
9 would make any difference at all.

10 CHAIRMAN CLARK: Okay.

11 MR. COX: One final question.

12 Are you familiar with the exhibit  
13 staff passed out? I believe it's marked  
14 exhibit  
15 one which is the ESCS -- I'm sorry. It's  
16 exhibit  
17 two -- the ESCS routes for the 407 area code.

18 WITNESS BENSON: Yes.

19 MR. COX: For each of the BellSouth  
20 exchanges listed in that exhibit, are you  
21 aware of what would be the dialing patterns  
22 for ECS and ES routes under the split  
23 alternative number four?

24 WITNESS BENSON: I could determine  
25 those.

181

1 MR. COX: Okay. So this  
2 information would be readily available and you  
3 could gather that information?

182

4 WITNESS BENSON: We could conjure  
5 that up, yes.

6 COMMISSIONER CLARK: I hope it's  
7 more than conjuring it up.

8 MR. COX: The staff would ask if  
9 you could provide us with a late filed  
10 exhibit. And also the same -- I guess we  
11 could call this a composite exhibit -- and I  
12 assume you don't have it for alternative seven  
13 either, is that correct?

14 WITNESS BENSON: That is correct.

15 MR. COX: Could you provide us with  
16 the ECS and ES route dialing plans for  
17 alternatives four and seven?

18 And that will be exhibit eight.

19 CHAIRMAN JOHNSON: That will be  
20 marked late filed exhibit eight.

21 You said ECS and EAS dialing plans  
22 for four and seven?

23 MR. COX: Yes, that's correct.

24 (Late filed Exhibit No. 8 marked for  
25 Identification.)

1 MR. COX: The staff has no further  
2 questions. Thank you, Mr. Benson.

3 CHAIRMAN JOHNSON: Any further  
4 questions?

5 COMMISSIONER JACOBS: Yes, I have.

6 I'm looking at this attachment to  
7 your testimony. I was just scanning through  
8 it. And I see a sequential assignment of NXX  
9 codes disbursed throughout a variety of rate  
10 centers, so it does not appear by looking at  
11 this that there is any sequence -- there is no  
12 correlation to the sequence of rate centers to  
13 assign them within NXX?

14 WITNESS BENSON: That is correct.  
15 There is a lot of tradition and history  
16 building in these.

17 Many years ago we had to worry a lot  
18 about the particular codes selected because we  
19 had electro-mechanical switches and we had to  
20 use specific codes so we could get to other  
21 offices.

22 Those concerns have largely  
23 evaporated now with our electronic offices,  
24 but unfortunately, we were left with this kind  
25 of strange arrangement of code assignment, and

1 now the growth is done trying to be consistent  
2 where possible, but as pointed out, it is  
3 rather difficult because you have got clumps  
4 of codes to sign in various places. So there  
5 really isn't a clear pattern for continued  
6 growth, nor is there a clear sequence of  
7 assignments.

8 COMMISSIONER CLARK: And does that  
9 make the issue of consolidation then  
10 relevant?

11 In other words, would that approach  
12 to conservation be particularly helpful to  
13 address this problem?

14 WITNESS BENSON: I don't believe  
15 that rate center consolidation will be  
16 affected by their assignment.

17 COMMISSIONER CLARK: Okay.

18 WITNESS BENSON: It's just a way to  
19 get to a telephone number from a routing  
20 standpoint. Now, with our electronic  
21 switches, we can get to any NXX anywhere.

22 COMMISSIONER JACOBS: Thank you.

23 COMMISSIONER CLARK: You heard  
24 Mr. Milby talk about how they project the  
25 exhaust date, a six-month rolling average?

1 WITNESS BENSON: That's correct.

2 COMMISSIONER CLARK: Do you agree  
3 that that's how it is done?

4 WITNESS BENSON: I do agree. I  
5 discussed this with the BellSouth  
6 administrator and that's precisely how they do  
7 it. They maintain the ongoing six-month  
8 rolling average and it is a pure mathematical  
9 calculation.

10 COMMISSIONER CLARK: There has been  
11 no effort to project either that in a given  
12 six-month period you may have had an anomaly  
13 as far as the number of codes requested that  
14 won't repeat itself or be expecting an  
15 anomaly, that just isn't done? It's just pure  
16 historical luck?

17 WITNESS BENSON: In the industry  
18 meeting we did discuss whether we believed  
19 that six-month rolling average. So there was  
20 discussion about whether we thought the things  
21 that we were aware of would have impact to  
22 shorten or lengthen the life of the area code.

23 COMMISSIONER CLARK: Okay. Thank  
24 you.

25 CHAIRMAN JOHNSON: Any other

1 questions by the Commissioners?

2 Thank you. You are excused.

3 MS. KEYER: Can I ask one clarifying  
4 question?

5 CHAIRMAN JOHNSON: Oh, I'm sorry.

6 MS. KEYER: Redirect.

7 I just have one clarifying question.

8 Mr. Benson, when you were testifying  
9 about the number of trunks, that you were  
10 going to do a late filed exhibit, it sounded  
11 to me like you said that there was a smaller  
12 number of trunks that crossed the NPA between  
13 Seminole and Orange, and then you said there  
14 was the least effect. So I was unclear on  
15 that.

16 Is there a really larger number of  
17 trunks, but it has less impact if alternative  
18 seven were selected?

19 WITNESS BENSON: In comparing  
20 alternative number four and alternative number  
21 seven, the trunking that crosses the potential  
22 NPA boundaries under alternative number four  
23 which means trunking going particularly into  
24 the -- between Orlando and Winter Park, those  
25 trunks total about 13,000.

1           In the alternative seven, where we  
2 would have a split between Orange County and  
3 Osceola County, there is about 3,500. So  
4 there are fewer trunks under -- that are  
5 crossing boundaries, and I interpret that to  
6 mean that alternative seven has a  
7 significantly smaller impact on the community  
8 of interest under number seven.

187

9           MS. KEYER: Did that tell you  
10 anything in terms of the community of interest  
11 between Orange and Seminole County or it's  
12 just the community of interest with  
13 alternative four?

14           WITNESS BENSON: My interpretation  
15 is that there is a much stronger community of  
16 interest between Orange and Seminole County  
17 than there is between Orange and Osceola  
18 County.

19           COMMISSIONER JACOBS: Now, the  
20 trunks that you gave us the number on, which  
21 of those is between Orlando and Winter Park or  
22 Orlando and Seminole?

23           WITNESS BENSON: It would be between  
24 Orlando or between Orange County and the  
25 Seminole County area. In fact, all of the

1 trunks would be affected by this split where  
2 BellSouth crosses, so it would be any trunk  
3 that crossed these numbers.

188

4 COMMISSIONER CLARK: And presently  
5 you have a much larger number of trunks tying  
6 in a similar area to Orlando than trunks tying  
7 in Osceola County?

8 WITNESS BENSON: Precisely.

9 COMMISSIONER DEASON: Could you  
10 contrast for me why alternative seven is  
11 superior to alternative two?

12 WITNESS BENSON: The two  
13 alternatives are fairly similar. The reason  
14 that we opted for alternative seven is because  
15 it does a slightly better job of balancing out  
16 the lives.

17 Secondly, it seemed inappropriate to  
18 draw a split line directly through the Vista  
19 area. So the attempt of alternative seven was  
20 to offer a solution which drew the line one  
21 side or the other.

22 So alternative seven is really just  
23 a slight modification of alternative two. It  
24 suggests an alternative how to draw that line  
25 so as not to split the Vista operation.



1 COMMISSIONER DEASON: And what  
2 constitutes the Vista operation?

3 WITNESS BENSON: That includes the  
4 Lake Buena Vista and Celebration exchanges.

5 COMMISSIONER DEASON: What about  
6 Reedy Creek?

7 WITNESS BENSON: I believe Reedy  
8 Creek is a Sprint area exchange.

9 COMMISSIONER DEASON: Likewise, did  
10 you do a study of trunking to see what the  
11 community of interest factor would be for that  
12 particular Vista area?

13 WITNESS BENSON: No, Commissioner, I  
14 did not. I did not do a separate one for  
15 alternative two if that's your question,  
16 although when we looked at the trunks, it  
17 would have included the evaluation of trunking  
18 going into or out of that exchange from  
19 BellSouth.

20 COMMISSIONER DEASON: Thank you.

21 CHAIRMAN JOHNSON: Any further  
22 questions?

23 Any additional redirect?

24 MS. KEYER: No.

25 CHAIRMAN JOHNSON: Thank you, sir.

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You are excused.

Miss Brooks?

190

(Prefiled Direct and Rebuttal testimony insert  
commences at top of next page)

1 MCI TELECOMMUNICATIONS CORPORATION  
2 AND MCI METRO ACCESS TRANSMISSION SERVICES, INC.  
3 DIRECT TESTIMONY OF SUZANNE BROOKS  
4 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
5 DOCKET NO. 980671-TL  
6 JUNE 12, 1998  
7  
8

9 **I. INTRODUCTION**

10 Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

11 A. My name is Suzanne Brooks. My business address is 2250 Lakeside  
12 Boulevard, Richardson, TX, 75082.  
13

14 Q. PLEASE DESCRIBE YOUR PROFESSIONAL BACKGROUND.

15 A. I am currently employed by MCI in its Local Numbering Group. I am  
16 responsible for representing MCI with respect to NPA Relief and various  
17 numbering issues and to participate in numerous state area code relief  
18 industry meetings and regulatory proceedings. I have been employed by  
19 MCI since February 1997. My responsibilities have included working on  
20 number conservation issues for the states of Texas, Colorado, Minnesota,  
21 and Missouri.  
22

23 Prior to being hired by MCI, I was employed by GTE for 26 years, from  
24 1969 to 1996. At the time I left GTE's employment, I was Senior Product  
25 Manager-Switched Access, my responsibilities included budgeting for  
26 Interexchange Access Revenues, new product development (such as 500  
27 and 555 Access) and all Federal and State regulatory support relating to

1 Switched Access. Other responsibilities over the years have been in  
2 Traffic Study Engineering, Capital Recovery, Depreciation, Tariffs,  
3 Operations, Marketing, and Operator Services.  
4

5 **II. PURPOSE OF TESTIMONY**

6 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

7 A. The purpose of my testimony is to identify competitive issues related to the  
8 proposal for area code relief in the 407 area code and discuss various  
9 options for relief. I also discuss some of the methods the Florida Public  
10 Service Commission ("Commission") should consider to conserve  
11 numbers, extend the lives of area codes, and reduce the need of creating  
12 new area codes in the future. Considering that this is the third area code  
13 relief hearing this Commission has had to have in less than a year, the issue  
14 of number conservation has become a critical one.  
15

16 **III. AREA CODE RELIEF ALTERNATIVES**

17 Q. WHAT AREA CODE ALTERNATIVES ARE BEING CONSIDERED FOR  
18 THE 407 AREA CODE?

19 A. The Commission was notified by the numbering administrator that some  
20 members of the industry were proposing an overlay plan for area code relief in  
21 the 407 area. The Commission on its own initiative has scheduled this matter  
22 for hearings to seek recommendations for area code relief.  
23

1 Q. WHAT TYPES OF IMPACTS SHOULD THE COMMISSION  
2 CONSIDER WHEN DECIDING WHICH ALTERNATIVE IS BEST  
3 FOR THE ORLANDO AREA?

4 A. There are several alternatives that can be considered, individually or in  
5 combination, to provide the greatest utilization of numbers.  
6

7 Q. WHAT ARE THE ALTERNATIVES AVAILABLE THAT COULD  
8 MITIGATE THE EXHAUST OF AREA CODE 407?

9 A. There are several alternatives available that could offer short term and long  
10 term relief opportunities. The Commission could look at sequential  
11 number assignment, rate center consolidations, and number pooling in  
12 conjunction with an area code split or overlay. This list is not inclusive and  
13 serves only as an illustrative example of a few of the alternatives that are  
14 available to the Commission.  
15

16 Q. WILL YOU BRIEFLY DESCRIBE THESE ALTERNATIVES?

17 A. Sequential Number Assignment is where carriers who have been assigned a  
18 10-thousand block of numbers, must assign those numbers sequentially for  
19 a thousand block at a time until utilization of that block reaches, say 80 to  
20 90 percent, before beginning the assignment of numbers from another 1000  
21 block within that NXX. Assigning numbers in this manner assures greater  
22 accessibility to blocks of numbers should the Commission decide to  
23 implement number pooling.  
24

1 Rate Center Consolidation ("RCC") involves the combining, or collapsing,  
2 of existing incumbent LEC rating areas into fewer rate areas, so that fewer  
3 NXXs are required by a carrier serving a local calling area.

4

5 Number Pooling involves the sharing of a block of ten thousand numbers  
6 among two or more carriers. The industry, in various forums such as the  
7 Industry Number Committee (INC) and also Numbering Resource  
8 Optimization Working Group (NRO-WG) along with several state  
9 commissions (Illinois, New York and Pennsylvania) are examining number  
10 pooling alternatives.

11

12 Q. ARE THESE THE ONLY ALTERNATIVES AVAILABLE THAT MCI  
13 IS SUGGESTING?

14 A. No. MCI is only pointing out a few of the options that other state  
15 commissions have implemented or are currently examining as alternatives  
16 to area code relief, in conjunction with an area code split or overlay, in an  
17 attempt to further extend the life of an area code.

18

19 Q. WHAT ARE THE IMPACTS OF THE SPLIT AND OVERLAY  
20 ALTERNATIVES ON END USERS?

21 A. Unfortunately, some end users will suffer some cost and disruption under  
22 either the split or overlay alternatives, although the degree to which end  
23 users are negatively impacted differs based on whether a split or overlay  
24 alternative is selected.

25

1           The end user impacts of an overlay include: loss of all 7-digit local dialing  
2           (because the Federal Communications Commission (“FCC”) requires  
3           mandatory 10-digit dialing for all local calls as a condition for overlay  
4           implementation); loss of the ability to associate an area code with a unique  
5           geographic area code; confusion resulting from different area codes  
6           assigned in the same home, business or neighborhood; cost to customers  
7           (throughout the overlay area) that currently use their 7-digit number for  
8           advertising, stationery, etc., for new materials with their 10-digit number;  
9           and cost to customers (throughout the overlay area) to reprogram or  
10          replace automatic dialing systems (e.g., home alarm and apartment security  
11          systems, elevator emergency phones, etc.) that are currently programmed  
12          for 7-digits. Further safety concerns are created during any period when  
13          such devices are incorrectly programmed.

14  
15          The end user impacts of an area code split include: need for customers in a  
16          portion of the existing area code to change area codes; some additional 10-  
17          digit dialing required for calling between the old and new area codes; and  
18          cost to customers in the new area code to change advertising, stationery,  
19          etc., to show the new area code.

20  
21   **V. CONCLUSION**

22   **Q. WHAT IS YOUR RECOMMENDATION TO THE COMMISSION**  
23   **REGARDING AREA CODE RELIEF FOR THE ORLANDO AREA?**

24   **A.** MCI believes that a geographic split or an overlay is not the only solution  
25   to relieve number exhaust in the Orlando area. MCI suggests that the

1 Commission immediately establish a workshop or other appropriate  
2 process to consider all number conservation mechanisms (including, but  
3 not limited to those suggested above) in conjunction with and perhaps prior  
4 to that of any area code split or overlay.

5

6 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

7 A. Yes, it does.



1                   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION  
2                   REBUTTAL TESTIMONY OF SUZANNE BROOKS  
3           ON BEHALF OF MCI TELECOMMUNICATIONS CORPORATION AND  
4                   MCImetro ACCESS TRANSMISSION SERVICES, INC.

5                                   DOCKET No. 980671-TP

6                                   JULY 6, 1998

7

8    Q.    PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

9    A.    My name is Suzanne Brooks and my business address is 2250 Lakeside  
10           Boulevard, Richardson, Texas, 75082.

11

12   Q.    ARE YOU THE SAME SUZANNE BROOKS WHO FILED DIRECT  
13           TESTIMONY ON BEHALF OF MCI IN THIS PROCEEDING?

14   A.    Yes, I am.

15

16   Q.    WHAT IS THE PURPOSE OF YOUR TESTIMONY?

17   A.    The purpose of my rebuttal testimony is to address the statements filed in  
18           the direct testimony of Allen Benson on behalf of BellSouth on June 12,  
19           1998 in this proceeding.

20

21   Q.    WHAT HAS BELL SOUTH PROPOSED IN THIS PROCEEDING?

22   A.    BellSouth supports a single NPA overlay as a means for NPA relief for the  
23           407 area code.

24

25   Q.    WHY DO YOU OPPOSE THIS PROPOSAL?

1 users are negatively impacted differs based on whether a split or overlay  
2 alternative is selected.

3 The end user impacts of an overlay include: loss of all 7-digit local  
4 dialing; loss of the ability to associate an area code with a unique  
5 geographic area; confusion resulting from different area codes assigned in  
6 the same home, business or neighborhood; cost for new advertising  
7 materials to customers (throughout the overlay area) that currently use  
8 their 7-digit number for advertising, stationery, etc., and cost to customers  
9 (throughout the overlay area) to reprogram or replace automatic dialing  
10 systems (e.g., home alarm and apartment security systems, elevator  
11 emergency phones, etc.) that are currently programmed for 7-digits.  
12 Further safety concerns are created during any period when such devices  
13 are incorrectly programmed.

14 The end user impacts of an area code split include: need for  
15 customers in a portion of the existing area code to change area codes;  
16 some additional 10-digit dialing required for calling between the old and  
17 new area codes; and cost to customers in the new area code to change  
18 advertising, stationery, etc., to show the new area code.

19

20 Q. WHAT ARE THE IMPACTS OF THE SPLIT AND OVERLAY  
21 ALTERNATIVES ON EMERGING LOCAL EXCHANGE  
22 COMPETITION?

23 A. An overlay plan provides the incumbent LECs ("ILECs") an additional  
24 advantage over new entrants because a disproportionate number of central

1 Q. HOW DOES THIS AFFECT EMERGING COMPETITION IN THE  
2 ORLANDO LOCAL SERVICE MARKET?

3 A. This unfair situation will affect the potential for competition in Orlando in  
4 several ways. CLECs will be unable to compete effectively in the growth  
5 market for new lines, and for additional lines for fax machines, modems,  
6 and the like. This market is explosive, and is a primary contributor to the  
7 need for NPA relief at this time. Even though the scheduled local number  
8 portability systems allow customers to switch to a CLEC without losing  
9 their telephone number, these same customers will be less willing to use a  
10 CLEC, even if the CLEC is less expensive or provides better service,  
11 because the CLEC will only be able to install additional lines if the  
12 customer uses the new, less desirable area code. This disparity between  
13 NPAs can also impact the market for new customers, since new customers  
14 may choose a carrier based on that carrier's ability to assign a number from  
15 the better known area code. To the extent the development of local  
16 competition is harmed, this also harms end users.

17  
18 Q. DOES A GEOGRAPHIC SPLIT HAVE THIS SAME  
19 DISPROPORTIONATE IMPACT ON CLECS?

20 A. No, a geographic spit affects all carriers equally. If a geographic split were  
21 selected for the 407 area, all carriers would issue 407 numbers in the  
22 remaining 407 area, and all carriers would issue numbers with the new area  
23 code in the new area. Thus, all carriers have equal access to the same  
24 numbering resource.

25

1 area, that ensures full utilization of the current numbering resource  
2 and to further extend the life of this NPA relief option.

3

4 Q. WHAT IS YOUR RECOMMENDATION TO THE COMMISSION  
5 REGARDING AREA CODE RELIEF FOR THE ORLANDO AREA?

6 A. MCI respectfully requests that the Commission order a geographic split to  
7 be implemented as the means for NPA relief for the 407 area code. As  
8 stated above, a geographic split is clearly a more desirable solution than a  
9 10 digit overlay. A split with its competitive and consumer advantages  
10 should be implemented. If, however, the Commission decides that an  
11 overlay will best serve the needs of customers and competition in the 407  
12 NPA, MCI requests that the Commission require Local Number Portability  
13 and 10 digit dialing be implemented according to FCC requirements and  
14 that all technologically feasible steps be investigated in order to conserve  
15 numbering resources.

16

17 Q. DOES THIS CONCLUDE YOUR TESTIMONY?

18 A. Yes, it does.

19

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1  
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3 ---  
4 DIRECT TESTIMONY  
5 OF  
6 SUZANNE BROOKS  
7

8 COMMISSIONER CLARK: Ms. Brooks, I have a  
9 question. You mentioned several times -- you  
10 seem to advocate conservation of these numbers  
11 before we go to any split or overlay.

12 Is that a fair assessment?

13 WITNESS BROOKS: That would be  
14 preferable, but we know that with the imminent  
15 exhaust approach, that would not be possible.

16 COMMISSIONER CLARK: Okay. That's  
17 what I wanted to ask you, because it seemed  
18 you suggested it with no conclusion as to  
19 whether or not you could in fact implement it,  
20 but you are now saying you probably think it  
21 is not possible to effect extending this  
22 further out such that we wouldn't have to  
23 decide now?

24 WITNESS BROOKS: No, I don't think  
25 it would have any significant savings at this

1 point.

2 COMMISSIONER CLARK: Okay.

202

3 CHAIRMAN JOHNSON: Any other  
4 questions for Ms. Brooks?

5 Mr. Cox?

6 MR. COX: I'm sorry.

7 COMMISSIONER JACOBS: I have one  
8 question while he's getting ready.

9 Mr. Foley has mentioned with regard  
10 to the option of number pooling, he mentions  
11 that there is a permanent local number pooling  
12 process.

13 Are you aware of that?

14 WITNESS BROOKS: Yes.

15 COMMISSIONER JACOBS: Could you give  
16 your understanding of that and what's  
17 happening?

18 WITNESS BROOKS: Basically I see  
19 permanent local number portability as being  
20 somewhat of a platform to get us to some sort  
21 of pooling, like sharing the same database  
22 that's already out there so that you might use  
23 the same administration. The industry is  
24 trying to take a look at how that can be  
25 implemented.

1 I know that with the thousand block  
2 pooling, I think Pete Martin has suggested  
3 that their database which is the same database  
4 that's being used for platform or permanent  
5 local number portability, can then be used for  
6 thousand block pooling, although the industry  
7 has also taken a look at, like, individual  
8 telephone number pooling, and I'm not sure of  
9 the platform route, that the total  
10 architecture has been developed yet, but  
11 it -- by using local number portability, it is  
12 the platform to get to the pooling.

203

13 COMMISSIONER JACOBS: I see.

14 CHAIRMAN JOHNSON: Set?

15 MR. COX: Yes.

16 Good afternoon. Will Cox of the  
17 Commission staff.

18 Everybody here is talking about  
19 conservation measures.

20 You listed, I think, three in your  
21 testimony. Is that correct?

22 WITNESS BROOKS: I suggested three,  
23 I believe.

24 MR. COX: Now, I thought earlier --  
25 correct me if I'm wrong -- your counsel

1 equated sequential number assigning with  
2 number pooling.

204

3 Is there a difference between number  
4 pooling and sequential number assigning?

5 WITNESS BROOKS: Yes, I believe so.

6 I believe sequential number  
7 assignment allows us to, and if the industry  
8 through whatever recommendation or state  
9 commission decides to do thousand block  
10 pooling, that if the Commission has already  
11 implemented sequential number assignment, it  
12 allows them more thousand blocks are left  
13 under-utilized or not totally utilized so that  
14 they can be attributed to that pool.

15 MR. COX: Now, these three measures  
16 that you suggested: The sequential number  
17 assigning, the rate center consolidation and  
18 number pooling, are any of those technically  
19 feasible at the present time?

20 WITNESS BROOKS: I believe that we  
21 could -- Florida could take a look at  
22 sequential number assignment.

23 If the industry wants to  
24 stay -- as Mr. Benson suggested -- with  
25 something more of a national standard, the



1 Commission may opt to wait until the latter  
2 part of this year to see if the recommendation  
3 is -- although, there some means that are also  
4 being taken a look at, such as unassigned  
5 number reporting. So there are some other  
6 means.

7 Rate center consolidation is one the  
8 Commission could very seriously take a look  
9 at.

10 MR. COX: Given the timing of the  
11 exhaust of 407 area code which we heard  
12 earlier today, do you think any of these  
13 conservation measures are a viable option to  
14 implement in the time we are talking about?

15 WITNESS BENSON: I don't believe so  
16 in 407. And, of course, there are other area  
17 codes in Florida that might be taken a look at  
18 before we get in the same situation. And  
19 perhaps it could, you know, extend the life of  
20 those.

21 MR. COX: Okay. In your rebuttal  
22 testimony, you indicated that you oppose the  
23 industry consensus overlay on pages one and  
24 two.

25 Why are you opposed to that plan?

205

1 WITNESS BROOKS: I'm sorry. Please  
2 state that again.

3 MR. COX: On pages one and two of  
4 your rebuttal testimony that you filed in this  
5 proceeding, you indicated that you oppose the  
6 district consensus overlay plan?

7 WITNESS BROOKS: Right.

8 MR. COX: Why do you oppose that  
9 plan?

10 WITNESS BROOKS: Basically MCI  
11 believes that splits are more widely accepted,  
12 and I think the residential and business  
13 customers prefer a split basically because it  
14 does not require them to dial ten digits at  
15 this point. Perhaps the community is not  
16 ready for them.

17 It also has -- what MCI believes is  
18 less of an impact to the end user.

19 With an overlay you are requiring  
20 those business customers to publish ten  
21 digits, and on their letterheads, they may not  
22 be doing that if they are just a local  
23 business and not a national.

24 It also affects the automatic  
25 dialers, so that with the split, you are only

206

1 impacting those customers that are in the  
2 split area.

3 With an overlay you are impacting  
4 the whole 407 area so that the automatic  
5 dialers or alarm systems, they would all have  
6 to be programmed to accept ten digits. It is  
7 a safety concern.

207

8 If those customers or the end users  
9 don't change those to accept the ten digits,  
10 perhaps like the alarm in your home is not  
11 programmed to accept ten digits, and the  
12 burglar breaks in and you try to trip the  
13 alarm, it doesn't make the call. It is trying  
14 to make a seven digit call and it is not  
15 registered with the alarm system.

16 And I believe -- or MCI  
17 believes -- that also with a split, unlike the  
18 overlay, it allows the Commission a little  
19 more flexibility for future NPA relief.

20 MR. COX: You also indicated MCI  
21 supports alternative number four.

22 Why do you support number four?

23 WITNESS BROOKS: The reason I  
24 support number four is that today when we  
25 acquire NXX codes, we sign those based on rate

1 center level.

2 With proposal number seven, as Mr.  
3 Benson explained, the boundary is based on  
4 more a political boundary or a county, and we  
5 don't assign any of our NXXs that way, so it  
6 would force our customers into taking a number  
7 change, if that were implemented.

8 COMMISSIONER GARCIA: Why? What do  
9 you mean, taking?

10 WITNESS BROOKS: Okay. Today when  
11 we get an NXX, we sign it at a rate center  
12 level.

13 COMMISSIONER GARCIA: Correct.

14 WITNESS BROOKS: That rate center  
15 could cross that county boundary, so those  
16 customers that fall from one county to  
17 another, we have to--wherever you make a  
18 split, if you are trying to say here is the  
19 rate center, and the county boundary line  
20 falls in between, if you are going to split it  
21 on that county boundary line, half of our  
22 customers would have to take a number change  
23 in order to go with the split with number  
24 seven.

25 COMMISSIONER GARCIA: That is not

1 true with BellSouth, is it?

2 WITNESS BROOKS: It may not be  
3 because they assign their numbers at the wire  
4 center level which might separate it, whereas  
5 with the new entrance, the CNX, we assign at  
6 the rate center level. We are not allowed to  
7 assign anything.

8 MR. COX: Now, on pages three and  
9 four you indicated, and we just talked about  
10 negative impact the overlay would have on  
11 local exchange competitors.

12 WITNESS BROOKS: Yes.

13 MR. COX: Now, if everyone had to  
14 dial an area code for local calling, had to  
15 dial ten digits, why would -- why do you  
16 believe that the overlay code would be  
17 undesirable in that situation?

18 WITNESS BROOKS: Well, if it were  
19 statewide, you know, if it were U.S.-wide and  
20 everybody were dialing ten digits, then that  
21 would be fine. I think everyone would be  
22 adjusted to that, but where you are just doing  
23 it in a geographic area, most people, they  
24 know that for long distance, you dial a one  
25 and ten digits, but for local calling most

1 customers or communities are still used to  
2 dialing seven digits. And it's just ease. 210  
3 Some people are not ready to make that change  
4 yet. It's not as widely known, other than for  
5 long distance.

6 MR. COX: I thought you were saying  
7 that people wouldn't want the new code.

8 WITNESS BROOKS: Oh, I'm sorry. I  
9 misunderstood the question.

10 Right. The competitive issue  
11 behind it.

12 Today with 407, that area code is  
13 known basically as Orlando, and most of the  
14 IMFs have been signed, the vast majority of  
15 those NXX codes, so with local number  
16 portability, a new entrant such as MCI comes  
17 into an area, we are, of course, trying to get  
18 into that customer base, and when we report  
19 that number in and if that customer wants to  
20 keep his number, and his baby son or daughter  
21 grows up and finally reaches teenage and wants  
22 to add an additional line, the only thing that  
23 man would have available through MCI since we  
24 do not have the embedded base of the 407 NXXs  
25 to our avail, we would have to assign a

1 customer for an additional line for a teen  
2 line or a fax line or whatever out of a new  
3 area code.

211

4 So that would entail our customer to  
5 have, in order to have an additional line, to  
6 have two different area codes to serve the  
7 same customer, whereas, the incumbent company  
8 with an overlay has still got enough numbers  
9 in the 407 that they can assign them both  
10 lines in the same 407 area code.

11 MR. COX: But you are just  
12 speculating, is that correct, as far as  
13 whether or not it should be desirable? You  
14 don't have any objective base?

15 WITNESS BROOKS: The FCC is stating  
16 that is somewhat well known. I don't know if  
17 I can place any -- I suppose I should trust  
18 them.

19 MR. COX: That's all I have of this  
20 witness. Thank you.

21 CHAIRMAN JOHNSON: Any other  
22 questions for Ms. Brooks?

23 Redirect?

24 MR. O'ROARK: No redirect.

25 CHAIRMAN JOHNSON: Thank you. You

1 are excused.

2 MR. REHWINKEL: Madam Chairman,  
3 Sprint's next two witnesses are Sandra  
4 Khazraee and Tom Foley.

5 Can I ask that Ms. Khazraee go ahead  
6 of Mr. Foley?

7 Would that cause any problem?

8 CHAIRMAN JOHNSON: Go ahead.

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DIRECT TESTIMONY

213

OF

SANDRA A. KHAZRAEE

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Sandra A. Khazraee and I am employed as Sr. Manager-Regulatory Affairs with Sprint-Florida, Inc. My business address is Sprint - Florida, 1313 Blairstone Road, Tallahassee, Florida 32301.

Q. PLEASE DESCRIBE YOUR EDUCATIONAL BACKGROUND AND WORK EXPERIENCES.

A. I received a Bachelor of Science Degree in Mathematics from McNeese State University, Lake Charles, LA. Over the past 21 years, I have attended numerous industry schools and seminars covering a variety of technical, economic and regulatory issues.

I was an Outside Plant Engineer with South Central Bell from May 1977 to August 1981. In 1981, I transferred to Pacific Bell where I worked as an Outside Plant Engineer, Planning Engineer and Wire Center Planner (Long Range

1 Switch Planner).

2

3 In July 1986, I began working as a Long Range Network  
4 Planner at United Telephone of Florida. Since then, I  
5 have been Technology Planner, Supervising Engineer of Long  
6 Range Planning, Product Evaluation and Pricing Manager,  
7 Costing Manager and Regulatory Manager.

8

9 Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY IN THIS PROCEEDING?

10

11 A. I am testifying on behalf of Sprint - Florida. The  
12 purpose of my testimony is to provide and support the  
13 Company's policy on NPA relief methods. In my testimony,  
14 NPA refers to Numbering Plan Area or what is commonly  
15 referred to as an area code. NXX refers to the first  
16 three digits of a local telephone number; e.g., the NXX  
17 for number 821-4000 is 821.

18

19 Q. WHAT METHODS ARE AVAILABLE FOR NPA RELIEF?

20

21 A. NPA code expansion, or relief planning, can be effected by  
22 implementing an NPA split, an NPA realignment, or an NPA  
23 overlay. The NPA split, which has been the alternative  
24 chosen for most NPA relief situations to date, divides the  
25 exhausting NPA into two geographic areas. The boundary of

1           an NPA split typically follows demographic,  
2           jurisdictional, natural or physical boundaries such as  
3           cities, rivers or highways. The boundaries are chosen to  
4           minimize disruption of existing calling patterns as much  
5           as possible. The existing NPA code is assigned to the  
6           geographic area with the greatest number of working lines  
7           in order to minimize the number of customers impacted by  
8           the NPA change.

9  
10           An NPA realignment is considered when the NPA requiring  
11           relief is adjacent to an NPA, within the same state or  
12           geographic area, which has spare NXX code capacity. A  
13           boundary shift occurs so that spare codes in the adjacent  
14           NPA can be used in the NPA requiring relief. As a result,  
15           the geographic area of the exhausting NPA shrinks, and the  
16           geographic area of the NPA with spare capacity expands.

17  
18           In an NPA overlay, code relief is provided by opening up  
19           a new NPA within the same geographic area. Numbers for  
20           the new NPA are assigned to new growth on a carrier  
21           neutral basis; first come first served. Although  
22           mandatory customer number changes are eliminated, ten  
23           digit dialing is required for local calling.

24  
25           The NPA overlay has been implemented to date in limited

1 areas. Ameritech, in the Chicago area, attempted to  
2 institute an overlay, but due to their requirement for  
3 wireless providers to relinquish existing numbers, the FCC  
4 found the Ameritech plan "would unreasonably discriminate  
5 against wireless carriers" and overruled it. In follow up  
6 to this ruling, the FCC provided further clarification on  
7 the use of NPA overlays in the Second Report and Order on  
8 Interconnection (CC Docket No. 96-333) adopted August 8,  
9 1996. Overall, the FCC declared technology specific (i.e.  
10 wireless only) overlays are not allowed, as in the  
11 Ameritech case. The FCC further directed that a state  
12 commission may choose implementation of an NPA overlay  
13 subject to two conditions: 1) mandatory 10 digit local  
14 dialing by all customers between and within area codes in  
15 the area covered by the new code; and 2) availability to  
16 every existing telecommunication carrier, including CMRS  
17 providers, authorized to provide telephone exchange  
18 service in the affected area code 90 days before the  
19 introduction of a new overlay code, of at least one NXX in  
20 the existing area code.

21

22 Q. WHICH OF THESE METHODS DOES SPRINT ENDORSE?

23

24 A. Sprint supports the NPA split and the NPA overlay when the  
25 FCC conditions are met. Sprint does not advocate the NPA

1           realignment method of relief in cases where the  
2           surrounding NPAs are not underutilized.

3

4           Q.   WHICH OF THE PLANS DISCUSSED IN THE 407 NPA SPLIT INDUSTRY  
5           MEETINGS SHOULD BE CONSIDERED BY THE COMMISSION?

6

7           A.   As indicated in the testimony of Sprint's technical  
8           witness, Thomas Foley, there were three plans determined  
9           to be the most viable of all the plans considered in the  
10          industry meetings. These were plans one, four and seven,  
11          all of which have advantages and disadvantages. Mr.  
12          Foley's testimony discusses the particulars associated  
13          with each of these plans.

14

15          Q.   WHICH OF THESE PLANS COULD SPRINT SUPPORT?

16

17          A.   Sprint could support all three of these plans and is fully  
18          prepared to implement the plan that is the least  
19          disruptive to our customers. Sprint still concurs with  
20          the original Bellcore NPA relief guidelines which specify  
21          that in the event of an NPA split, the geographic area  
22          with the greatest density of telephone numbers in use  
23          should maintain the existing NPA code.

24

25          Q.   WHAT DOES SPRINT RECOMMEND AS THE PLAN FOR RELIEF TO THE

1 407 NPA?

2

3 A. Sprint - Florida supports the best interests of the  
4 residents of central Florida and believes this will be  
5 determined through the public hearings scheduled in  
6 August. Although Sprint does not normally support an NPA  
7 overlay, given the unique circumstances in central Florida  
8 Sprint believes that the overlay is a viable alternative  
9 in this case and perhaps provides the best short and long  
10 term relief to the number exhausts in central Florida.  
11 However, if the public hearings show that an NPA split  
12 plan is in the best interest of the majority of the  
13 telecommunications customers in central Florida, then  
14 Sprint will support that plan.

15

16 Q. DOES THAT CONCLUDE YOUR TESTIMONY?

17

18 A. Yes.

1  
2  
3 ---  
4 DIRECT TESTIMONY

5 OF

6 MS. SANDRA KHAZRAEE

7 WITNESS KHAZRAEE: I think he's  
8 afraid I will lose my voice completely if he  
9 waits too long.10 MR. COX: Good afternoon. Will Cox  
11 on behalf of the Commission staff. I have  
12 just two questions for you.13 Refer to your testimony you filed in  
14 this case, pages five and six.15 Is it fair to say that your  
16 statements indicate Sprint would support  
17 either number one, number four or number  
18 seven?

19 WITNESS KHAZRAEE: That's correct.

20 MR. COX: But seeing that you  
21 emphasize the overlay -- I will start with  
22 number one -- does Sprint believe that is  
23 somehow a better alternative or the best  
24 alternative?

25 WITNESS KHAZRAEE: In this case we

1 do. We don't always believe an overlay is  
2 better than a split, but because of the  
3 community of interest here in Central Florida  
4 which we have heard a lot of discussion about  
5 today, and which I know firsthand because I  
6 lived here from 1986 to 1997, it doesn't  
7 matter what way you do a split, you are going  
8 to break up some large community of interest,  
9 which means you are going to end up with some  
10 number of people having to dial ten digits for  
11 local calls anyway. And in addition, the  
12 overlay seems to give the longest indicated  
13 relief for all customers.

14 I mean, there are some plans where  
15 one group of customers has a longer relief  
16 period, but then there is another group of  
17 customers that has a much shorter relief  
18 period. So the overlay is the longest where  
19 you don't have one group of customers that is  
20 being forced to have a number change. The  
21 existing customers get to keep their numbers.

22 MR. COX: Were you here for the  
23 testimony earlier today when we discussed the  
24 problem that the gentleman from Deltona  
25 raised?



1 WITNESS KHAZRAEE: Yes.

2 MR. COX: Do you have any insight  
3 on that problem?

221

4 WITNESS KHAZRAEE: Yes, we do have  
5 in the Orange City-Lake Helen area up there,  
6 which is part of his Deltona, at least one  
7 code that I'm aware of and it's already  
8 assigned in 407, so if we did bring that  
9 portion into 407, there would be some  
10 customers that would have to take a number  
11 change.

12 It could be done one of two ways.  
13 You could either assign them a new NXX,  
14 letting them keep the last four digits of  
15 their phone number and just changing the  
16 prefix, or you if you wanted to conserve  
17 numbers and use existing NXXs that are already  
18 working up there, and work them into it, then  
19 those customers would be forced to take a full  
20 seven digit number change.

21 And also one other thing, I heard in  
22 addition to his concern about the fact that  
23 they have two area codes and two phone  
24 companies, the fact that some of them, calls  
25 to certain areas are long distance, changing

1 them to one of the other or either area codes  
2 is not going to change their calling rates or  
3 their calling scopes.

4 MR. COX: Thank you. That  
5 concludes Staff's questions.

6 WITNESS KHAZRAEE: Okay.

7 CHAIRMAN JOHNSON: Thank you, ma'am.

8 (Prefiled testimony inserted at top of next  
9 page)

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1                   BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

2                                   DIRECT TESTIMONY

3   OF

223

4   THOMAS C. FOLEY

5  
6           Q.    Please state your name and business address.

7  
8           A.    My name is Thomas C. Foley. My business address is  
9                   Sprint-Florida, Incorporated, M/C FLAPKA0303, 555 Lake  
10                   Border Drive, Apopka, Florida 32703.

11  
12          Q.    Please detail your educational background and  
13                   professional experience in the telecommunications  
14                   industry.

15  
16          A.    I hold a Bachelors Degree in Electrical Engineering from  
17                   the University of Nebraska - Lincoln and a Masters of  
18                   Business Administration from Roosevelt University,  
19                   Chicago. I also have a Masters Certificate in Project  
20                   Management from George Washington University. I have  
21                   attended numerous industry schools and forums on  
22                   engineering, management, and project management.

23  
24                   I have been employed in the telecommunications industry;  
25                   with Sprint and its predecessor companies and

1 subsidiaries, for twenty-five years.

2

3 I have held positions in Engineering, Strategic Market  
4 Planning, Technology Planning, and Operations. I have  
5 held such positions as Manager of Budgets and  
6 Forecasting, District Manager, and Project Manager. In  
7 my current position with Sprint, I manage large, complex  
8 interdepartmental projects such as NPA relief activities.  
9 I have project managed Sprint's activities for NPA relief  
10 since 1988, including the implementation of  
11 interchangeable NPA/NXX Codes.

12

13 Additionally, I enjoy the privilege of being a member of  
14 the faculty at the University of Phoenix where I teach  
15 mathematics, including statistics, and management  
16 courses.

17

18 Q. What is the purpose of your testimony?

19

20 A. The purpose of my testimony is to provide information on  
21 the various plans available for the relief of the 407  
22 NPA.

23

24 Q. What conditions have led to the situation where relief is  
25 needed for the 407 NPA?

1 NPA exhaust occurs when the demand for NXX or exchange  
2 codes exceeds the limited supply. Each NPA has only 792  
3 assignable NXX codes. This number is diminished by the  
4 need to "protect" codes to prevent dialing conflicts in  
5 the network. Other NXX codes are not used to prevent the  
6 duplication of NXX codes and NPA codes in a customer's  
7 telephone number, both in the existing NPA code needing  
8 relief and surrounding NPAs whenever possible. The  
9 remaining codes are available to meet the demands of  
10 customers on the telecommunication networks.

11

12 Several factors have led to the increasing demand on the  
13 use of the remaining NXX codes. The changes in  
14 technology and lifestyle at a consumer level have placed  
15 a demand for additional telephone numbers. The  
16 population growth in the area, the easy and inexpensive  
17 acquisition of fax machines with separate lines, personal  
18 pagers, additional lines in residences and businesses for  
19 computer modems, second (and third) "teen" lines, and the  
20 proliferation of cellular and other wireless services all  
21 contribute to the need for numbers.

22

23 In addition, the entrance into the market by competitors  
24 who each require number resources diminishes further the  
25 number of available NXX codes in an NPA. NXX codes are

1 blocks of 10,000 numbers and are assigned to a  
2 telecommunications provider only as a block. As an  
3 example, if there are 5,000 customers in an area and six  
4 telecommunications providers: two wireline local exchange  
5 carriers, two paging companies, and two cellular  
6 companies, 60,000 numbers would be assigned to these six  
7 telecommunications companies to provide service to these  
8 5,000 consumers. If there are more entrants into the  
9 market, additional numbering resources would be assigned  
10 for those consumers.

11

12 Q. Will the implementation of Local Number Portability  
13 alleviate the problems you just described?

14

15 A. Only partially. Portability will not do anything for the  
16 numbers of different services and the quantities of  
17 services that consumers purchase. Portability will allow  
18 for greater efficiencies in the use of numbers within an  
19 NXX and between telecommunication companies offering  
20 similar services. Each new Local Exchange Carrier would  
21 require at least one new NXX code.

22

23 Q. What options are available to the telecommunications  
24 industry to provide relief to the 407 NPA in the Central  
25 Florida area?

1       A.    There are three basic methods of providing relief to an  
2            NPA.  There is 1) the geographic split, 2) the overlay,  
3            and 3) the boundary realignment.  These three options,  
4            and combinations of these options, were reviewed at an  
5            Industry meeting held in Maitland, Florida March 31,  
6            1998.  This Industry meeting was attended by some 35  
7            individuals from all segments of the telecommunication  
8            industry.  At that meeting, the Industry narrowed the  
9            acceptable methods of relief to three, two split plans  
10           and an overlay plan.  Further, the Industry reached  
11           consensus on the overlay method over the other two  
12           methods.

13

14       Q.    What factors were used in selecting these three plans for  
15            final consideration?

16

17       A.    Plans are selected that provide the longest relief  
18            periods or intervals without having a great disparity in  
19            the time periods to exhaust, in the case of an NPA split,  
20            between the surviving areas.  Clear, identifiable  
21            geographic boundaries are preferred.  Changes made are to  
22            have the least effect on customers.

23

24       Q.    Describe the three specific plans that the Industry found  
25            to be acceptable at the March 31, 1998 meeting.

1       A.    I have included an Exhibit (TCF \_\_\_) illustrating the  
2            three alternatives (further identified as Sprint Exhibits  
3            1, 2 and 3).    As noted, there were two NPA split  
4            alternatives.    The first NPA split alternative,  
5            identified in the Industry meeting as Alternative #4,  
6            would separate the 407 NPA into two areas.    One of the  
7            areas, identified as Area A on Sprint Exhibit #1, would  
8            include the exchanges of Orlando, Winter Garden,  
9            Kissimmee, West Kissimmee, Reedy Creek, Windermere,  
10           Monteverde, Celebration, and Lake Buena Vista.   The other  
11           area, identified as Area B, would include the remaining  
12           exchanges.

13

14           The next NPA split alternative, identified in the  
15           Industry meeting as Alternative #7, would also separate  
16           the 407 NPA into two area.   One area, Area A on Sprint  
17           Exhibit #2, would include the exchanges of Orlando, East  
18           Orange, Winter Garden, Apopka, Winter Park, Sanford,  
19           DeBary, Geneva, Montverde, and Oviedo.   The other area,  
20           Area B, would include the remaining exchanges.

21

22           The third alternative was an NPA overlay, identified in  
23           the Industry meeting as Alternative #1.   The overlay  
24           would cover the entire geographic area of the existing  
25           407 NPA.   Please refer to Sprint Exhibit #3.



1 Q. What are the advantages and disadvantages of each of the  
2 three above methods for NPA relief in the 407 NPA?

3

4 A. The advantages to the traditional geographic NPA split  
5 include:

6 • This is the traditional way relief has been  
7 provided in previous years.

8 • The geographic split divides an existing NPA along  
9 a clear geographic boundary such as a county line,  
10 a river, or highway. This method leaves both the  
11 old and new NPAs identifiable around a specific  
12 geography.

13 • In most instances the local 7-digit telephone  
14 number remains the same.

15

16 The disadvantages to the geographic split are:

17 • Existing 7-digit dialing across the new NPA  
18 boundary will be converted to 10-digit dialing.

19 • The geographic split does require about half of the  
20 incumbent subscribers to change their area code.  
21 These changes are seen as very costly to the  
22 affected customers.

23

24 The overlay method basically places two NPAs within the  
25 same geographic area. Future growth of NXX codes will be

1 available from the new NPA and from the remaining vacant  
2 NXX codes in the existing NPA. With the inception of  
3 number pooling, additional 407 NPA numbers will be made  
4 available to all market players.

5

6 Advantages to the overlay method include:

- 7 • This method does not generally require any customer  
8 to change their Area Code or their local 7-digit  
9 number. These existing customers will forgo the  
10 expense associated with a number change.
- 11 • The overlay is easy, from the telecommunications  
12 network perspective to implement.
- 13 • After the initial NPA overlay code is employed,  
14 additional relief for the area using another  
15 overlay NPA code will be completely nondisruptive  
16 to the consumers.

17

18 The disadvantage to the overlay method is that customers  
19 will have to dial ten digits for all local calls.

20

21 In a boundary realignment one or more surrounding NPAs  
22 that have an abundance of available NXX codes are  
23 adjusted to absorb some of the current NPA's subscribers.  
24 The boundary realignment is not practical in this case  
25 since the surrounding NPAs do not have an

1 underutilization of NXX codes. Additionally, many  
2 customers would require local number changes because of  
3 NXX code conflicts that exist.

4

5 Q. You referred to number pooling in your explanation.  
6 Could you elaborate please.

7

8 A. Number pooling is a new feature, available as an offshoot  
9 of Permanent Local Number Portability (LNP) in a future  
10 release of the centralized LNP database management  
11 software. Number pooling will allow the assignment of  
12 1,000 number blocks, instead of a full 10,000 numbers of  
13 an NXX code to a particular facility based local exchange  
14 carrier's facility.

15

16 Q. You also referred to the costs to a customer with a  
17 number change, can you be more specific?

18

19 A. Yes. Some of the costs are economic, others are not. The  
20 customers who undergo a number change, even though  
21 Telecommunications Companies go to great lengths to  
22 mitigate the impact, are required to reprint advertising  
23 media, stationary, etc. They must also inform all their  
24 existing customers, business relationships, and  
25 acquaintances of the change.

1 With any of the alternatives, there are costs to  
2 telecommunications providers for the implementation.

3

4 In the NPA split plan, Alternative #4, there are 31,759  
5 Sprint business and 68,795 Sprint residence access lines  
6 In Area A.

7

8 In Alternative #7, 181,813 Sprint residence and 112,744  
9 Sprint business access lines would be in area A. This is  
10 a large portion of the 141,464 Sprint business and  
11 251,266 Sprint residence access lines in the 407 NPA.  
12 These are based on May, 1998 figures.

13

14 Q. Earlier in this testimony, you referred to maximizing the  
15 relief interval. What are these intervals for the three  
16 plans under consideration?

17

18 A. In Alternative #4, Area A exhausts in 2004 and Area B  
19 exhausts in 2005. For Alternative #7, Area A exhausts in  
20 2002 and Area B would exhaust in 2012. For Alternative  
21 #1, additional relief is estimated to be needed in 2005.  
22 These exhaust dates were presented at the March 31, 1998  
23 Industry meeting and were compiled by Lockheed Martin  
24 IMS, the North American Numbering Plan Administrator.

25

1 Q. What happens at the exhaust dates for each of the plans?

2

3 A. For Alternatives #4 and #7, the NPA split plans, the  
4 process will be similar to what we are experiencing now.  
5 Each area, Area A and Area B, will be considered for  
6 relief at the appropriate time prior to exhaust.  
7 Additional relief plans will have to be examined, decided  
8 upon, and implemented.

9

10 For Alternative #1, the overlay plan, at the exhaust  
11 point, a new NPA code will be activated for the area.  
12 There will not need to be a transitory period for  
13 implementation.

14

15 Q. Should an NPA Split be ordered by the Florida Public  
16 Service Commission, what would Sprint do to assist  
17 customers with the transition?

18

19 A. As in the past, Sprint will under take a campaign to  
20 notify customers. Individual customers will be notified  
21 with media releases, targeted advertising, bill inserts,  
22 and other forms of communication.

23

24 Larger customers will be notified directly of any changes  
25 that affect them. They will be advised of what

1           appropriate actions to take such as reprinting of  
2           stationary, notification of suppliers and customers, and  
3           reprogramming of PABXs.

4

5           No matter which alternative is ordered, Sprint would do  
6           all that is reasonably possible to assist customers, as  
7           we have in the past, with any transition issue.

8

9           Q.    You noted that in with the overlay plan, Alternative #1,  
10           10-digit dialing would be required on local calls.

11

12           A.    This is true.   Ten-digit dialing would be required for  
13           all intra-NPA calls with the overlay plan.   In fact,  
14           even with the NPA split plans, 10-digit dialing would be  
15           required for any cross NPA boundary dialing.   As an  
16           example, depending upon the final FPSC ordered solution,  
17           calls between Orlando and Winter Park or Altamonte  
18           Springs would have to be dialed with ten-digits.   I would  
19           like to point out that, the implementation of 10-digit  
20           dialing will have no effect on the rates that customers  
21           now enjoy.

22

23           The need to expand to 10-digit dialing was identified  
24           several years ago.   In 1993, Bellcore, the NANP  
25           Administrator at the time, recommended the all local

1 dialing, including that associated with overlay NPAs, be  
2 10-digit. Reference: Section 7.7 page 36, *Bellcore IL-*  
3 *93/01-0008, North American Numbering Plan Administrator's*  
4 *Proposal on the Future of Numbering in WZ1 - Second*  
5 *Edition.*

6  
7 Over time, consumers will become accustomed to the new  
8 overlay NPA and dialing 10-digits will become more  
9 acceptable. This consumer acceptance has been seen with  
10 other dialing plan changes such as the use of "new"  
11 (nontraditional) area codes and previous NPA splits.

12

13 Q. Does this conclude your testimony?

14

15 A. Yes, it does. Thank you.

1  
2  
3 - - -  
4 DIRECT TESTIMONY  
5 OF  
6 THOMAS C. FOLEY  
7

8 MR. COX: Good afternoon, Mr. Foley.  
9 Will Cox of the Commission Staff.

10 Turning to your direct testimony  
11 that you prefiled in this case, and on page  
12 four you dealt with the issue of the initial  
13 effect of local number portability.

14 WITNESS FOLEY: Yes, sir.

15 MR. COX: And you say that number  
16 portability would only partially alleviate the  
17 problem associated with the 407 area code  
18 exhaust, is that correct?

19 WITNESS FOLEY: Yes, sir.

20 MR. COX: What do you mean by  
21 partially there?

22 WITNESS FOLEY: In the very near  
23 future, I believe that the industries in  
24 PER-JUR-AREA FOUR (phonetic) are going to move  
25 to some type of pooling, and/or pre-porting



1 numbers, which will allow basically the  
2 sharing of NXX codes which will allow the  
3 inefficiency of assigning multiple NXX codes  
4 to the same rate centers to accommodate  
5 multiple companies.

6           However, the problem we have with  
7 407 is here now and the pooling relief will  
8 not come now. It will slow down any future  
9 relief activities that may be necessary.

10           MR. COX:     Would no number  
11 portability somehow reduce the amount of  
12 numbers to be used?

13           WITNESS FOLEY: I believe it would  
14 reduce the number of NXXs being assigned.

15           MR. COX:     Okay. Is that contingent  
16 on the status of competition?

17           WITNESS FOLEY: I beg your pardon.

18           MR. COX:     Is that somehow contingent  
19 on the status of local competition?

20           WITNESS FOLEY: Yes, sir.

21           MR. COX:     And how would it be  
22 contingent, in your opinion?

23           WITNESS FOLEY: After a period of  
24 time, I believe that Mr. Milby mentioned that  
25 at 2000, he assumed that the growth of NXX

1 codes would be cut in half in this particular  
2 area, and where we can dispute the half or the  
3 break point all day long, I think that that  
4 will occur when we start to reach a steady  
5 state of the number of competitors that are  
6 out there right now.

7 In the past seven years there has  
8 been a large influx of new entrants into  
9 business, and I think at some point in time  
10 that that is going to level off and you are  
11 going to see like what has happened in the  
12 rest of the communication industries, a steady  
13 state occurring.

14 MR. COX: The last question I have  
15 is something I asked earlier of the BellSouth  
16 witness regarding the staff exhibit EA-SEC 407  
17 area code.

18 WITNESS FOLEY: Yes, sir.

19 MR. COX: Does Sprint have available  
20 information on the DOUT (phonetic) patterns  
21 contained in that exhibit if you are going to  
22 use alternative number four?

23 WITNESS FOLEY: We have begun  
24 discussing that right now and can file it as a  
25 late exhibit.

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MR. COX: Will you provide that as a late filed exhibit?

WITNESS FOLEY: Yes, sir.

MR. COX: The staff would ask that this be marked as a late filed exhibit.

CHAIRMAN JOHNSON: It will be marked as late filed nine.

MR. COX: Exhibit nine?

And Sprint's ES-SEC for 407 area code for alternatives number four and seven.

CHAIRMAN JOHNSON: Yes.

(Exhibit No. 9 marked for Identification).

MR. COX: That concludes the staff's questions.

CHAIRMAN JOHNSON: Any questions from the Commissioners?

COMMISSIONER CLARK: I just have one.

CHAIRMAN JOHNSON: Yes.

COMMISSIONER CLARK: Do you know what the status is of ten-digit dialing throughout North America?

WITNESS FOLEY: The document I referenced in my testimony is the latest

1 edition of that document, and with the handoff  
2 of the North American Numbering Plan,  
3 responsibilities from BellCore to Lockheed  
4 Martin under contract, I personally do not  
5 know where that responsibility has since  
6 fallen.

240

7 My intent in referencing it here was  
8 to indicate that the idea of ten-digit dialing  
9 is not a new one.

10 COMMISSIONER CLARK: Okay.

11 CHAIRMAN JOHNSON: You stated that  
12 with the handoff, you cannot assure the entity  
13 that is coming in?

14 WITNESS FOLEY: I'm not sure which  
15 entity -- Lockheed Martin took over several of  
16 BellCore's functions under contract, and in  
17 discussions with Mr. Milby, I'm not sure -- I  
18 don't think he is either -- exactly where the  
19 care of that type of a document falls under  
20 the new relationship. That is the latest  
21 edition of that document that we know of.

22 CHAIRMAN JOHNSON: Okay. Thank you.

23 MR. COX: Sorry. The staff has one  
24 more question.

25 If you will turn to alternative

1 eight with the Orange City exchange.

2 WITNESS FOLEY: Yes.

247

3 MR. COX: The general area we are  
4 talking about.

5 If the overlay plan were approved,  
6 would it affect the dialing pattern for  
7 customers in Orange City, in the Orange City  
8 exchange?

9 WITNESS FOLEY: If it was approved  
10 in the form of eight, in other words, Orange  
11 City would be brought into the 407 area code?

12 MR. COX: I think -- let's go first  
13 with alternative number one.

14 WITNESS FOLEY: All right. In that  
15 case the dialing patterns themselves would not  
16 be affected. It would simply add another NXX  
17 in the new area code, it would be added to  
18 their calling pattern in the same, with the  
19 same cost or rate that it has now.

20 MR. COX: Okay. And if it were  
21 number eight?

22 WITNESS FOLEY: If it were number  
23 eight, in addition to the customers having to  
24 have a number change themselves, I'm sure at  
25 that same time there would be a large

1 reevaluation of their rate structure for EAS  
2 or EAS and CS calling, and I couldn't really  
3 say how that would come, but I think there  
4 would be significant changes in the dialing  
5 patterns at that time.

6 MR. COX: So would a geographic  
7 split be more favorable, in your opinion, for  
8 someone from this area?

9 WITNESS FOLEY: I am not intimately  
10 familiar with their communities of interest.  
11 I am only hearing them in the testimony, and  
12 having heard them in some other conversations  
13 that are relevant to my employment. I really  
14 don't know if the split would be more  
15 advantageous to them.

16 MR. COX: Thank you.

17 CHAIRMAN JOHNSON: Any other  
18 questions?

19 Redirect?

20 COMMISSIONER DEASON: Madam  
21 Chairman, I was wondering if I could ask Mr.  
22 Foley a question.

23 It was not necessarily redirect on  
24 his cross examination, but there was a  
25 question, a response from MCI about geographic

1 splits occurring relative to rate centers, and  
2 if I might ask you since you participated in  
3 the group that discussed the various  
4 alternatives.

243

5 CHAIRMAN JOHNSON: I will allow  
6 that, hearing no objection.

7 COMMISSIONER DEASON: Are you aware,  
8 Mr. Foley, whether any of the geographic  
9 splits are based on splitting of rate centers  
10 and name proposals?

11 WITNESS FOLEY: I don't believe any  
12 of the proposals that were offered up  
13 considered splitting any rate center.

14 During the meetings, there was a  
15 discussion of that type of activity, and  
16 because of the severe impacts that it would  
17 have, we stayed pretty much on a rate center  
18 basis.

19 CHAIRMAN JOHNSON: Any other  
20 questions?

21 MR. COX: I just wanted to ask  
22 about -- we can deal, I guess -- deal with it  
23 at the end of the testimony about the timing  
24 and the late filed exhibits. We can do that,  
25 I guess, when all the exhibits are in.

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CHAIRMAN JOHNSON: That would be  
preferable.

244

MR. COX: Thank you.

CHAIRMAN JOHNSON: Thank you. You  
are excused.

(Prefiled testimony commences at top of next  
page)



VISTA-UNITED  
TELECOMMUNICATIONS  
DOCKET NO. 980671-TL  
FILED: 06/12/98

1                                   **BEFORE THE PUBLIC SERVICE COMMISSION**

2                                   **DIRECT TESTIMONY**

3                                   **OF**

4                                   **ROBERT P. MERRICK**

5  
6   **Q.**   Please state your name and business address.

7  
8   **A.**   My name is Robert P. Merrick. My business address is 3100  
9       Bonnet Creek Road, Lake Buena Vista, Florida, 32830-0180.

10  
11 **Q.**   By whom and in what capacity are you employed?

12  
13 **A.**   I am employed by Vista-United Telecommunications ("Vista"  
14       or the "Company") as Engineering and Regulated Operations  
15       Manager. My responsibilities include business operations  
16       and planning and network design and operation. I manage a  
17       group of between 40 and 50 people whose primary function is  
18       to design, install, operate and maintain equipment and  
19       systems to provide telecommunication services to Vista's  
20       customers. I am also a member of the Vista-United  
21       Operating Committee, which is responsible for setting  
22       policy, goals and strategies for the Company in the areas  
23       of technology, operations and strategic planning.

24

25

1 Q. Please describe your educational background.

2

3 A. I was graduated from the University of Akron (Ohio) in  
4 1971, with a Bachelor's of Science degree in electrical  
5 engineering. From 1974 to 1978 I was employed by Florida  
6 Power & Light Company as a Supervisor - Instrumentation and  
7 Control. I began working at Vista in 1978 and have held  
8 various positions in the engineering and operations area  
9 over the past 20 years.

10 In addition to my education at the University of Akron, I  
11 have obtained specialized training and education in the  
12 areas of fiber and integrated optics, data communications,  
13 digital transmission systems engineering, communications  
14 satellite systems, personal communications systems ("PCS")  
15 and asynchronous transfer mode ("ATM") switching.

16 I am a registered Florida professional engineer.

17

18 Q. Have you prepared an exhibit to accompany your direct  
19 testimony?

20

21 A. Yes. Exhibit \_\_\_\_ (RPM-1) is a composite exhibit that was  
22 compiled and prepared under my direction and supervision.

23

24 Q. What is the purpose of your testimony?

1 A. The purpose of my testimony is to describe Vista and  
2 explain Vista's position on relief for the exhausting 407  
3 NPA.

4  
5 About Vista

6  
7 Q. Please describe Vista.

8  
9 A. Vista is a telecommunications company within the meaning of  
10 Section 364.02(12), Florida Statutes (1997). Vista  
11 provides local exchange telecommunications services to  
12 customers within its commission-prescribed service  
13 territory. Vista is an incumbent local exchange company  
14 and is regulated by the Commission under the system of  
15 price regulation in Chapter 364, Florida Statutes.

16  
17 Q. Please describe Vista's service territory.

18  
19 A. Vista's service territory is situated southwest of downtown  
20 Orlando and consists of approximately 44 square miles in  
21 Orange and Osceola Counties, Florida. As of April 30,  
22 1998, Vista served a total of 16,140 access lines. Of that  
23 total, 12,717 were business access lines and 1,863 were  
24 residential access lines. The remainder are coin and WATS  
25 lines. A map of Vista's service territory is included as

1 document 1 of my composite exhibit.

2 Vista's service territory is divided into two exchanges,  
3 the Lake Buena Vista exchange and the Celebration exchange.  
4 Most of our business access lines are in the Lake Buena  
5 Vista exchange and most of our residential access lines  
6 will be located in the Celebration exchange when  
7 Celebration is built out. Vista also serves a number of  
8 large resort hotels within the Lake Buena Vista exchange.

9  
10 Q. Is Vista's service territory unique?

11  
12 A. Yes. Vista's service territory includes a significant  
13 portion of the Orlando/I-4 resort and entertainment  
14 corridor ("Orlando Entertainment Corridor"). This corridor  
15 extends into the service territory of BellSouth. This  
16 corridor contains a variety of resort and entertainment  
17 complexes, including the WALT DISNEY WORLD Resort, and is  
18 unlike any other place in Florida. Indeed, the businesses  
19 within the Orlando Entertainment Corridor have made central  
20 Florida one of the premier travel and entertainment  
21 destinations in the world. The Commission should carefully  
22 consider how any proposed relief plan affects the Orlando  
23 Entertainment Corridor to ensure that this unique area of  
24 Florida is not disadvantaged by the relief ultimately  
25 granted.

407 NPA Relief

1  
2  
3 Q. Please describe the North American Numbering Plan.  
4

5 A. The North American Numbering Plan (NANP) was introduced in  
6 1947 by AT&T, and governs the assignment and use of  
7 telephone numbers in North America. The plan is based on  
8 a destination code in which each main telephone number in  
9 the NANP is assigned a specific address or destination  
10 code. The destination codes are commonly referred to as  
11 telephone numbers.

12  
13 NANP telephone numbers are in a ten-digit format and  
14 consist of a three-digit numbering plan area ("NPA") code  
15 (also known as the area code), a three-digit central office  
16 code (usually referred to as an NXX code) and a four-digit  
17 station address code. For many years, BellCore was the  
18 NANP Administrator ("NANPA"); however, now that function is  
19 being performed by Lockheed Martin, IMS, with the approval  
20 of the North American Numbering Council ("NANC") and the  
21 Federal Communications Commission ("FCC").  
22

23 Q. How does the NPA relief process work?  
24

25 A. Once the NANPA identifies that NPA relief is needed,

1 members of the telecommunications industry meet with the  
2 NANPA and other interested parties to discuss the  
3 alternatives for relieving the exhausting NPA. The  
4 alternative relief plans are evaluated in light of the  
5 Industry Numbering Committee's NPA Code Relief Planning and  
6 Notification Guidelines (INC 97-0404-016, issued 4/4/97,  
7 hereinafter "Guidelines"). A copy of the Guidelines is  
8 included in my composite exhibit as document 2.

9  
10 Once all of the relief plans have been evaluated, the  
11 industry group attempts to reach consensus on one of the  
12 alternatives. Once consensus has been reached, the  
13 recommendation is submitted to the FPSC for consideration  
14 and approval. The FPSC considers the recommended plan and  
15 any other presented to it and for each plan evaluates  
16 competitive concerns, impacts to customers, impacts to  
17 carriers and the length of area code relief.

18  
19 Q. Did Vista participate in the industry meeting regarding  
20 relief for the 407 NPA?

21  
22 A. Yes. A member of my staff attended all of the meetings.  
23 I am familiar with the meetings and have studied the  
24 minutes of those meetings.

25

1 Q. What alternatives did the industry consider for the 407  
2 NPA?

3

4 A. The industry considered ten alternatives for 407 NPA  
5 relief. Maps showing the ten alternatives are included as  
6 document 3 of my composite exhibit. A chart analyzing the  
7 exhaust dates and other data for each of the ten  
8 alternatives is included as document 4 of my composite  
9 exhibit.

10

11 Q. What did the industry group conclude?

12

13 A. The industry agreed to eliminate alternative 2 due to the  
14 extreme imbalance of projected lives of subsequent NPAs.  
15 Alternative 3 was eliminated due to disruption of local  
16 calling areas and lack of industry support. Alternatives  
17 5, 6, 8, 9 and 10 were also eliminated for various reasons.

18 After discussing the remaining three alternatives (1, 4 and  
19 7), the industry came to a consensus on alternative 1,  
20 which is a single overlay for the 407 NPA.

21

1 Q. What is Vista's position on relief for the exhausting 407  
2 NPA?

3  
4 A. Vista believes that the FPSC should approve the alternative  
5 that does the best job preserving the 407 area code for  
6 existing customers, grants the longest period of NPA relief  
7 and complies with the Guidelines. Doing so will advance  
8 the public interest by minimizing the long term affect NPA  
9 changes have on customers and carriers.

10

11 Q. Is Vista opposed to Alternative 1, the single overlay?

12

13 A. No. That plan has many advantages and should be considered  
14 by the Commission along with alternatives 4 and 7. The  
15 Commission should not approve Alternative 2, because it  
16 would divide Vista's relatively small service territory  
17 into two parts.

18

19

20 Q. Does that conclude your prepared direct testimony?

21

22 A. Yes, it does.

23

24 jjw\vst\980671.ts2



1  
2 ---  
3 DIRECT TESTIMONY  
4 OF  
5 ROBERT MERRICK  
6

7 MR. COX: Mr. Merrick, I am Will Cox  
8 and I have just a few questions on behalf of  
9 the Commission Staff.

10 Does this advocate one plan over  
11 another, alternative plans one, four and  
12 seven?

13 WITNESS MERRICK: No, we are evenly  
14 in favor of all three of those plans.

15 We think that with the industry  
16 participation, the development of and looking  
17 at those ten alternatives, that they come up  
18 with probably the three best alternatives.

19 MR. COX: So Vista would not be  
20 opposed to alternative number seven which  
21 would split Vista from the area codes serving  
22 Orange and Seminole Counties?

23 WITNESS MERRICK: No, sir.

24 MR. COX: The last question I have.  
25 It is something I have asked the other

1 witnesses in this proceeding, if they can  
 2 provide any information for alternatives four  
 3 and seven for the staff exhibit EES and ECS  
 4 routes.

5           Would you be able to provide that  
 6 information and its various alternatives?

7           WITNESS MERRICK: Generally the  
 8 answer to that is yes, we would have to look  
 9 at it. I think with the specific question --  
 10 since we are relatively small, we have  
 11 probably more concentrated trunk groups and in  
 12 some cases it may not be possible to split out  
 13 trunks by those different geographic areas.

14           MR. COX: The specific question  
 15 would be what would the dialing patch of EAS,  
 16 ECS route be under the alternative four and  
 17 also under alternative seven?

18           (No response)

19           MR. COX: Can you provide that as a  
 20 late-filed exhibit?

21           WITNESS MERRICK: Yes.

22           CHAIRMAN JOHNSON: That will be  
 23 marked as late filed exhibit ten.

24           (Late filed exhibit 10 marked for  
 25 Identification).

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MR. COX: That is the EAS and ECS routes under alternatives four and seven.

CHAIRMAN JOHNSON: It will be so marked.

MR. COX: That's all of the staff's questions. Thank you.

MR. DEASON: I have a question.

CHAIRMAN JOHNSON: All right.

COMMISSIONER DEASON: The Windermere exchange, is that part of Vista or not?

WITNESS MERRICK: No, it's not.

COMMISSIONER DEASON: Not.

COMMISSIONER DEASON: Do you know then why alternative seven, Windermere was included in area "B" as opposed to a part of area "A"?

WITNESS MERRICK: I'm sorry. What was the first part of that question?

COMMISSIONER DEASON: Could you refer to alternative seven?

WITNESS MERRICK: Yes.

COMMISSIONER DEASON: I asked the BellSouth witness to contrast alternative seven with alternative two, and he indicated that alternative two would split the

1 territory, whereas alternative seven did not,  
2 and I'm looking at alternative seven and  
3 realizing that Windermere is not part of  
4 Vista. Do you know why Windermere was not  
5 included in the Orlando area as opposed to  
6 being included in the Osceola area?

7 WITNESS MERRICK: Alternative seven?

8 COMMISSIONER DEASON: Yes.

9 WITNESS MERRICK: Hang on.

10 COMMISSIONER DEASON: Do you recall  
11 it being discussed or anything?

12 WITNESS MERRICK: No.

13 COMMISSIONER DEASON: Do you know  
14 whether the problem with Windermere -- under  
15 alternative seven, do they put Windermere in  
16 with Orange County?

17 WITNESS MERRICK: No, sir.

18 COMMISSIONER DEASON: You don't know  
19 if that's a good or bad idea?

20 WITNESS MERRICK: No.

21 COMMISSIONER DEASON: Okay.

22 CHAIRMAN JOHNSON: Any other  
23 questions?

24 MR. COX: The staff has no further  
25 questions.

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CHAIRMAN JOHNSON: Redirect?

(No response)

CHAIRMAN JOHNSON: Thank you. You are excused.

MR. COX: The only matter staff has left is the issue of late filed exhibits.

CHAIRMAN JOHNSON: Okay.

MR. COX: And we would suggest two weeks to obtain them.

CHAIRMAN JOHNSON: Is that sufficient to gather the information?

(No audible response)

CHAIRMAN JOHNSON: Is that two weeks from today?

MR. COX: Two weeks from today.

CHAIRMAN JOHNSON: Any other preliminary or concluding matters?

MR. COX: Not that I can think of.

CHAIRMAN JOHNSON: Is this the appropriate time to discuss procedurally, or did you want to discuss it with the companies?

There has been some interest expressed in receiving additional consumer customer input and the process that we might use.

1           There was a suggestion that we use  
 2 the AA process and go ahead and proceed  
 3 forward and come out with a recommendation.

4           There was also a suggestion that we  
 5 use just the additional public hearing with  
 6 companies having the opportunity to provide  
 7 written comments to that.

8           Any suggestions?

9           MR. COX: Well, I would be  
 10 interested in asking the companies if they  
 11 have any thoughts on that issue.

12           MR. REHWINKEL: First of all, I  
 13 guess if there is going to be additional  
 14 testimony, my last review of the case showed  
 15 that briefs are due on the 28th, I believe, so  
 16 we would prefer to have an opportunity to  
 17 respond to any testimony if it was warranted.

18           I think linked to some substantive  
 19 consideration of interest is a possibility  
 20 that a proposal or alternative be developed,  
 21 and it may not be anything that has been  
 22 specifically discussed today, that we have not  
 23 had an opportunity to have input, maybe  
 24 technical issues that might be raised, or  
 25 concerns, so I think -- I'm not sure if the

1 PAA process would really get us there. It  
2 just might push it out further and necessitate  
3 another round of hearings.

4 I know there is some desire to have  
5 the Commission vote on this in time it would  
6 have permissive dialing were it required and  
7 of the exhaust. So I just -- I guess we want  
8 to express our concern that we have an  
9 opportunity and have some input if a proposal  
10 is developed that we haven't seen before, and  
11 that might come from additional testimony and  
12 some new ideas.

13 MR. COX: Mr. Rehwinkel, would you  
14 be amenable to another (inaudible) for a  
15 service hearing?

16 MR. REHWINKEL: Sprint's position in  
17 this case, again public interest is an  
18 important factor so I would not be in a  
19 position to object to one, but the concern we  
20 would have would be the timing and our  
21 opportunity to participate on the record.

22 CHAIRMAN JOHNSON: Thank you,  
23 Mr. Rehwinkel.

24 Any other quick comments?

25 MR. WAHLEN: We agree.

1                   CHAIRMAN JOHNSON: You say you  
2 agree.

260

3                   MR. WAHLEN: We concur in Sprint's  
4 comments, some sort of opportunity to provide  
5 either written input, in briefs or opportunity  
6 to talk when we adjourn the general  
7 conference. Something that would give us the  
8 opportunity to comment on anything that's new  
9 that we haven't had a chance to address would  
10 be helpful, and would keep us from having  
11 problems down the road.

12                   CHAIRMAN JOHNSON: Certainly.  
13 Thank you, Mr. Wahlen.

14                   CHAIRMAN GARCIA: Madam Chairman, it  
15 occurs to me, one of the problems that  
16 customers may have is that as we have gone  
17 further on these things, including the Orlando  
18 area -- the Orlando area represents a more  
19 complex picture than some of the areas we have  
20 studied in some previous cases, and when you  
21 look at the areas where this has been a  
22 problem, one thinks back to the St. Petersburg  
23 area and Tampa area, and there we had clearly  
24 the Bay to divide the area.

25                   And the Dade County one, you had a



1 very clear picture. You only had two  
2 alternatives, either geographical on the  
3 county line, or overlay, and we chose by a  
4 very close vote to do a geographic the first  
5 time, and the second time in Dade County, we  
6 went with the overlay.

261

7 And when you look at the data on  
8 commuters in Dade County and you remember how  
9 contentious that was after we made the  
10 decision, and there was only 16 percent of the  
11 people that cross that boundary, it occurs to  
12 me that perhaps maybe the least restrictive  
13 may be to have staff develop a preliminary  
14 position as they sometimes do. In other  
15 words, staff (inaudible) has staff develop a  
16 preliminary position. We don't necessarily  
17 need to vote on that. And then if we get some  
18 interest, we can then have a hearing. It will  
19 move the issue along because it's just -- I  
20 think it has to be exceedingly complex for any  
21 citizen to be able to put together these nine  
22 plans with all the information that's out  
23 there and be able to say, well, this one's  
24 better, that one's better.

25 I think if we give them the full --

1 and that way they understand what we're  
2 looking at, then they can speak to that, to  
3 those issues.

262

4 COMMISSIONER CLARK: Gentlemen, I  
5 think what I would perceive as the way to  
6 accomplish that is the parties would file  
7 their briefs, based on what we have, staff  
8 would do a recommendation, and before we vote,  
9 go out again for consumer hearings and then  
10 give the party an opportunity to respond to  
11 what was said at the hearing, and then we have  
12 a final vote.

13 COMMISSIONER GARCIA: That's fine.

14 COMMISSIONER CLARK: It is very  
15 unprecedented, but certainly a -- I mean, one  
16 can argue that it's going to lead to area code  
17 type decisions.

18 CHAIRMAN JOHNSON: Yes.

19 COMMISSIONER GARCIA: That addresses  
20 everyone's situation.

21 I think the companies want to align  
22 in favor of a public hearing and the reason we  
23 want to get this out as quick as possible, is  
24 to get customers, to make it possible for them  
25 to respond to these changes.

1 MR. O'ROARK: That procedure is  
2 acceptable with MCI.

3 COMMISSIONER CLARK: Okay.

263

4 COMMISSIONER GARCIA: Just one  
5 clarification from the staff's perspective.

6 So after this all takes place, there  
7 would not be another staff recommendation  
8 after this other Public Service hearing?

9 COMMISSIONER CLARK: There may be.

10 COMMISSIONER GARCIA: There may be.

11 COMMISSIONER CLARK: But I think at  
12 that point I think it would only be  
13 conditioned one way.

14 COMMISSIONER GARCIA: That was my  
15 concern today. Where would the cycle end if  
16 there was another hearing and it keep going  
17 on?

18 CHAIRMAN JOHNSON: Okay. BellSouth?

19 MS. KEYER: Well, I was just going  
20 to say that would have been our concern, that  
21 we would make sure that we do get it done in a  
22 timely fashion so that, you know, it doesn't  
23 keep going on.

24 COMMISSIONER GARCIA: I think it  
25 lends itself -- I think clearly you can get

1 discretion from the Chairman since she knows  
2 this area intimately, that if she feels that . • 264  
3 there is enough interest out there that can  
4 warrant it, and we schedule a time for a  
5 hearing, and we may even schedule it in -- you  
6 know, have a teleconference. We might not  
7 necessarily have to come down here. We could  
8 have it simultaneously in Tallahassee.

9 Our office here in Orlando has  
10 teleconferencing capacity. It may not have  
11 the capacity -- we may not have the capacity  
12 to fit everyone who may want to comment, but  
13 that way everybody gets to speak what they  
14 want to, and if staff feels that any of the  
15 testimony is that drastic, counsel could file  
16 briefs to any changes.

17 I don't think it will -- I don't  
18 think it is going to be that great, but it  
19 would at your discretion whether to schedule  
20 that hearing or not.

21 CHAIRMAN JOHNSON: Are we going to  
22 set a date?

23 CHAIRMAN GARCIA: I was just going  
24 to say that staff would prefer that we just  
25 think about this a little bit before we commit

1 to a day.

2 CHAIRMAN JOHNSON: Mr. Wahlen?

263

3 MR. WAHLEN: I'm not sure that this  
4 is the right thing to say, but if you put your  
5 decision out and then not invite everyone --  
6 or recommendation out and not invite everybody  
7 to look at it, it's likely, in my view, you  
8 are just going to get people that don't like  
9 it to come and comment on it.

10 CHAIRMAN JOHNSON: That's a good  
11 point.

12 MR. WAHLEN: And that may not be the  
13 case. It may be that you get a lot of people  
14 come in and some say yes and some say no.

15 Once you say this is the way we are  
16 going, I think it's likely you are just going  
17 to get a bunch of criticism on it. And our  
18 interest is that once the public has the  
19 opportunity to talk about all the issues  
20 involved, and if you have another public  
21 hearing, we have an opportunity, because we  
22 have to implement things, to talk about it  
23 from the technical perspective and bring to  
24 your attention any technical problems that we  
25 have.

1 I don't think you have been in the  
 2 habit of saying here is what our staff  
 3 recommends and here is -- let's let the public  
 4 come in and talk about it.

5 And if you want to do that, that's  
 6 fine, and we can work that out, and maybe we  
 7 don't have to make decisions today, but before  
 8 you decide on that, you might just want to  
 9 think about it, how that all works out.

10 CHAIRMAN JOHNSON: I will  
 11 participate in what's decided today and we did  
 12 want to give you an opportunity to comment,  
 13 and as we continue to deal with how we receive  
 14 the input and how you all through due process  
 15 respond.

16 Mr. Cox will be working with the  
 17 Commissioners and with the interested parties  
 18 and how customers respond to this resolution.

19 COMMISSIONER DEASON: Madam  
 20 Chairman, may I suggest one thing? Not with  
 21 that obstacle in front of us, but it seems to  
 22 me that perhaps we could just follow the  
 23 normal procedure and have the staff issue  
 24 their recommendation instead of taking it into  
 25 a very lengthy videoconference.

1                   If we have enough time to -- if we  
 2 perceive that there is enough public concern  
 3 and desire to get further input, we can still  
 4 have our recommendation and we can perhaps  
 5 schedule something, but normally we have a  
 6 recommendation that is filed, and then twelve  
 7 days later, we have an agenda conference, and  
 8 sometimes twelve days is not enough time to  
 9 issue the staff recommendation and to digest  
 10 it.

11                   If we were to keep the same schedule  
 12 except just push the agenda conference out two  
 13 more weeks, it would be almost four weeks to  
 14 get that recommendation, and if your office  
 15 perceives that there is enough public concern  
 16 and we need more public input, we can cross  
 17 that bridge when we come to it.

18                   CHAIRMAN JOHNSON: Okay.

19                   COMMISSIONER JACOBS: To understand  
 20 the ruling, a decision is on hold until a  
 21 hearing sometime later.

22                   My concern is that if we do that, if  
 23 the department saw that, we will probably move  
 24 even further away from our decision point.  
 25 Maybe there will be a middle ground and go

1 ahead and we will notice it, knowing we will  
2 always have an option of counsel, and we may  
3 find there is no real need to gather any more  
4 opinion.

268

5 CHAIRMAN JOHNSON: Thank you. We  
6 will continue discussion on this point.

7 Any other matters before us today?

8 Being none, this hearing is  
9 adjourned.

10 Thank you.

11 (Hearing adjourned at 3:00 p.m.)

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STATE OF FLORIDA)

: CERTIFICATE OF REPORTER

COUNTY OF ORANGE)

I, Ronald E. Johnson, DO HEREBY  
CERTIFY that the hearing in Docket No.  
980671-TL was heard by the Florida Public  
Service Commission at the time and place  
herein stated; it is further

CERTIFIED that I stenographically  
reported the said proceedings; that the same  
has been transcribed by me; and that this  
transcript, consisting of 269 pages,  
constitutes a true transcription of my notes  
of said proceedings.

DATED this 17<sup>th</sup> day of August, 1998.

Ronald E. Johnson

REPORTER