

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF THE NORTH AMERICAN)	
NUMBERING PLAN ADMINISTRATOR, ON)	ADMINISTRATIVE
BEHALF OF THE KENTUCKY)	CASE NO.
TELECOMMUNICATIONS INDUSTRY, FOR)	2012-00129
RELIEF OF THE 270 NUMBERING PLAN AREA)	

ORDER

On April 2, 2012, Neustar, Inc. ("Neustar") submitted to the Commission an application on behalf of the Kentucky Telecommunications Industry ("Industry") for approval of a relief plan for the 270 Area Code ("270 NPA"). Neustar functions as the North American Numbering Plan Administrator ("NANPA"), pursuant to a contract with the Federal Communications Commission ("FCC"), which has ultimate authority over the North American Numbering Plan. In its filing with the Commission, NANPA estimated that the supply of Central Office ("CO") prefixes available within the 270 NPA would be exhausted by the first quarter of 2015. However, the April 2012 Numbering Resource Utilization Forecast estimates that the 270 NPA will be exhausted by the third quarter of 2014. Given the current status of the 270 NPA, NANPA elected to resubmit its original application for NPA relief with the Commission along with the instant Amendment and Erratum to update the application.

The Commission hereby opens this proceeding to develop a 270 NPA relief plan. A copy of this Order is being sent to all telecommunications utilities that are authorized to provide intrastate telecommunications services within Kentucky. Any telecommunications utility that desires to be included on the list of parties to this

proceeding should notify the Commission within 20 days of the date of this Order. If notification of the utility's intent to remain a party to the case is not received by the Commission, the utility will be removed from the service list for future orders and case related material filed in this matter.

BACKGROUND

NANPA first submitted an application for relief of the 270 NPA on July 25, 2001.¹ At that time, the projected exhaust date of the 270 NPA was estimated to be the second quarter of 2003. Numbering conservation measures taken by the FCC and the Commission, along with reduced historical and projected demand for numbering resources by industry members, contributed to extending the projected exhaust date and the Commission closing the matter. On July 19, 2006, NANPA again submitted an application seeking Commission approval of a relief plan for the 270 NPA due to the projected exhaust of available CO prefixes.² At that time, NANPA additionally declared jeopardy status for the 270 NPA due to the proximity of the projected exhaust date to the filing of the application by NANPA. The Commission opened a new proceeding to determine an appropriate relief methodology for the 270 NPA.³

As a result of the implementation of mandatory thousands-block number pooling by the FCC in 2007 and the decrease in historical demand for numbering resources within the 270 NPA, the projected exhaust date for the 270 NPA continued to be

¹ Administrative Case No. 388, The Application of NANPA, on Behalf of the Kentucky Telecommunications Industry, for Approval of NPA Relief Plan for the 270 NPA, filed July 25, 2001.

² Case No. 2006-00357, Amendment and Erratum to Application of the North American Numbering Plan Administrator on Behalf of the Kentucky Telecommunications Industry, filed July 18, 2006.

³ Case No. 2006-00357, The Application of NANPA, on Behalf of the Kentucky Telecommunications Industry, for Approval of NPA Relief Plan for the 270 NPA (Ky. PSC Sep. 27, 2006).

delayed. Thus, on December 13, 2010, the Commission vacated its decision to implement a geographic split and again closed the matter. As part of its decision, the Commission ordered that should relief for the 270 NPA again become necessary, a new petition would have to be filed with the Commission for a decision on NPA relief. The Order went on to state that upon the filing of a new petition, the Commission would revisit the decision on the chosen method of relief for the 270 NPA, and a new implementation schedule would be determined.⁴

NANPA met with Industry representatives on January 5, 2012 to solicit input on proposed relief plans, and on February 23, 2012, met to discuss the proposed relief alternatives and to allow the Industry to arrive at a consensus on the relief alternative to recommend to the Commission. Prior to the February 23, 2012 meeting, NANPA distributed an Initial Planning Document ("IPD") to the Industry.⁵ The IPD contained descriptions, maps, general facts and assumptions, and the projected lives of three area code relief options, which consisted of an all-services overlay and two two-way geographic area code splits. Upon review of the attributes of the possible relief alternatives, Industry members reached consensus to recommend the all-services distributed overlay plan to the Commission as the preferred method of relief for the 270 NPA. The application states that the Industry chose the overlay plan over the geographic split alternatives because it would be the least disruptive to customers, making customer education easier and resulting in less confusion.

⁴ *Id.*

⁵ A copy of the IPD can be found in Exhibit B of the Application.

Consistent with FCC regulations, the overlay relief plan would require ten-digit dialing for all calls within and between the 270 NPA and the new NPA.⁶ CO code assignments would be made from the new overlay area code beginning one month after mandatory dialing. Industry participants recommended to the Commission a 13-month schedule for implementing the all-services distributed overlay.

It should also be noted that in previous applications, the Industry has chosen to provide the Commission with consensus choices as their second and/or third proposed alternatives for the 270 NPA relief plan. However, in this application, the Industry chose only to recommend the overlay with no proposed alternatives selected.

DISCUSSION

As part of the relief planning process, the Commission will solicit input from telephone customers residing within the affected area and will consider that input in reaching a final decision concerning appropriate NPA relief for the 270 NPA. Additionally, the Commission will hold a series of public meetings regarding the Industry's proposed relief for the 270 NPA. The purpose of the public meetings will be to present information concerning the 270 NPA relief proposal submitted by NANPA, and to allow public input concerning this matter. In an effort to determine the most viable relief option for the 270 NPA, the Commission will take into account the best interest of all parties affected by the imminent exhaustion of numbers in the region, as well as any comments filed with the Commission or suggested at the scheduled public meetings to be held regarding this matter.

The Commission will provide more specific information via press releases regarding the scheduled public meetings as soon as the details of these meetings are

⁶ 47 C.F.R. § 52.19(c)(3)(ii)

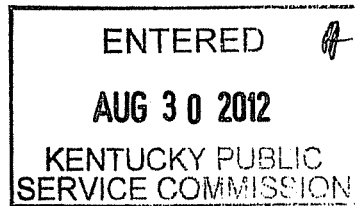
finalized. After the public meetings have been held, the Commission will allow further comments from the public and industry to be filed regarding the proposed relief option for the 270 NPA. Filed comments may address the relief proposal as well as the economic impact and the effect that the proposed option may have on customers and providers. The Commission will analyze the suggestions and comments from the public, the industry, and NANPA along with the impact the proposed relief option might have on the affected region.

IT IS THEREFORE ORDERED that:

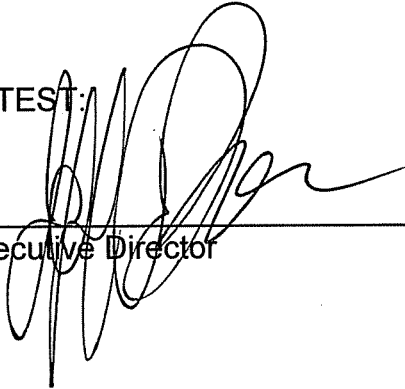
1. This administrative case is hereby opened to develop a 270 NPA relief plan and to institute procedures designed to delay the implementation date of such relief.
2. All affected service providers known to the Commission shall receive a copy of this Order. Any telecommunications utility that desires to be included on the list of parties to this proceeding should notify the Commission within 20 days of the date of this Order.
3. Within 30 days of the date of this Order, Industry representatives may file comments regarding the choice for relief identified in the application submitted by NANPA on April 2, 2012.
4. The Commission shall issue a schedule of public meetings to be held regarding this matter as soon as the details of the meetings are finalized.
5. Any person desiring to provide comments regarding the proposed relief option identified in this proceeding shall file their comments with the Commission no later than November 16, 2012.

6. If by November 16, 2012, no person has petitioned for an evidentiary hearing, this matter will stand submitted to the Commission.

By the Commission



ATTEST:



Executive Director

Administrative Case No. 2012-00129

Kimberly Wheeler Miler
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