

State of Florida



Public Service Commission
CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: June 26, 2014

TO: Office of Commission Clerk (Stauffer)

FROM: Office of the General Counsel (Teitzman) ^{AT}
Office of Telecommunications (Beard, Casey) *(SB) MK*

RE: Docket No. 140116-TP – Implementation of the 786 overlay area code and mandatory 10-digit dialing in the Florida Keys.

AGENDA: 07/10/14 – Regular Agenda – Proposed Agency Action – Interested Persons May Participate

COMMISSIONERS ASSIGNED: All Commissioners

PREHEARING OFFICER: Brown

CRITICAL DATES: The estimated exhaust date of area code 305 over the Keys is 2nd quarter 2015.

SPECIAL INSTRUCTIONS: None

Case Background

On May 27, 2014, the Florida Public Service Commission (Commission) received Notice from Neustar Inc., the North American Numbering Plan Administrator (NANPA),¹ that the 305 area code covering the Florida Keys (Keys) will be exhausting² in the second quarter of 2015

¹ NANPA is a neutral third-party administrator responsible for forecasting the exhaust of geographic area codes and initiating the process known as area code relief planning. NANPA publishes its forecasted exhaust of all of the area codes on a semi-annual basis. The forecast is used in determining when to start the process of adding another area code.

² Area code exhaust occurs when all the prefixes (also known as central office codes) are assigned. Each area code contains 1,000 prefixes containing 10,000 numbers each, but those prefixes beginning with a "zero" or "one" (a total of 200 prefixes) are not permitted. Further, prefixes such as 411, 911 and other "N11" codes (a total of eight codes) are used for special purposes, leaving 792 prefixes available in each area code. When all of these prefixes are assigned, another area code is needed.

(See attachment A). The Commission completed the initial work for area code relief for the Keys in 2000. The only remaining issues which need to be acted on are to set the mandatory dialing date for 10-digit dialing in the Keys, and extension of the 786 area code over the Keys in addition to the 305 area code. When there are two area codes covering the same area, 10-digit dialing is required to route calls to the proper area code.

By Order No. PSC-00-1937-PAA-TL, issued October 20, 2000, in Docket No. 990455-TL, the Commission approved an overlay area code relief plan for the 305/786 area codes for the Keys. The approved relief plan extended the existing 786 area code (which presently covers the Miami-Dade area) over the Keys region. However, the Commission withheld the approval of implementation dates for this overlay area code, pending the outcome of various number conservation measures to be applied. The Commission also directed the local exchange companies in the affected area to jointly file a notice and recommend, no later than October 1, 2001, the permissive³ and mandatory⁴ dialing periods. On April 10, 2001, the local exchange companies recommended that the permissive 7 or 10-digit local dialing period for the 305/786 should begin on August 1, 2001, and mandatory 10-digit local dialing should begin on November 1, 2001, in the Keys.

The Commission conducted a service hearing in Key West, Florida on March 14, 2000, to permit members of the public to give testimony regarding the proposed numbering plan relief for the 305 area code. Three PSC Commissioners, a representative of NANPA, a representative from the Office of Public Counsel, and members of Commission staff participated in the hearing. A technical hearing was also conducted in Tallahassee on May 18, 2000. Consumers expressed their desire to keep the 305 area code along with 7-digit dialing, but through the course of discussion conceded that retaining both is not an available alternative. Witnesses stressed that the primary economic interest in the Keys region is tourism, which they described as "fragile," and they believe that it is "most important" to keep the 305 code as long as possible in order for the visiting public to "reach us."

By Order No. PSC-01-1456-PCO-TL, issued July 11, 2001, in Docket No. 990455-TL, the Commission approved a permissive 7 or 10-digit local dialing period for the 305/786 area codes for the Keys beginning on August 1, 2001, but disagreed with the industry's proposal to begin mandatory 10-digit dialing November 1, 2001 stating:

Since the number conservation measures have not been fully implemented, there is no evidence of how long the number conservation measures would extend the life of the 305 area code once rate center consolidation and number pooling are implemented.

The estimated exhaust date of the 305 area code in 2001 was the third quarter 2001. The pro-active number conservation measures implemented by the Commission have delayed the need for another area code over the Keys for 14 years until the second quarter of 2015. This

³ A permissive dialing period is a period of time during which calls placed to the area to be served by the new NPA can be completed whether the new or the existing NPA code is dialed by the caller.

⁴ The mandatory dialing date is when all calls to both the old and new area code must be dialed using 10 digits with the correct area code.

included thousand-block number pooling,⁵ code reclamation,⁶ code rationing,⁷ and rate center consolidation⁸ of seven rate centers in the Keys into one rate center.

The Commission has jurisdiction to address these issues pursuant to Section 364.16(7), Florida Statutes, and 47 C.F.R. § 52.19. Section 364.16(7), Florida Statutes provides that:

In order to ensure that consumers have access to different local exchange service providers without being disadvantaged, deterred, or inconvenienced by having to give up the consumer's existing local telephone number, the commission must make sure that all providers of local exchange services have access to local telephone numbering resources and assignments on equitable terms that include a recognition of the scarcity of such resources and that are in accordance with national assignment guidelines.

47 C.F.R. § 52.19 provides, in part, that:

- (a) State commissions may resolve matters involving the introduction of new area codes within their states. Such matters may include, but are not limited to: Directing whether area code relief will take the form of a geographic split, an overlay area code, or a boundary realignment; establishing new area code boundaries; establishing necessary dates for the implementation of area code relief plans; and directing public education efforts regarding area code changes.
- (b) State commissions may perform any or all functions related to initiation and development of area code relief plans, so long as they act consistently with the guidelines enumerated in this part, and subject to paragraph (b)(2) of this section. For the purposes of this paragraph, initiation and development of area code relief planning encompasses all functions related to the implementation of new area codes that were performed by central office code administrators

⁵Thousands-block number pooling is the process by which telephone companies share a pool of telephone numbers that have the same central office code. Historically, telephone numbers that have been assigned to service providers in the blocks of 10,000 numbers. Thousands-block number pooling allows phone numbers to be allocated to service providers in blocks of 1,000, instead of the historical 10,000 number blocks, which conserves numbers and provides for more efficient number utilization. By Order No. PSC-OI-0808-AS-TL, issued March 27, 2001, the Commission approved initiation of number pooling in the Keys.

⁶ A central office code is subject to be reclaimed and returned to inventory if it is not activated within six months of being assigned, and the carrier cannot provide the Commission a reason for extension of the reclamation date. The Commission authorized staff to administer the number reclamation process at the October 17, 2000, Internal Affairs.

⁷ A lottery system was instituted for the Keys region which includes the rationing of one NXX code per month.

⁸ By Order No. PSC-00-1937-PAA-TL, issued October 20, 2000, in Docket No. 990455-TL, the Commission ordered rate center consolidation in the Keys, consolidating the Big Pine Key, Marathon, Islamorada, North Key Largo, Key Largo, Sugarloaf Key, and Key West rate centers into one rate center, now known as the Keys. Companies need fewer numbers to serve one rate center versus seven rate centers since companies need a block of numbers for each rate center served. Although protests to the PAA regarding rate center consolidation were received, BellSouth and the Office of Public Counsel entered into a stipulation to implement rate center consolidation in the Keys. By Order PSC-01-0091-PAA-TL, issued January 10, 2001, the Commission approved the stipulation.

prior to February 8, 1996. Such functions may include: declaring that the area code relief planning process should begin; convening and conducting meetings to which the telecommunications industry and the public are invited on area code relief for a particular area code; and developing the details of a proposed area code relief plan or plans.

Discussion of Issues

Issue 1: Should the Commission set a mandatory 10-digit dialing date of March 1, 2015, and extension of the 786 overlay area code over the Florida Keys for May 1, 2015?

Recommendation: Yes. The Commission should set a mandatory 10-digit dialing date of March 1, 2015, and extension of the 786 overlay area code over the Florida Keys for May 1, 2015. (Beard, Casey, Teitzman)

Staff Analysis: The permissive 7 or 10-digit local dialing period for the 305/786 area codes for the Keys began on August 1, 2001. This period allows entities impacted where 10-digit local dialing has not been previously permitted to reprogram auto-dialers to output ten digits instead of seven. In addition, the permissive dialing period allows sufficient time for customers to:

- revise printed materials (e.g., stationery, business cards, labels, bills, etc.)
- reprogram equipment that stores and analyzes telephone numbers (e.g., PBXs, cellular phones, modems, speed call lists, alarm company automatic dialers, law enforcement ankle bracelets, and other automatic dialers)
- update directory listings
- notify customers and business associates, as well as friends and family
- change advertising (e.g., print ads, classified ads, promotional materials, etc.)

The end of the permissive dialing period is the date that the new 10-digit mandatory dialing pattern is required as a result of an overlay area code being implemented on top of the existing area code. Examples of existing overlay area codes in Florida with 10-digit mandatory dialing include the 407/321 area codes in Orlando, the 954/754 area codes in Broward County, and the 305/786 area codes over the Miami-Dade area. All calls to both the old and new area codes in these areas must be dialed with the correct area code.

Once the mandatory 10-digit dialing is implemented, all misdialed calls will be intercepted by a recorded announcement. For area code overlays, callers dialing only seven digits will reach an announcement instructing them to dial the number with the appropriate area code. An example of text for this type of recording for an overlay would be as follows: "The area code must be used when dialing this number, please hang up and dial again."

NANPA is responsible to establish communication with all affected parties, industry members and regulatory bodies immediately after the need for area code relief has been determined. The PSC's Office of Consumer Assistance and Outreach will work to ensure mandatory dialing information and implementation of the 786 area code over the Keys is disseminated to businesses and consumers through press releases and other outreach. BellSouth Telecommunications, LLC d/b/a AT&T Florida has also indicated they will be doing a bill stuffer to advise customers of the new overlay area code and mandatory 10-digit dialing.

By Order No. PSC-01-1456-PCO-TL, the Commission directed staff to bring a recommendation for a revised mandatory 10-digit dialing date for the Keys in the future when a realistic exhaust date for this area could be determined with greater certainty. NANPA's May 27, 2014 letter provided Notice to the Commission that the 305 area code over the Florida Keys

is projected to exhaust in the second quarter 2015. Therefore, staff recommends that the Commission set a mandatory 10-digit dialing date of March 1, 2015, and extension of the 786 overlay area code over the Keys for May 1, 2015.⁹

⁹ Industry standards call for the overlay area code to be activated at least thirty days after 10-digit mandatory dialing is implemented to allow carrier activation of new telephone numbers in the Keys 786 area code.

Issue 2: Should this docket be closed?

Recommendation: If no person whose substantial interests are affected by the proposed agency action files a protest within 21 days of the issuance of the order, this docket should remain open pending implementation of 10-digit mandatory dialing and extension of the 786 area code overlay over the Florida Keys. (Beard, Casey, Teitzman)

Staff Analysis: At the conclusion of the protest period, if no protest is filed this docket should remain open pending implementation of 10-digit mandatory dialing and the extension of the 786 area code overlay over the Florida Keys.



May 23, 2014

Carlotta S. Stauffer, Director
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re: Response to Order No. PSC-05-0629-FOF-TL in Docket
No. 990455-TL

Dear Ms. Stauffer:

Pursuant to Order No. PSC-05-0629-FOF-TL, dated June 9, 2005 in the above-reference docket ("2005 Order"), Neustar, Inc., in its role as the North American Numbering Plan Administrator ("NANPA"), notifies the Florida Public Service Commission ("Commission") that the projected exhaust date for the 305/786 numbering plan area ("NPA") code has been revised to second quarter 2015.

In an order issued on October 20, 2000 (Order No. PSC-00-1937-PAA-TL), the Commission approved relief plans for the 305/786 NPAs by extending the existing 786 area code to cover the Florida Keys. Then, on July 11, 2001, the Commission issued a follow-up order (Order No. PSC-01-1456-PCO-TL), approving a permissive 7 or 10-digit dialing period for the 305/786 area codes for the Keys beginning on August 1, 2001, but held off on setting a mandatory dialing period in order to allow number conservation measures to take effect. In the 2005 Order, the Commission instructed NANPA to add the 305 NPA for the Keys to its trigger points report and to notify the Commission 18 months in advance of the exhaust.

When the relief planning for the 305/786 NPAs began, the projected exhaust of the area codes was third quarter 2001. Due to the implementation of number conservation measures, including rate center consolidation and thousands-block number pooling, and the effect of economic factors, the exhaust date has consistently moved out. NANPA has continually monitored the 305/786 NPAs and until the most recent exhaust report, the exhaust date was well beyond the 18 months advance notice requested by the Commission in the 2005 Order. However, last month, NANPA released the 2014 NRUF and NPA Exhaust Analysis ("2014 NRUF Analysis"),¹ which incorporated updated actual and projected demand for numbering resources submitted to NANPA by the Industry. According to the 2014 NRUF Analysis, the projected exhaust date of

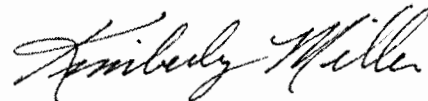
¹ 2014-1 NRUF and NPA Exhaust Analysis (April 2014) ("2014 NRUF Analysis"). The 2014 NRUF Analysis can be accessed at www.nanpa.com.

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the 305/786 NPAs moved in three quarters to the second quarter of 2015, putting the exhaust date within the 18 month period specified by the Commission.

Thank you for your attention to this matter. If you have any questions, please contact the undersigned at 202-533-2912 or kimberly.miller@neustar.biz.

Respectfully submitted,



Kimberly Wheeler Miller
Associate General Counsel
Neustar, Inc.