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|  | **PENNSYLVANIA****PUBLIC UTILITY COMMISSION****Harrisburg, PA 17105-3265** |  |

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|  | Public Meeting held October 27, 2016 |
| Commissioners Present: |  |

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| Gladys M. Brown, Chairman |  |
| Andrew G. Place, Vice Chairman |  |
| John F. Coleman, Jr. |  |
| Robert F. Powelson |  |
| David W. Sweet |  |
|  |  |
| Petition for Approval of Numbering Plan |  P-2015-2510230 |
| Area Relief Planning for the 717 NPA |  |

**ORDER**

**BY THE COMMISSION:**

Before the Commission is a petition (Petition) that was filed on behalf of the Pennsylvania telecommunications industry on October 23, 2015, for approval of a relief plan to implement an all services distributed overlay in the 717 Numbering Plan Area (NPA) or area code. By an Order entered March 10, 2016, the Commission suspended taking action on the Petition and scheduled public input hearings in order to receive input from consumers and other interested parties regarding the appropriate form of area code relief for the 717 area code. The Commission has reviewed the comments and testimony that were filed in the proceeding and submitted at the public input hearing. Accordingly, via this Order, the Commission has determined that an all-services distributed overlay should be implemented over the 717 area code.

**Background**

1. **History of Area Code Relief for the 717 NPA**
2. **The Geographic Split of the 717 Area Code**

The 717 NPA is one of Pennsylvania’s original four area codes. On June 28, 1996, the telecommunications industry asked the Commission to decide how to relieve the shortage of numbering resources or NXX codes[[1]](#footnote-1) in the 717 NPA as the industry could not reach a consensus. [[2]](#footnote-2) Relief planning was necessary under the *INC Guidelines*,[[3]](#footnote-3) which provide that, when the projected exhaust date of an area code is to occur within 36 months, the NANPA is required to prepare relief options and to conduct an industry meeting with the goal of reaching industry consensus regarding the form of relief for the NPA. Accordingly, the Commission opened a docket at P-00961071 and, in 1999, determined that a geographic split of the 717 NPA was the appropriate form of area code relief.[[4]](#footnote-4) Accordingly, the 717 NPA presently includes all or part of the following counties: Mifflin, Juniata, Perry, Dauphin, Lebanon, Berks, Fulton, Franklin, Cumberland, Adams, York and Lancaster.

1. **The May 29, 2001 Industry Relief Plan**

Despite the area code relief that had just been implemented for the 717 NPA in the prior year, in May of 2000, the telecommunications industry was again advised by the NANPA,[[5]](#footnote-5) Neustar, Inc. (Neustar), in its role as the neutral third party NPA Relief Planner for Pennsylvania, that relief planning for the 717 NPA was necessary in light of the fact that the area code was expected to exhaust by the second quarter of 2001, which, as mentioned above, was within the 36-month timeframe for triggering area code relief options from the NANPA. Thus, Neustar notified the industry that a meeting was necessary to discuss relief alternatives for the 717 NPA.

A relief planning meeting was convened on April 18, 2001, where the industry reached a consensus to adopt an all services distributed overlay[[6]](#footnote-6) as the form of area code relief for the 717 NPA.[[7]](#footnote-7) Accordingly, on May 29, 2001, Neustar, acting on behalf of the Pennsylvania telecommunications industry, filed a petition with the Commission requesting approval of its relief plan to implement an overlay for the geographic area covered by 717 NPA.

## On September 5, 2001, the Commission entered an Order at P-00961071F0003 seeking comments from interested parties regarding what type of relief should be implemented in the 717 NPA and when this relief should be implemented. While the May 29, 2001 industry relief plan was pending before the Commission, the 717 NPA

##  experienced an unprecedented and efficient use of numbering resources due to the implementation of 1,000-block number pooling[[8]](#footnote-8) and other number conservation measures such as NXX code reclamation.[[9]](#footnote-9) Furthermore, the FCC mandated that all wireless carriers participate in pooling as of November 24, 2002.[[10]](#footnote-10) Thus, wireless carriers began implementing one-thousand (1K) block number pooling and started participating in Pennsylvania’s mandatory pools, including the 1K block numbering pool in 717.

As a result of these number conservation measures, in May of 2003, the NANPA again revised the projected exhaust date for the 717 NPA to the fourth quarter of 2007, which was now more than four years away. Consequently, by Order entered

August 1, 2003, at P-00961071F0003, the Commission dismissed the May 29, 2001 industry relief plan.

1. **2009 Relief Planning for the 717 NPA**

The April NRUF (Number Resource Utilization Forecast) and NPA Exhaust Analysis April 24, 2009 Update (April 2009 NRUF Report) indicated that the 717 NPA would exhaust during the third quarter of 2012. Based upon the projected exhaust date,

NANPA notified the Commission and the Industry on July 1, 2009, that NPA relief needed to be addressed. The Industry met via conference call on September 10, 2009, to discuss various relief alternatives.

## At the September 10th meeting, the participants reached consensus to recommend an all-services distributed overlay plan as the preferred method of relief for the 717 NPA. On October 20, 2009, Neustar, filed a petition with the Commission requesting approval of its recommendation to implement an all-services distributed overlay for the geographic area covered by the 717 NPA, which would create a new area code to service the area. By an Order entered on December 24, 2009, at P-2009-2136951, the Commission requested the submission of any written comments on the relief plan and scheduled public input hearings throughout the entire 717 geographic region[[11]](#footnote-11) so that oral testimony related to the form of relief for the 717 NPA could be received from interested parties as well. Additionally, the Commission suspended taking action on the industry consensus recommendation for an all services distributed overlay relief plan for the 717 NPA, pending receipt of the comments.

During the public input hearings directed by the December 24, 2009 Order, Neustar updated its projected forecasts for the exhaustion of the Pennsylvania area codes, including the 717 area code based upon the Federal Communications Commission’s (FCC) October 2011 updated projections. Based on this new data, the forecasted exhaust date for the 717 area code was extended from the previously reported date of the third quarter of 2012 to the fourth quarter of 2016.

By an Order entered December 1, 2011 at P-2009-2136951, the Commission dismissed the October 20, 2009 Petition. The Commission noted that Section 5.11 of the

*NPA Code Relief Planning and Notification Guidelines* provides that if, during the period after the NANPA has filed an industry relief plan but prior to regulatory approval of that plan, it is determined that the NPA will not exhaust in the next 5 years, a relief plan may be withdrawn. Since the new projected exhaust date of the 717 area code was approximately five years out, the Commission determined that it had good cause to dismiss the NANPA’s petition for approval of its relief plan in the 717 NPA pursuant to its delegated authority over NPA relief. 47 C.F.R. § 52.19(c)(3)(ii).

1. **2015 Relief Planning For The 717 NPA**

The April NRUF (Number Resource Utilization Forecast) and NPA Exhaust Analysis April 2015 Update (2015 NRUF Report) indicated that the 717 NPA was set to exhaust during the third quarter of 2018. Based upon this projected exhaust date, NANPA notified the Commission and the Industry on July 7, 2015, that NPA relief needed to be addressed. The Industry met via conference call on September 15, 2015, to discuss various relief alternatives. Pursuant to the NPA Relief Planning Guidelines, NANPA distributed an Initial Planning Document (IPD) to the Industry prior to the relief planning meeting. The IPD contained descriptions, maps, general facts and assumptions, and the projected lives of an all-services distributed overlay relief alternative, referred to in the IPD as Alternative #1, and one two-way geographic split alternative, referred to as Alternative #2.

During the relief planning meeting, the Industry members evaluated the two relief alternatives, described more fully below:

* Alternative #1 – All Services Distributed Overlay: A new NPA code would be assigned to the same geographic area as the existing 717 NPA. Alternative #1 has a projected life of sixty-seven (67) years.
* Alternative #2 – Two-Way Geographic Split: In a two-way geographic split, the exhausting NPA is split into two geographic areas and a new NPA is assigned to one of the areas formed by the split. For Alternative #2, the proposed split boundary line runs along rate center boundaries in a west-to-east direction. The boundary line runs north of Dry Run, Chambersburg, Fayetteville, Biglerville, York Springs, Dillsburg, Dover, Manchester, Elizabethville, Manheim, Lititz, Ephrata and Denver. The northern portion, referred to in the IPD as Area A, would have a projected NPA life of seventy-one (71) years to exhaust and the southern portion, Area B, would have a projected NPA life of sixty-two (62) years to exhaust.

At the September 15th meeting, the participants discussed the attributes of the relief alternatives and reached consensus to recommend to the Commission Alternative #1, the all services distributed overlay plan, as the preferred method of relief for the 717 NPA. All existing customers would retain the 717 area code and would not have to change their telephone numbers. Consistent with FCC regulations, the relief plan would require ten-digit dialing for all calls within and between the 717 NPA and the new NPA. The industry recommends that all local and toll calls between the 717 NPA and the new NPA be dialed as 10-digits, or permissively as 1+10 digits at each service provider’s discretion. All local and toll calls originating in the 717 NPA or the new NPA and terminating in other NPAs (NPAs other than the 717 or new NPA) must be dialed as 1 +10 digits. Operator services calls would require customers to dial 0+10 digits. The following table illustrates the recommended dialing plan:

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| --- | --- | --- |
| **Type of Call** | **Call Terminating in** | **Dialing Plan** |
| Local & Toll Calls | Overlay Home NPAs(HNPA) | 10 digits (NPA-NXX-XXXX)\* |
| Local & Toll Calls | Foreign NPA (FNPA)outside of overlay | 1+10 digits (1+NPA-NXX-XXXX) |
| Operator Services(Credit card, collect, third party) | HNPA or FNPA | 0+10 digits (0+NPA-NXX-XXXX) |

\*1+10 digit dialing for all HNPA and FNPA calls permissible at each service provider’s discretion.

When the 717 NPA completely exhausts, all Central Office (CO) code assignments will be made from the new overlay area code. Industry participants also reached consensus to recommend to the Commission a thirteen-month schedule for implementation of the overlay. The recommended schedule is as follows:

**Recommended Implementation Schedule for All Services Distributed Overlay**

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| --- | --- |
| **EVENT** | **TIMEFRAME** |
| Network Preparation Period | 6 months |
| Permissive 10-Digit Dialing and Customer Education Period*(Calls within 717 NPA can be dialed using 7 or 10 digits)*Mandatory dialing begins at the end of the Permissive Dialing Period | 6 months |
| First Code Activation after end of Permissive Dialing Period*(Effective date for codes from the new NPA)* | 1 month (after MandatoryDialing Date) |
| Total Implementation Interval | 13 months |

The Industry stated that adhering to the proposed timeframe would avoid the denial or delay of service to telecommunications providers’ customers due to the unavailability of CO codes.

On October 23, 2015, Neustar, Inc., in its role as the neutral third party NPA

Relief Planner for Pennsylvania, and acting on behalf of the Pennsylvania industry, filed a petition with the Commission requesting approval of its consensus plan to implement an all-services distributed overlay for the geographic area covered by the 717 NPA, which would create a new area code to service the area. However, by Order entered March 10, 2016, at Docket No. P-2015-2510230, the Commission suspended taking action on the industry’s October 23, 2015 Petition pending its request for the submission of any written comments from interested parties residing in the 717 geographic region on the relief plan in the proceeding and the scheduling of a public input hearing so that oral

testimony related to the form of relief for the 717 NPA could be received. The Commission conducted a “smart” public input hearing on August 9, 2016.[[12]](#footnote-12)

**Discussion**

The proliferation of new area codes is not the result of the unavailability of numbers for end-users. When there are no more NXX codes available to assign to telephone companies, then new area codes need to be opened. Thus, new area codes are needed when existing area codes exhaust their supply of NXX codes.

The FCC, which has plenary jurisdiction over numbering issues in the United States,[[13]](#footnote-13) mandates that states and cannot engage in number conservation measures to the exclusion of, or as a substitute for, timely area code relief.[[14]](#footnote-14) Thus, when an area code within its boundaries is about to exhaust their supply of NXX codes the state must implement timely area code relief, i.e., add a new area code.[[15]](#footnote-15)

When faced with the need to implement new area codes, the Commission must decide two very important issues. First, the Commission must decide how to implement the new area code (i.e., a geographic split or an overlay). Second, the Commission must determine when the new area code needs to be implemented. According to FCC

regulations, new area codes can be introduced to relieve the shortage of NXX codes in an area code through the use of any of the following three methods:

1. A geographic area code split, which occurs when the geographic area served by an area code is split into two or more geographical parts;
2. An area code boundary realignment, which occurs when the boundary lines between two adjacent area codes are shifted to allow the transfer of some numbers from one area code to the other;
3. An area code overlay, which occurs when a new area code is introduced to serve the same geographic area as an existing area code.

*See* 47 C.F.R. § 52.19(c)(1)-(3).

Although the NANPA notifies the industry when an area code needs relief planning and conducts the relief planning meeting, it is a neutral third party that does not express an opinion on any proposed relief alternative. Additionally, the industry is encouraged to participate in the creation of the relief alternatives and is free to present any plans during the relief planning meeting.

On October 23, 2015, Neustar, Inc., filed a Petition requesting approval of the

industry’s consensus plan to implement an all services distributed overlay for the geographic area covered by the 717 NPA. The Commission suspending taking action on the Petition, pending receipt of written comments and conducting a public input hearing to receive testimony on the relief alternatives presented in the Petition. The Commission is now faced with the decision of deciding which form of area code relief should be adopted and when the new area code must be added.

1. **Form of Area Code Relief For The 717 NPA**

As mentioned above, when Pennsylvania’s area codes are about to exhaust their supply of NXX codes, the Commission must implement timely area code relief and determine the appropriate form of such area code relief. Pennsylvania has experienced both area code splits and overlays. There have been a total of five overlays since 1999 (484, 267 and 878 have been implemented and 835 and 445 were activated but later rescinded). Prior to 1999, three geographic splits have been implemented (610, 570 and 724). There are benefits and disadvantages to either method.

With the imposition of an overlay, existing land-based telephone customers are not likely to have to change telephone numbers. Therefore, customers will not need to change their advertising and stationery. However, the FCC requires that ten digits be used to dial all numbers in the overlaid area when an overlay is implemented. Thus, seven-digit dialing is no longer permissible or valid. New NXX numbers from the new area code are assigned to carriers that do not have numbers available in a given rate center. Therefore, the first three digits of a ten-digit telephone number around the corner or down the block might be from the new area code. Eventually, a single customer might have two different area codes for telephone lines serving his or her home or place of business if the existing carrier has run out of numbers in an NXX assigned to the old area code.

On the other hand, implementation of a geographic split involves dividing an existing area code into two or more parts, with one part retaining the old area code and other(s) receiving the new area code(s). Callers are presently able to continue using seven-digit dialing for calls made within the area code boundaries. Customers in the area retaining the old area code are minimally impacted. Customers in the new area code, however, must change their area codes. Businesses must revise their stationery and their advertising. Commercial customers may not be able to retain ''vanity numbers,'' upon which they have spent advertising dollars. Callers, particularly at the border of the old and new area codes are temporarily inconvenienced. They often must dial eleven digits to make calls that were previously seven-digit numbers. Although local calling areas actually have not changed and calls that were local before the area code split remain local calls, even if they cross into the new area code, people are initially disconcerted and distrusting of the concept of an eleven-digit local call. Indeed, local calling areas do not change no matter which method of area code relief is implemented.

Upon our review of the written comments received and the transcript from the “smart” public input hearing, many agree with the industry's consensus recommendation to implement an all-services distributed overlay for the geographic area covered by the 717 NPA. The Commission prefers to implement the form of area code relief that is the least disruptive to the residential customers and businesses that reside within the 717 area code.

The Commission notes that the industry reached a consensus to implement an all-services distributed overlay for the geographic area covered by the 717 NPA, which would create a new area code to service the area and require ten-digit dialing to complete all calls. Additionally, the Commission notes that an overwhelmingly majority of the comments advocated for the implementation of an all-services distributed overlay as the form of area code relief for the 717 area code instead of a geographic split. The Commission notes that implementing a geographic split in the 717 NPA would create smaller and smaller geographic sections that result in arbitrary regions that make no geographic sense at all. A geographic split can divide communities of interest, such as neighborhoods, school districts and municipalities. Thus, the area code loses its meaning because there are too many areas and too many codes.

Furthermore, we believe that the imposition of an overlay would be the least disruptive to the residential customers and the businesses that reside within the 717 area code. With a geographic split, individuals and businesses in the area that changes or receives the new area code would have to re-print stationery and signs, write letters and send e-mails announcing the change of their phone number, or risk having their incoming calls misdirected. Further, the persons who call the affected numbers typically have to call twice and then update their paper and computer records. Accordingly, the Commission agrees with the industry's recommendation and the sentiments of the majority of the commenters, and we will direct Neustar to implement an all-service distributed overlay for the 717 area code.

1. **Implementation Schedule And Activation Of The Relief Plan Chosen For The 717 NPA**

Next, we must determine the implementation timeline for the overlay of the 717 area code. The FCC regulations at 47 CFR 52.19(a) state that ''state commissions may resolve matters involving the introduction of new area codes within their states, which includes establishing the necessary dates for the implementation of relief plans.

In the instant Petition, the industry initially requested thirteen months for full implementation of the new NPA for the 717 area code. Specifically, the industry recommended the following implementation schedule:

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| --- | --- |
| **Event** | **Time Frame** |
| Network Preparation Period | 6 months |
| Permissive 10-Digit Dialing and Customer Education Period*(Calls within 717 NPA can be dialed using7 or 10 digits)*Mandatory dialing period begins at the end of the Permissive Dialing Period | 6 months |
| First Code Activation after end of Permissive Dialing Period | 1 month(after Mandatory Dialing Period) |
| Total Implementation Interval | 13 months |

The Commission notes that, since the filing of the Petition, Neustar has declared jeopardy for the 717 area code. The new projected exhaust date for the 717 NPA is the third quarter (3Q) of 2017, from the initial exhaust date of 2Q of 2018 set forth in the Petition. Thus, the 717 area code is projected to exhaust its remaining supply of NXX codes by 3Q2017, or approximately July 1, 2017. Hence, the Commission acknowledges that it can no longer accommodate the industry's initial request of thirteen months due to the declaration of jeopardy for the 717 area code. Nevertheless, from past experience, the Commission believes that the time line for the implementation of the new area code in the 717 geographic region does not necessarily have to be a length of thirteen months and can be shortened. The Commission notes that it has directed that an area code overlay be fully implemented within as little as 6 months. Therefore, the Commission will be revising the proposed timeframe to implement the overlay for the 717 area code so as not to impact consumers adversely.

Nonetheless, while a state commission may not utilize numbering optimization measures in lieu of implementing timely area code relief, it may minimize the consumer impact of traditional area code relief by not implementing new area codes sooner than necessary. In view of the well-documented disruption to customers caused by changes in their area code, it is in the public interest to assure that new area codes are opened only when it is necessary, and only after the existing number resources in the existing area code are close to exhaustion. The mere fact that we are implementing timely area code relief does not mean we should not be diligent in ensuring that the remaining NXX codes in the existing area code are properly allocated or allow the premature exhaust of the existing area code. Thus, we direct Neustar to continue the rationing of 3 codes per month for the 717 area code per the Jeopardy Procedures that were previously established.[[16]](#footnote-16) This rationing will continue until the complete exhaust of numbering resources in the 717 area code.

The FCC has noted that the implementation of new area codes before they are necessary forces consumers to go through the expense, trouble and dislocation of changing telephone numbers or dialing patterns earlier or more often than necessary.[[17]](#footnote-17) Thus, the Commission is revising the implementation schedule of the new overlay NPA in this fashion. We direct that all network preparation for the implementation of the new overlay be completed no later than March 1, 2017, at 12:01a.m (EST). We believe that this timeframe is sufficient for telecommunications carriers to prepare their individual networks for the new overlay area code.

Also, in the past, specifically, for proposed area code relief in Southeastern Pennsylvania, the Commission had directed that Neustar not activate the new NPA or assign any NXX or central office codes from the additional proposed overlays over the 610/484 NPAs and over the 215/267 NPAs (which were ultimately rescinded) until a specific threshold had been met, i.e., three months to NXX code of the underlying NPAs. Likewise, 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. The NANPA will comply with this directive until this threshold has been met and will continue to honor code requests for NXXs in the existing NPA in accordance with the aforementioned jeopardy procedures for as long as numbering resources are available. We also direct NANPA to provide the Commission with monthly updates on the projected exhaust date of the 717 NPA so that the Commission can ensure that no NXX code holders in Pennsylvania will be without adequate numbering resources to meet customer demand. The Commission will inform all NXX code holders in Pennsylvania when the 717 NPA is one month away from exhaust so that the Commission can ensure that all code holders, including nonpooling carriers, will have non-discriminatory access to numbers when needed to meet customer demand.

Lastly, when introducing a new area code, there is an adjustment period commonly known as a permissive dialing period. During the permissive dialing period, customers may reach numbers in the area that is to be overlaid by either dialing the area code plus the number (ten-digit dialing) or the old way by dialing the seven-digit number. During the permissive period, customers are encouraged to make calls using ten-digits. At the end of the permissive period, the mandatory dialing period commences and all calls must be made using the area code plus the seven-digit number (ten-digit dialing). If only the seven-digit number is dialed at this time, the customer will reach a recorded announcement stating they must hang up and redial the number using the area code plus the seven-digit number. This recording will be available permanently. The Commission 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, including the fact that when the new overlay area code is finally activated the FCC requires that all calls be made dialing ten digits, dialing the area code and the seven-digit number.

However, the Commission notes that, during the public input hearings, some commenters expressed reservations regarding the introduction of ten-digit dialing in the 717 area code. In fact, we understand that this was a primary motive of some who commented that the Commission should implement a geographic split. As noted above, while all existing customers would retain the 717 area code and would not have to change their telephone numbers; consistent with FCC regulations, an overlay relief plan would require ten-digit dialing for all calls within the 717 NPA and the new NPA and all calls between the 717 NPA and the new NPA. The Commission acknowledges that ten-digit dialing has become more prevalent nationwide and overlays, with mandatory ten-digit dialing, have been implemented in southeastern, central, and western Pennsylvania. Notwithstanding, we determine 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.

With the assignment of an NXX code from the new overlay NPA, the dialing plan will be as follows:

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| **Dialing Plan for the All Services Distributed Overlay for the 717 NPA** |
| **Type of Call**  | **Call Terminating in**  | **Dialing Plan**  |
| Local & Toll Calls  | Overlay Home NPAs(HNPA)  | 10 digits (NPA-NXX-XXXX)\*  |
| Local & Toll Calls  | Foreign NPA (FNPA)outside of overlay  | 1+10 digits (1+NPA-NXX-XXXX)  |
| Operator ServicesCredit card, collect, third party  | HNPA or FNPA  | 0+10 digits (0+NPA-NXX-XXXX) |

\*1+10 digit dialing for all HNPA and FNPA calls permissible at each service provider's discretion

Thus, the implementation schedule for the new overlay NPA will be as follows:

|  |  |
| --- | --- |
| **Event**  | **Time Frame**  |
| Network Preparation Period  | No later than March 1, 2017 at 12:01 AM EST |
| Permissive 10-Digit Dialing and Customer Education Period *(Calls within 717 NPA can be dialed using 7 or 10 digits)*However mandatory ten-digit dialing period begins with first code activation | 3 months prior to exhaust  |
| First Code Activation after end of Permissive Dialing Period  | 1 month prior to exhaust |
| Total Implementation Interval  | 9 months |

##### Conclusion

In view of the declaration of jeopardy for the 717 area code, it is in the public interest and coincides with the policy of the Commission to ensure that numbering resources are made available on an equitable, efficient, and timely basis in Pennsylvania; **THEREFORE,**

**IT IS ORDERED:**

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 1, 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 not commence their permissive dialing period and customer education program for the new overlay code until the 717 area code is set to exhaust within 3 months.

6.  The Commission shall inform all NXX code holders in Pennsylvania when the 717 NPA is one month to NXX code exhaust so that the Commission can ensure that all carriers, including nonpooling carriers, will have non-discriminatory access to numbers when needed to meet customer demand.

  7.  The NANPA shall not 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.

8. 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/>.

9. 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.

**BY THE COMMISSION**

Rosemary Chiavetta

Secretary

(SEAL)

ORDER ADOPTED: October 27, 2016

ORDER ENTERED: October 27, 2016

1. An NXX code comprises 10,000 telephone numbers in a specific area code and is identified by the second set of three digits in a ten-digit telephone number, NPA-NXX-XXXX. The unavailability of NXX codes for assignment to telecommunications carriers in a given area code leads to the exhaust of that area code. [↑](#footnote-ref-1)
2. A consensus is established when substantial agreement has been reached. Substantial agreement means more than a simple majority, but not necessarily unanimity. *CLC Principles and Procedures*, May 1998, at § 6.8.8. [↑](#footnote-ref-2)
3. The Industry Numbering Committee (INC) Guidelines provide that, when an area code is nearing exhaust, the NANPA, which then becomes the NPA Relief Planner, convenes a meeting of the industry to discuss relief alternatives. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-016, reissued Nov. 8, 1999, at § 5.5. If the industry reaches a consensus, then its consensus plan is filed with the Commission and the Commission has an opportunity to take action at that point. *NPA Code Relief Planning & Notification Guidelines*, INC97-0404-016, reissued Nov. 8, 1999, at § 5.6. [↑](#footnote-ref-3)
4. The geographic split of the 717 NPA resulted in the creation of the 570 NPA. *See* *Petition of NPA Relief Coordinator Re: 717 Area Code Relief Plan*, Docket No. P-00961071 (Order entered May 21, 1998). [↑](#footnote-ref-4)
5. The NANPA is the entity that allocates numbering resources and monitors the viability of area codes to determine when all of the telephone numbers (or NXX codes) available in the area code are nearing exhaust. [↑](#footnote-ref-5)
6. An overlay is when a new area code is introduced to serve the same geographic area as the existing area code. *NPA Code Relief Planning & Notification Guidelines,* INC97-0404-026, June 21, 2002 at § 3. With the overlay method, 10-digit local dialing is required by federal rules. 47 C.F.R. §52.19(c)(3)(ii). [↑](#footnote-ref-6)
7. By the time that the industry had reached a consensus determination on the appropriate form of area code relief, the projected exhaust date for the 717 NPA had been pushed forward to the fourth quarter of 2003. However, since the exhaust date was within the 3-year time-period required by the *INC Guidelines*, area code relief was still necessary. [↑](#footnote-ref-7)
8. Thousand-block number pooling is the process by which a 10,000 block of numbers is separated into ten sequential blocks of 1,000 numbers and allocated separately to providers within a rate center. *See Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting that Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures*, CC Docket No. 99-200 and NSD-L-01-113 (Order released December 28, 2001) (*McCall Order*).By order entered on August 9, 2001, at Docket No. M-00001427, the Commission, with the consensus of the industry, ordered the implementation of a voluntary pool in 717, which subsequently became mandatory at the direction of the FCC in the *McCall Order*. Accordingly, the Commission implemented mandatory 1,000-block pooling in the 717 NPA in March of 2002. [↑](#footnote-ref-8)
9. NXX code reclamation involves the return of unused NXX codes to the NANPA. Within six months of receiving an NXX code, a carrier must assign at least one number to an end user or the entire NXX code must be returned to the NANPA. 47 C.F.R. § 52.15(g)(iii). The Commission implemented NXX code reclamation in the 717 NPA in August of 2000. [↑](#footnote-ref-9)
10. *In the Matter of Verizon Wireless’ Petition For Partial Forbearance From the Commercial Mobile Radio Services Number Portability Obligation and Telephone Number Portability*, WT Docket 01-84, CC Docket No. 95-116 (Order adopted July 16, 2002). [↑](#footnote-ref-10)
11. Public input hearings were held in Harrisburg, York, Lancaster, Gettysburg and Chambersburg. [↑](#footnote-ref-11)
12. A “smart” hearing is broadcast live on the [PUC’s website](http://www.puc.pa.gov/about_puc/live_streaming_video.aspx) and enables interested parties to view and hear the testimony being offered without the need to attend the hearings in person. Witnesses have the option to have their testimony live-streamed and also are able to offer their comments by telephone from the convenience of their homes or other locations, if they prefer. Notwithstanding, in-person testimony at the hearing site is also an option for those who prefer to participate and comment in that manner. [↑](#footnote-ref-12)
13. 47 U.S.C. § 251(e)(1). [↑](#footnote-ref-13)
14. *In the Matter of Numbering Resource Optimization*, CC Docket Nos. 99-200, 96-98, NSD File No. L‑99-101 (2000). [↑](#footnote-ref-14)
15. *See In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215, 717; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996,* Memorandum Opinion and Order and Order on Reconsideration, 13 FCC Rcd 190029 (1998). [↑](#footnote-ref-15)
16. Effective September 9, 2016, interim jeopardy procedures were placed into effect for the 717 NPA. On September 29, 2016, finalized jeopardy procedures were established and consensus reached to set the rationing quantity (“base allocation”) at 3 codes per month. [↑](#footnote-ref-16)
17. *In the Matter of Numbering Resource Optimization*, Second Report and Order, CC Docket No 99-200, FCC 00-429 (rel. December 29, 2000). [↑](#footnote-ref-17)