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November 14, 2016

**VIA ELECTRONIC FILING**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

Re: Petition for Approval of Numbering Plan  
Area Relief Planning for the 717 NPA  
Docket No. P-2015-2510230

Dear Secretary Chiavetta:

Enclosed please find the Joint Industry Petition for Reconsideration, being filed in the above captioned matter on behalf of Verizon Pennsylvania LLC, Verizon North LLC, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services and Cellco Partnership d/b/a Verizon Wireless (collectively, "Verizon"); AT&T Corp. and Teleport Communications America, LLC (collectively, "AT&T"); T-Mobile Northeast LLC, T-Mobile Central LLC and VoiceStream of Pittsburgh, L.P. (collectively, "T-Mobile"); Sprint Communications Company L.P. and Sprint Spectrum L.P. (collectively "Sprint"); The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink ("CenturyLink"); and Windstream D&E, Inc., Windstream D&E Systems, LLC & US LEC Pennsylvania, LLC (collectively "Windstream") (collectively, the "Joint Industry Members").

If you have any questions, please feel free to contact me.

Very truly yours,

Suzan D. Paiva

SDP/slb

**Via Federal Express**

cc: The Honorable Gladys M. Brown, Chairman  
The Honorable Andrew G. Place, Vice Chairman  
The Honorable John F. Coleman, Jr., Commissioner  
The Honorable Robert F. Powelson, Commissioner  
The Honorable David W. Sweet, Commissioner

**Via E-Mail and Federal Express**

cc: David Screven, Esquire, Law Bureau

**Via E-Mail and First Class U.S. Mail**

cc: Attached Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that I have on this day served a true copy of the Joint Industry Petition for Reconsideration upon the parties listed below, in accordance with the requirements of §1.54 (relating to service by a party) and §1.55 (related to service upon attorneys).

Dated at Philadelphia, Pennsylvania, this 14<sup>th</sup> day of November, 2016.

**Via E-Mail and First Class Mail**

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Petition for Approval of Numbering Plan : Docket No. P-2015-2510230  
Area Relief Planning for the 717 NPA :

**JOINT INDUSTRY PETITION FOR RECONSIDERATION**

Pursuant to 52 Pa. Code § 5.572, the industry<sup>1</sup> respectfully requests reconsideration of certain portions of the Commission’s October 27, 2016 Order relating to the implementation of relief for the 717 area code (“*717 Relief Order*”).

**INTRODUCTION**

Faced with exhaustion of the 717 area code, the Commission adopted an all-services overlay, which was overwhelmingly supported by all carriers and most commenters. But apparently intending to delay the customer effects of ten-digit dialing, the Commission adopted an unprecedentedly shortened and uncertain implementation schedule. The Joint Industry Members request specific alterations to that schedule to avoid unintended anti-consumer consequences such as implementation errors and customer confusion.

First, instead of adopting uncertain trigger dates of “one month” or “three months” to exhaust, the Commission should set specific dates proposed by the industry for permissive ten-digit dialing, mandatory ten-digit dialing and the first code assignment from the new overlay NPA – dates that provide sufficient time for proper customer education, customer preparation for the dialing changes, and orderly implementation. It is critical that the Commission allow the industry to

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<sup>1</sup> These comments are submitted by the following members of the industry: Verizon Pennsylvania LLC, Verizon North LLC, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services and Cellco Partnership d/b/a Verizon Wireless (collectively, “Verizon”); AT&T Corp. and Teleport Communications America, LLC (collectively, “AT&T”); T-Mobile Northeast LLC, T-Mobile Central LLC and VoiceStream of Pittsburgh, L.P. (collectively, “T-Mobile”); Sprint Communications Company L.P. and Sprint Spectrum L.P. (collectively “Sprint”); The United Telephone Company of Pennsylvania LLC d/b/a CenturyLink (“CenturyLink”); and Windstream D&E, Inc., Windstream D&E Systems, LLC & US LEC Pennsylvania, LLC (collectively “Windstream”) (collectively, “Joint Industry Members”).

establish firm implementation dates now, rather than waiting until the 717 code is only three months to exhaust, so that carriers have adequate lead time to get the necessary notifications out to customers in enough time that customers can react and adapt.

Second, the Commission should ensure that there is sufficient time for customers to be educated and make the necessary changes to accommodate the new overlay area code. Compressed and uncertain time frames risk customer confusion or inaction, and implementation errors. In setting the specific dates the Commission should work toward a third quarter exhaust date of September 30, 2017, which is consistent with the exhaust range provided by NANPA to the Commission. This would allow for an 11-month implementation interval now (in lieu of the industry's previously recommended 13-month implementation interval). The NPA is in jeopardy and expected to exhaust in the third quarter of 2017 – which could be as late as September 30, 2017.

## **ARGUMENT**

### **A. Reconsideration Comports With *Duick*.**

This petition presents new and novel arguments, not previously heard, or considerations that appear to have been overlooked or not addressed by the Commission, supporting reconsideration. Because an implementation schedule with uncertain and floating dates tied to one or three months to exhaust is unprecedented, and was not proposed or subject to comment before the Commission issued its order, the Commission did not have the opportunity to hear from the industry on the negative consequences of such a schedule. It is important that the Commission be made aware of the possible unintended consequences of this unprecedented scheduling for it to make a fully informed decision. Moreover, at the time the Joint Industry Members submitted their comments in May of 2016 the projected exhaust date for the 717 area code was second quarter 2018. It has since been moved up to third quarter 2017. The Commission did not have the opportunity to hear industry comment on the optimum implementation schedule given the new time constraints.

Accordingly, reconsideration by the Commission would comport with the standard established in *Duick v. Pennsylvania Gas & Water Co.*, 56 PA PUC 553 (1982).

## **B. The History of Customer Education and Scheduling in Overlay Implementation**

The industry has successfully implemented more than thirty-five overlays within the United States in the last 10 years. Fundamental to that success has been the collective recognition that customer education is a key requisite when establishing any new area code. While exceptions might be made in the case of subsequent overlay implementations where 10-digit dialing was already in place and a permissive dialing period was not necessary, new overlay implementations are typically implemented with at least a thirteen month implementation schedule and a minimum of 6 months permissive dialing.

In certain states, a longer permissive dialing period (greater than 6 months) was ordered to educate customers and allow customers to adjust to the new dialing pattern. For example, in New York's 631/934 and 315/680 overlay cases 11-month permissive dialing periods were ordered, recognizing "the need to allow customers to become familiar with 10-digit dialing and to incorporate it in their normal and regular use of the telephone," which "suggests that a longer period of permissive dialing should be used."<sup>2</sup> The Indiana Commission issued modified orders in its 812/930 and 317/463 overlay cases to extend the permissive dialing period in responses to concerns raised by alarm industries.<sup>3</sup>

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<sup>2</sup> NY 631/934 Overlay (CASE 14-C-0182 issued 12/17/14) at 29, <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId=%7bE249F214-6376-4AD2-8DD0-C63A20386AAB%7d> . See also NY 315/680 Overlay (CASE 07-C-1486 issued 7/16/15) <http://documents.dps.ny.gov/public/Common/ViewDoc.aspx?DocRefId=%7b39C0B897-53EF-4EC1-B329-92BBD7B4745C%7d>

<sup>3</sup> IN 812/930 Overlay (Cause No. 44233 issued 10/22/14) (extended permissive dialing period totaling 11 months permissive dialing period) [http://www.in.gov/iurc/files/Order\\_in\\_Cause\\_No.\\_44233\\_\(10.22.14\).pdf](http://www.in.gov/iurc/files/Order_in_Cause_No._44233_(10.22.14).pdf); IN 317/463 Overlay (Cause No. 44513 issued 8/31/16) (again filed modified order to extend the permissive dialing period for additional one month, totaling 7 months permissive dialing period).

(continued . . .)

This Commission itself has recognized the importance of allowing sufficient time for permissive dialing and customer education. “The Commission agrees with the concept that a longer permissive dialing and customer education period will increase the chances that the customers in the region are fully informed about ten-digit dialing and will result in a smoother customer transition to mandatory ten-digit dialing.”<sup>4</sup>

The seven month total implementation period<sup>5</sup> adopted here, with only a three month permissive dialing and customer education period, is unprecedented even in cases where area codes are in jeopardy and timelines had to be shortened.<sup>6</sup> It should also be noted that this extremely shortened implementation would occur at a time when the same workforce is overseeing multiple area code relief projects across the country.<sup>7</sup>

### C. Specific Changes to the Implementation Schedule

The Joint Industry Members propose the following revised implementation time line for the Pennsylvania 717 NPA overlay. The reason for each proposed change to the Commission’s schedule is explained below.

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<sup>4</sup> *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 570 NPA*, Docket No. P-2009-2117193 (Opinion and Order on Reconsideration entered December 5, 2012) at 8-9.

<sup>5</sup> Under the Commission’s assumption of first code implementation one month prior to a July 1, 2017 exhaust date (i.e., June 1, 2017), the total number of months from order entry to first code implementation is seven.

<sup>6</sup> As result of the exhaust date in certain NPAs moving in significantly before a decision was made by the state commission, the industry has had no choice but to reduce the implementation timeline to less than 13 months in two overlay implementations in just the last 6 months, but neither situation had less than 11 months of a total implementation timeline. [CA 213/323 NPA boundary elimination overlay](#) (Decision 16-07-014 issued 7/15/2016) (12 months implementation timeline;(NPA not in jeopardy); [NY 518/838 NPA overlay](#) (CASE 16-C-0297 issued 9/20/2016) (11 months implementation timeline; NPA in [jeopardy](#)).

<sup>7</sup> [California 213/323 NPA Boundary Elimination Overlay](#) (Decision 16-07-014 issued 7/15/2016) (mandatory dialing begins 7/8/2017); [WA 360/564 Overlay, 10 digit mandatory dialing\(DOCKET UT-143787 issued 5/19/2016\)](#) (implementation across the western WA begins 7/29/2017). Three other overlay implementations in [Idaho](#), [New York](#) and [Texas](#) will be in the midst of permissive dialing as well.

| <b>Event</b>  | <b>Commission's Order</b>  | <b>Industry Proposal</b>                                       |
|---|--|--|
| Completion of Network Preparation                                 | March 1, 2017 (Wed)  | March 4, 2017 (Sat)  |
| Start of Permissive 10-digit dialing and Customer Education       | Three months to Code Exhaust   | March 4, 2017 (Sat)  |
| End of permissive dialing and start of mandatory 10-digit dialing | Upon "actual assignment of an NXX code from the new overlay NPA"     | August 26, 2017 (Sat)  |
| First Code Activation after end of Permissive Dialing Period      | One month to Code Exhaust  | September 26, 2017 (Tues)                                      |
| Total Implementation Interval                                     | 7 months (based on the Commission Assumed July 1, 2017 Code Exhaust) | 11 Months (based on NANPA's projected exhaust date of 3Q 2017) |

### **1. Network preparation**

Given NANPA's revised projection that the 717 area code will exhaust in the third quarter of 2017, the industry agrees with the Commission's conclusion that network preparation should be completed by the beginning of March 2017. The Commission directed "that all network preparation for the implementation of the new overlay be completed no later than March 1, 2017, at 12:01a.m (EST)." *717 Relief Order* at 15. The Joint Industry Members suggest that this date be changed slightly to make it March 4, 2017 so that the permissive dialing period begins on a Saturday. This change is important because it allows the industry to implement permissive dialing on a weekend day in the early morning hours when calling volumes are lower than during the business week.

### **2. Beginning Permissive Dialing and Customer Education**

Rather than setting specific dates for the beginning and ending of permissive ten-digit dialing, the *717 Relief Order* directs that "once the 'three months to exhaust' threshold has been

reached for the 717 NPA, the permissive dialing period will begin and the telecommunications industry can start customer education programs for the new NPA.” *717 Relief Order* at 16. It is crucial to properly educating the public and avoiding confusion to have specific dates for the beginning and end of permissive dialing, and to have a sufficiently long permissive dialing period. The Joint Industry Members suggest that the permissive dialing period begin on March 4, 2017, when the network preparation work is completed, and that it end on August 26, 2017, when mandatory 10-digit dialing commences. This would allow for a permissive dialing period of about six months, giving customers enough advanced notice to prepare for and adapt to the dialing change.

A six-month customer education and permissive dialing period has become the generally accepted practice of the industry and has governed a majority of the overlays implemented across the country in the last 10 years. The Joint Industry Members’ experience has shown that six months is the minimum period necessary for customers who are accustomed to dialing seven digits for local calls to adapt to dialing 10 digits for such calls before mandatory 10-digit dialing begins. Experience has also demonstrated that a six-month interval will provide additional time for: alarm companies to make any required changes to customer premises auto-dialers; businesses and PBX customers to prepare for and make their equipment and data base changes; consumers to reprogram other types of equipment like life safety systems and medical monitoring devices, speed dialing buttons on home and wireless phones and any remote call forwarding settings; and carriers to complete preparation for the mandatory dialing change.

Providing only three months for customer education would disrupt the schedule of staged customer communications and reinforcement messages customers typically receive in overlay implementations, and would essentially limit the industry to a single outreach to customers, instead of the two outreaches that the industry typically has made in other overlay implementations across



the country in recent years. Limiting the outreach to only one communication could increase the chances that some customers will not be fully informed and thus will be confused and even irritated when mandatory 10-digit dialing begins. This problem is only exacerbated by the fact that the beginning of the permissive dialing period is left uncertain, so that the industry cannot plan in advance for these customer communications.

Setting specific and certain dates for the beginning and end of permissive dialing is crucial to customer education. Adequate customer education is needed to inform impacted customers about the new NPA overlay implementation and mandatory dialing changes. From past experience, carriers recognize that two customer notifications in initial overlay relief projects has been widely used and successful, and should be used in Pennsylvania as well. Carriers need additional time to plan and coordinate those customer notifications internally to ensure they are distributed to impacted customers in a timely fashion and allow customers adequate time to prepare for mandatory 10-digit dialing before it begins. The first customer notification should go out approximately one month prior to the start of permissive dialing and the second notification should go out approximately one month prior to the start of mandatory dialing.

### **3. Beginning Mandatory Dialing**

Rather than setting a specific date for mandatory dialing to commence, the Commission directed that “the requirement of *mandatory* ten-digit dialing throughout the 717 NPA and new overlay NPA be suspended until the actual assignment of an NXX code from the new overlay NPA.” *717 Relief Order* at 16.

This scheduling is problematic for two reasons. First, requiring the industry to start mandatory dialing at the same time that new codes are assigned risks implementation errors and potential delays in troubleshooting. Carriers need one month of mandatory 10-digit dialing to be in place before codes from the new NPA become effective to provide carriers with multiple switches

in the 717 NPA time to make the requisite translation changes on a progressive, rather than flash-cut basis. In addition, carriers can use this time period to clean up any issues raised during the mandatory dialing conversion and get ready for the new NPA code activation.

Second, leaving the actual date of mandatory dialing uncertain risks customer confusion and inadequate customer education. The industry cannot wait until 3 months to exhaust to hear what the mandatory dialing date will be – carriers need time to update pending customer notifications with the mandatory date and get the customer notifications scheduled to go out to customers. That scheduling and distribution does not happen overnight – some carriers need up to 2 months to get those customer notices scheduled into their distribution channels, and often that distribution occurs throughout a monthly billing cycle, i.e. over a 30-day period.

The Joint Industry Members request that permissive dialing end and mandatory dialing commence on August 26, 2017. This will allow the date of mandatory dialing to be made known to customers well in advance, ensures that the mandatory dialing date occurs on a Saturday when calling volumes are lower, ensures that the mandatory dialing date does not conflict with other overlay implementations occurring across the country, and will allow the industry-preferred practice of having one month between the end of permissive dialing and the first code activation (discussed below).

#### **4. First Code Activation**

The *717 Relief Order* holds that “we will direct Neustar not to activate the new overlay NPA or assign any NXX or central office codes from the new overlay until one month prior to NXX code exhaust in the 717 area code.” *717 Relief Order* at 15. The Joint Industry Members propose that the earliest effective date of a code from the new NPA be set as September 26, 2017, to provide certainty in the scheduling of the rest of the timeline.

NANPA publishes semi-annual NPA exhaust projections in April and October each year. Those exhaust projections are reflected in quarters and not by months. The Commission seems to assume that the NPA will exhaust on July 1, 2017, but nothing in the documentation provided by NANPA requires that assumption. NANPA only projects that the 717 NPA will exhaust in the third quarter of 2017, which could be as far out as September 30, 2017. The Commission should set the dates using September 30, 2017 as the presumptive end date for the first code activation in the new overlay NPA.

#### **D. Proposed Ordering Paragraphs**

The Joint Industry Members request that the Commission revise the ordering paragraphs of its *717 Relief Order* to read as follows, in order to make the changes to the implementation schedule discussed above:

1. Neustar, Inc.'s petition filed with the Commission on behalf of the Pennsylvania telecommunications industry at the above docket for approval of its consensus relief plan for the 717 area code is hereby granted to the extent consistent with the body of this Order.

2. An all-services distributed overlay shall be implemented over the 717 area code.

3. All NXX code holders in Pennsylvania are directed to complete all network preparation to their systems that is necessary to implement the new overlay NPA over the existing 717 NPA no later than March 4, 2017.

4. From the entry date of this Order, the North American Numbering Plan Administrator shall provide this Commission with monthly updates on the projected exhaust date of the 717 NPA. Time to exhaust in months shall be calculated and based on actual carrier demand for numbers. The monthly updates shall be addressed to Ms. Deborah Sagerer, Bureau of Technical Utility Services.

5. All NXX code holders in Pennsylvania shall commence their permissive dialing period and customer education program for the new overlay code on March 4, 2017. The permissive dialing period shall end and mandatory ten-digit dialing shall commence on August 26, 2017.

6. The NANPA shall not activate the new overlay NPA until September 26, 2017. NANPA shall not assign any NXX or central office codes from the new overlay NPA to be effective prior to September 26, 2017.

7. A copy of this order shall be published in the *Pennsylvania Bulletin* and also posted on the Commission's website at <http://www.puc.pa.gov/>.

8. That a copy of this Order shall be served on the Office of Consumer Advocate, the Office of Small Business Advocate and Wayne Milby and Beth Sprague of the North American Numbering Plan Administrator.

### **CONCLUSION**

For the foregoing reasons the Joint Industry Members respectfully request that the Commission reconsider in part its *717 Relief Order* and modify the schedule by making the specific changes in the ordering paragraphs described above.

Date: November 14, 2016

Respectfully submitted,

  
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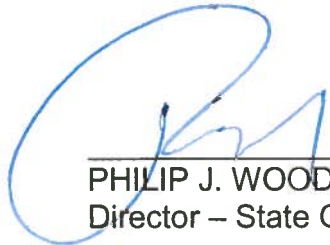
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## VERIFICATION

I, **Philip J. Wood, Jr.**, Director – State Government Affairs of Verizon, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, (relating to unsworn falsifications to authorities).



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PHILIP J. WOOD, JR.  
Director – State Government Affairs