

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3256

**Petition of the North American
Numbering Plan Administrator on behalf
of the Pennsylvania Telecommunications
Industry for Approval of Numbering Plan
Area Relief Planning for the 814 NPA**

**Public Meeting- January 13, 2011
2112925-CMR
Docket No. P-2009-2112925**

**JOINT MOTION OF VICE CHAIRMAN TYRONE J. CHRISTY AND
COMMISSIONER JOHN F. COLEMAN, JR.**

On December 17, 2010, the Commission determined that area code relief was necessary for the 814 Numbering Plan Area (NPA) because Neustar, the North American Numbering Plan Administrator (NANPA), filed a petition (June 2009 Petition) indicating that the 814 area code¹ would exhaust in third quarter 2012. In doing so, the Commission exercised its authority² delegated to it by the Federal Communications Commission (FCC) to direct timely area code relief so that all telecommunications carriers continue to have adequate numbering resources to meet customers' requests for telephone numbers. The Petition included five options for area code relief but only two alternatives were in accordance with industry guidelines.³ The Commission, therefore, chose one of the two workable solutions, a geographic split, presented to it by Neustar and the telecommunications industry in its June 2009 Petition. The Commission addressed this petition based on the information provided to it by the telecommunications industry and Neustar as well as the public input submitted through hearings held in the 814 NPA.

The FCC's regulations⁴ provide for certain options when an area code is determined to exhaust or run out of NXX codes.⁵ The FCC's regulations direct that the states are to provide timely area code relief by one of several options but the most

¹ The 814 NPA extends in a northerly direction to the borders of the state of New York, in a westerly direction toward the borders of the state of Ohio, and in a southerly direction to the borders of the state of Maryland. The 814 NPA is divided into 178 rate centers which encompass twenty-six counties and includes several cities including State College, Altoona, Johnstown, Somerset and Erie. *Petition of the North American Numbering Plan Administrator on behalf of the Pennsylvania Telecommunications Industry for Approval of Numbering Plan Area Relief Planning for the 814 NPA*, Docket No. P-2009-2112925 (Order entered December 17, 2010) .

² Section 251(e) of the Telecommunications Act of 1996, 47 U.S.C. § 251(e).

³ The NPA Relief Planning Guidelines can be accessed on the ATIS website located at <http://www.atis.org>. NANPA and the industry utilize the NPA Relief Planning and Notification Guidelines in the planning and implementation of area code relief efforts.

⁴ See 47 C.F. R. §52.19.

⁵ An NXX code is a 10,000 block of telephone numbers assigned to a particular rate center. Currently, thousands block pooling permits a block of 10,000 numbers to be separated into ten sequential blocks of 1,000 numbers and allocated to different providers within a rate center.

common and workable methods are geographic splits and overlays. Regardless, these options are never an easy fix for the consumers that are impacted by area code changes. Clearly, this is true based upon the number of Petitions for Reconsideration that have been submitted to the Commission's December 17, 2010 Area Code Relief Order. Petitions for Reconsideration have been filed by the telecommunications industry, State Senator Mary Jo White, State Representatives Kathy Rapp and Brad Roae, the Mayor of Erie, the Office of Consumer Advocate, and numerous businesses and private citizens. Because of the level of concern articulated in these petitions, we support the Commission's action today to grant the petitions for reconsideration pending review of the merits.

However, granting the petitions pending review of the merits does not go far enough. The level of concern expressed in the Petitions for Reconsideration is very significant. At the same time, information concerning the exhaust status of the 814 NPA and impact of mandatory thousands block number pooling⁶ in the area code continues to be filed with the Commission. Because of the level of concern and key outstanding information, it may be premature to settle this numbering issue when data may suggest that sufficient numbering resources exist to prolong the life of the current 814 NPA. Unfortunately, there is no guarantee that the data submitted over the next several months will indicate that there are adequate numbering resources to rescind this Commission's initial decision to implement area code relief for the 814 NPA. As such, this Commission must be prepared, if necessary, to expeditiously provide remedies for the potential exhaust of available numbering resources for the 814 area code. The Commission has no choice but to move forward at this time with its review and analysis of area code relief.

In order to consider the impact of the recently implemented mandatory number pooling as well as outstanding additional data on the exhaust status of this area code, our first course of action must be to grant the petitions for reconsideration on the issues of reopening the record for further evidentiary and public input hearings. Additional information is integral in aiding this Commission in its further evaluation of whether, when and what type of area code relief may be necessary for the 814 area code. Allowing additional evidentiary hearings will gather the information needed to assist the Commission in reviewing the merits of the various petitions for reconsideration including the further need and implementation of area code relief in the 814 NPA.

Before we begin gathering additional information, we believe that there is a great need for all participants to fully understand the possible area code relief options that are available to the Commission in accordance with FCC regulations and industry

⁶ Mandatory thousands block number pooling has been implemented in the 814 NPA as recently as September 30, 2010.

guidelines. Further public input hearings can both educate all participants and determine the least disruptive option concerning area code relief for the 814 NPA. We believe that all the stakeholders need to know the facts about each option so that the public is informed of the ramifications of area code relief prior to the scheduled public input hearings. To aid this effort, we have included a list of some facts concerning both the geographic split and overlay area code relief options. However, it is not an exhaustive list but merely a start to further educate and discuss possible area code relief for the 814 NPA. The list is as follows:

Geographic Split – the exhausting area code is split into two geographic areas and a new area code is assigned to one of the areas formed by the split.

Possible Pros

- 1) Within each area code, seven digit dialing is permitted.
- 2) A geographic split may increase geographic identity.
- 3) A geographic split would not require all customer premises equipment (elevator phones, security systems, emergency call boxes, etc.) to be reprogrammed to 10 digits.

Possible Cons

- 1) Residential and business customers have to change their area code for their telephone numbers within the region receiving the new area code.
- 2) Commercial customers may incur the cost of modifying letterheads, business cards, and advertising to reflect the new area code.
- 3) The projected lives of the area codes must be balanced in accordance with industry guidelines.

Overlay – a new area code is superimposed over the same geographic area covered by the existing 814 NPA.

Possible Pros

- 1) All existing customers would retain the 814 area code and would not have to change their current telephone numbers.
- 2) All existing commercial customers may not have to modify stationery, business cards and advertising until, at a minimum, the new overlay code is implemented.
- 3) The new overlay code will be implemented only after the 814 area code exhausts.

Possible Cons

- 1) Consistent with FCC regulations⁷, the relief plan requires 10-digit dialing for all local calls within and between the 814 NPA and the new overlaid code.
- 2) In a large geographic region like 814, customers may not be able to identify where a business or residence is located when calling a particular telephone number.
- 3) Expense may be incurred for businesses who advertise with only a seven digit telephone number or when new telephone lines are added from the new overlaid code causing possible updates in stationery, brochures, web-based applications and wireless devices.

These few examples of the possible pros and cons of each type of area code relief demonstrate that there are no easy solutions concerning this extremely important issue for the citizens of the 814 NPA. However, these same citizens can provide this Commission with further key information of the significant impacts that possible area code relief can bring to their geographic areas and daily lives.

In addition, we believe that the public input hearings described herein can serve to educate the affected public on the options that are currently available to this Commission in providing the timely area code relief required by the FCC's regulations. Therefore, we are requesting that NANPA attend all scheduled public input hearings so that it can provide a full explanation of the various options available to the Commission as well as the ramifications that coincide with each available option. Further, the Office of Administrative Law Judge (OALJ) should preside over the public input hearings.

In addition, the OALJ is directed to schedule at least one technical conference and any others, as appropriate, throughout the region of the 814 NPA prior to any scheduled public input hearings to further develop record evidence of the economic impact of both the geographic split and overlay options presented in the June 2009 Petition. Specifically, the Joint Petition for Reconsideration of Velocity.net Communications, Inc., Core Communications, Inc., the Honorable Mary Jo White, and Coaxial Cable Television request that the Commission develop an evidentiary record on the proposed geographic split to quantify the costs to educational, business, residential and governmental entities to change telephone numbers when area code relief is implemented. The evidentiary hearings shall include quantitative evidence as described above for all of the area code relief options available to the Commission in the 814 NPA.

⁷ See 47 C.F.R. §52.19(c)(3)(ii).

Further, the technical conferences should include the issue raised in the Verizon, et al.'s Petition for Reconsideration.⁸ The telecommunications industry states that network advances, including intermodal local number portability, may make geographic splits more complex and may increase opportunities for errors.⁹ This is one of several issues that need to be explored at the technical conference(s).

Finally, as the Commission moves forward in its further review and analysis of possible area code relief for the 814 NPA, we are requesting that Law Bureau and the Bureau of Fixed Utility Services Staff provide monthly updates to the Commissioners so that we can assess the projected exhaust dates for 814. As the Commission directed in its December 17, 2010 Order, NANPA is to provide the Commission with monthly updates on the projected exhaust date of the 814 NPA.¹⁰ The monthly exhaust updates as well as the April 2011 NRUF¹¹ data, as well as further technical evidence and public input, will assist this Commission in determining when and if area code relief will be necessary for the 814 NPA.

THEREFORE, WE MOVE THAT:

1. The Petitions for Reconsideration filed at Docket No. P-2009-2112925 be granted at this time. In addition, the record is reopened for the limited purpose of scheduling technical conferences and public input hearings to further develop the record in this proceeding.
2. The Office of Administrative Law Judge is directed to schedule technical conferences, within 60 days of the entry date of this order, to permit additional evidence to be submitted concerning the issues identified in this Motion and the Petitions for Reconsideration including the economic impact of both the geographic split and overlay options presented in the North American Numbering Plan Administrator's June 2009 Petition as well as the issue of possible technological impediments regarding the geographic split option.

⁸ Joint Petition for Reconsideration and Reopening of the Record filed by Verizon Pennsylvania, Inc., Verizon North LLC, MCI Metro Access Transmission Services LLC d/b/a Verizon Access Transmission Services, Verizon Wireless, AT&T Communications of Pennsylvania, LLC, TCG Pittsburgh, TCG Delaware Valley, Inc. and New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility, T-Mobile Northeast LLC and Voice Stream Pittsburgh and Sprint Communications Company, L.P., Sprint Spectrum, L.P., Nextel Communications of the Mid-Atlantic, Inc. and NPCR, Inc., filed January 3, 2011 at Docket No. P-2009-2112925. (Joint Petition)

⁹ Joint Petition at p. 9.

¹⁰ *Petition of the North American Numbering Plan Administrator on behalf of the Pennsylvania Telecommunications Industry for Approval of Numbering Plan Area Relief Planning for the 814 NPA*, Docket No. P-2009-2112925 (Order entered December 17, 2010) at p. 13.

¹¹ All carriers are required to report to NANPA their historical and forecast utilization data (NRUF) on a semi-annual basis. 47 C.F.R. §52.15(f). NANPA uses the NRUF data and rate of NXX code assignment in a particular NPA to predict the exhaust date for all NPAs throughout the North American Numbering Plan. These reports can be found at www.nanpa.com.

3. The Office of Administrative Law Judge is directed to schedule public input hearings throughout the 814 NPA, as appropriate, upon the conclusion of the technical conferences as directed in Ordering Paragraph No. 2 above.
4. The Bureau of Fixed Utility Services provide monthly updates to the Commissioners' offices concerning the projected exhaust date for the 814 area code.
5. An Opinion and Order be drafted by Law Bureau consistent with this Motion.

January 13, 2011
Date

TYRONE J. CHRISTY, VICE CHAIRMAN

January 13, 2011
Date

JOHN F. COLEMAN, JR., COMMISSIONER