Kenneth W. Salinger

(617) 573-0561 Telephone: (617) 573-0100

ksalinger@palmerdodge.com Facsimile: (617) 227-4420

April 6, 2000

BY MESSENGER

Mary L. Cottrell, Secretary

Department of Telecommunications and Energy

One South Station

Boston, MA 02110

Re: Docket No. 99-99 - Pending Motion for Partial Reconsideration of January 27 Letter Order

Dear Ms. Cottrell:

I write on behalf of AT&T Communications of New England, Inc. ("AT&T"). On February 15, 2000, AT&T filed a "Motion for Partial Reconsideration of the January 27, 2000, Letter Order, to Accommodate Specific Customer Numbering Requirements." That motion remains pending. A brand new order by the Federal Communications Commission (the "FCC") confirms that the clarification sought by AT&T is appropriate, and indeed is now expressly required.

Last Friday, March 31, 2000, the FCC issued an order in its Numbering Resource Optimization docket which, among other things, expressly confirms that any rules for sequential number assignment must allow carriers to meet specific customer number requests. In the words of the FCC:

We adopt a flexible requirement which mandates that carriers first assign all available telephone numbers within an opened thousands-block before opening another thousands-block, unless the available numbers in the opened thousands-block are not sufficient to meet a customer request. … We agree with commenting parties who express concern that the strict sequential numbering requirement we discussed in the Notice may be too inflexible to meet customer needs.

In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, Report and Order No. FCC 00-104, ¶ 234 (released March 31, 2000) (emphasis added). The FCC's explicit order that carriers may open a new thousands-block in order to meet specific customer requests is consistent with one of the overarching goals of numbering administration, which "is to ensure that all carriers have the numbering resources they need to compete in the rapidly growing telecommunications marketplace." Id. ¶ 1.

The FCC ordered state commissions to respect this requirement, specifically

requiring "that existing delegations of sequential numbering authority conform" to this ruling. Id. ¶ 236. Although the FCC has given states until January 1, 2001, to revise existing sequential numbering rules to respect specific customer numbering requests, id., there is no reason for the Department to wait to correct its January 27, 2000, Letter Order.

The FCC's new ruling should put to rest the Attorney General's assertion that permitting carriers to turn to a new thousands-block when necessary to meet specific customer numbering requests would lead to "abuse" of numbering resources. The FCC's order makes clear that, not only is the relief sought by AT&T entirely proper, it is indeed now required.

Very truly yours,

Kenneth W. Salinger

enclosure

pc: Kevin Penders, Hearing Officer

Robert Howley, Hearing Officer

Service List