



County of Volusia ORIGINAL

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June 22, 2000

VIA FEDERAL EXPRESS

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

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MAIL ROOM

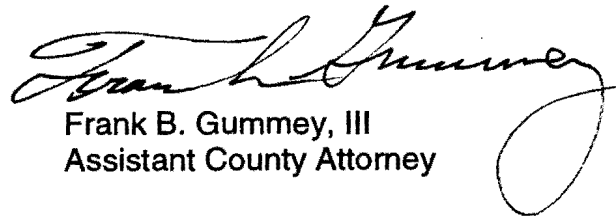
Re: Docket No.: 990517-TL

Dear Mrs. Bayo:

Enclosed please find an original and fifteen (15) copies of the County of Volusia's Brief of the Evidence.

Copies of these documents have been served to the parties shown on the attached Certificate of Service.

Very truly yours,


Frank B. Gummey, III
Assistant County Attorney

APP _____
CAF _____ FBG:mhl
CMP 10 Enclosure (as stated above)
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FPSC-RECORDS/REPORTING

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of
proposed numbering plan relief
for the 904 area code.

DOCKET NO.: 990517-TL

Filed: June 23, 2000

**COUNTY OF VOLUSIA
BRIEF OF THE EVIDENCE**

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

STATEMENT OF THE CASE

In April of 1999, the North American Numbering Plan Administration ("NANPA") notified the Florida Public Service Commission ("FPSC") that the 904 area code was in extraordinary jeopardy, and the FPSC opened Docket No. 990517-TL to investigate proposed numbering relief plans. The FPSC had, also, in March of 1999, as to the 305 area code, and in April of 1999, as to the 561 and 954 area codes, opened Docket Nos. 990455-TL, 990456-TL and 990457-TL, respectively, in response to similar declarations of extraordinary jeopardy by NANPA. The FPSC consolidated these Dockets for hearing purposes, and established the procedure to be utilized in the combined Dockets, by Order dated November 1, 1999.

In Docket No. 990517-TL, presently before the Commission on review of proposed numbering plan relief for the 904 area code, the positions of the City of Deltona and of the County of Volusia are united. Wayne Gardner presented direct and rebuttal testimony on behalf of the City of Deltona (Transcript 36-42), and introduced Composite Exhibit 10 (local telephone directory and Resolution of the City Commission). On behalf of Volusia County, Robert Weiss presented direct testimony (Transcript 43-48), and introduced Exhibit 11 (area map of southwest Volusia County area code, LATA and exchange boundaries) and Exhibit 12 (Resolution of the Volusia County Council). John E. Evans presented rebuttal testimony on behalf of Volusia County (Transcript 195-197).

Lenny Fulwood presented direct testimony on behalf of the FPSC (Transcript 189-194), and introduced Exhibit 16 (alternatives to the industry's consensus numbering relief

plans). The portion of Exhibit 16 relevant to the 904 area code is labeled as "FL-5". These alternatives were developed in response to the Community of Interest in the City of Deltona and County of Volusia. (Exhibit 7, Fulwood deposition, pp 16-17.)

STATEMENT OF BASIC POSITION

The split of area code 904 is in the best interest of the customers and better serves the economic well-being of Volusia County residents. The large and diverse territory served by 904 provides opportunity for the FPSC to maintain 7-digit dialing which is strongly desired by customers.

Further, an already dysfunctional circumstance in Southwest Volusia County which has three (3) different area codes (904, 407 and 321) for a small area and population would be subjected to four (4) area codes if an overlay to 904 were imposed.

This docket has afforded the FPSC the opportunity to extend beyond the resolution of the exhaustion of 904 to improve service by providing one (1) area code for all of Volusia County.

The County of Volusia urges the FPSC to adopt Alternative 16 (Exhibit 16, LF-5) which will split area code 904 in a manner which will advance 7-digit dialing to the entire County.

If Alternative 16 is rejected by the FPSC, then the County of Volusia would support Alternative 6, modified to include Southwest Volusia (DeBary and Osteen exchanges) in Area B.

Both Alternatives 16 and 6 could be modified to accommodate the concerns of Sprint in Bradford County with no adverse effect in Volusia County.

The economy of Volusia County will derive significant benefits from the FPSC assigning area code 386 (FUN) to Area B in Alternative 16 or 6. There is strong community support for adoption of 386 (FUN).

Issue 1a: Should the Commission approve the industry's consensus relief plan for the 904 area code?

Position: No. The overlay plan is harmful to Volusia County by requiring 10-digit dialing, losing a distinct geographic identity and exacerbating the jumble of area codes in Southwest Volusia and is not really the industry consensus.

The plan to overlay of another area code on 904 is contrary to the unrefuted testimony in the record from Robert Weiss, Communications Director, County of Volusia (Record, pp 45-47), Wayne Gardner, Deltona City Commissioner (Record p 37), and John E. Evans, Chairman, Volusia/Flagler Counties Task Ford on Area Code (Record p 196), that the telephone customers within Volusia County do not want 10-digit dialing or a fourth area code assigned to Volusia County.

The already confused circumstance in Southwest Volusia County is graphically illustrated in Exhibit 11. This small area must deal with three (3) area codes presently and to add a fourth would compound the problem.

Interestingly, the dominant local exchange provider, Bellsouth, concedes that the geographic size of the 904 area code lends itself to implementation of a split (Testimony of Stan L. Greer, Bellsouth Communications, Inc., Record p 185).

Issue 1b: If the Commission does not approve the industry's consensus relief plan, what alternative plans should be approved for the 904

area code?

Position: A split of the 904 area code to provide a single area code for all of Volusia County, particularly 386 (FUN).

The official position of the County of Volusia is expressed in Resolution 2000-63 which supports a single area code for the entire County. This is strongly buttressed by the active participation of many representatives of the community at the service hearings as well as numerous official expressions by municipal governments and chambers of commerce (Exhibit 2). Further, Flagler County (Exhibit 2) wishes to be included with Volusia County in a single area code.

Alternative 16 (Exhibit 16, LF-5) provides an area code for all of Volusia and Flagler Counties. It solves the problem of the proliferation of area codes in Southwest Volusia and provides the opportunity to designate 386 (FUN) as the area code. Alternative 16 does not have any conflict with an NXX. The 386 area code is reserved for Volusia County (Record p 229).

Alternative 6 would also meet the needs of Volusia County if the Southwest Volusia County area is added to provide the single area code county-wide as requested.

Issue 2a: What number conservation measures, if any, should be implemented for the 904 area code?

Position: None.

Issue 2b: If number conservation measures are to be implemented, when should they be implemented?

Position: None.

Issue 3: What should be the dialing pattern for local, toll, EAS and ECS calls for the 904 area code?

Position: Local, EAS and ECS - 7-digit dialing; Toll - 11-digit dialing.

Issue 4: What is the appropriate relief plan implementation schedule for the 904 area code?

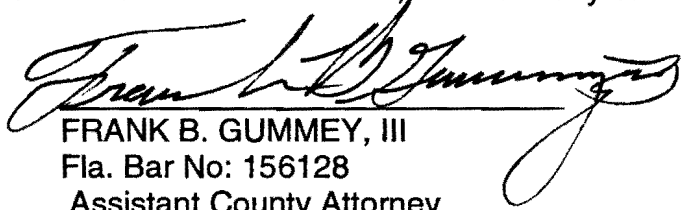
Position: None.

CONCLUSION

The County of Volusia, representing the overwhelming sentiment of the entire community, urges the FPSC to grant relief in the form of area code 386 (FUN) for the entire area of Volusia County, including the Osteen and DeBary exchanges. The County prefers Alternative 16 or secondarily Alternative 6 (modified). The County seeks the expeditious resolution of the confusion in Southwest Volusia and opposes the imposition of an overlay area code.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to the addressees on the **attached service list**, this 23rd day of June, 2000.



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