



PUBLIC NOTICE

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DA 98-88

Released: January 13, 1998

**COMMON CARRIER BUREAU SEEKS COMMENT ON THE NEW
YORK STATE DEPARTMENT OF PUBLIC SERVICE PETITION FOR
EXPEDITED WAIVER OF 47 CFR § 52.19(3)(c)(ii)**

(NSD File No. L-98-03)

Comment Date: January 23, 1998

Reply Comment Date: January 28, 1998

On January 12, 1998, the New York State Department of Public Service Commission (NYPSC) filed a petition for Expedited Waiver of 47 CFR § 52.19(3)(c)(ii), which requires mandatory 10-digit dialing when an area code overlay is implemented. The NYPSC seeks to implement an overlay for the New York Metropolitan LATA as a result of its investigation of projected central office code exhaust in the 212 area code by June 1998, the 718 area code by early 1999, and the 917 area code by 1999.

The NYPSC states that the proposed overlay plan for New York City would not impede competition, but that enforcement of mandatory 10-digit dialing would unduly inconvenience callers in the New York City area. The NYPSC further states that all available central office codes in the 212 area code will be exhausted by June 1998, and therefore must implement a number relief plan in advance of that date. Accordingly, the NYPSC requests that the Commission expedite its action on the Petition.

We seek comments on the issues raised in the petition by January 23, 1998, and reply comments by January 28, 1998. *Ex parte* presentations in this proceeding will be governed by the procedures set forth in Section 1.1206 of the Commission's rules, that are applicable to "permit-but-disclose" proceedings. Interested parties should file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, 1919 M Street, NW, Washington, DC, 20554. In addition,

parties should send two copies to Jeannie Grimes, Common Carrier Bureau, FCC, Suite 235, 2000 M Street, NW, Washington, DC 20554, and one copy to ITS, at 1231 20th Street, NW, Washington, DC 20036. Comments and reply comments will be available for public inspection and copying in the Network Services Division Public Reference Room, Room 220, 2000 M Street, NW, Washington, DC 20554. Copies of comments and reply comments will also be available from ITS, at 1231 20th Street, NW, Washington, DC 20036, or by calling (202) 857-3800.

FOR FURTHER INFORMATION CONTACT: Jeannie Grimes at (202) 418-2313. The address is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, 2000 M Street, NW, Suite 235, Washington, DC 20554. The fax number is: (202) 418-7314. The TTY number is: (202) 418-0484.

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