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SEP 28 2012

**PUBLIC SERVICE
COMMISSION**

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September 28, 2012

Jeff DeRouen
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40601

**RE: *Application of North American Numbering Plan Administrator for Relief of the
270 Numbering Plan Area***
Case No. 2012-00129

Dear Mr. DeRouen:

Enclosed for filing in this case please find an original and ten copies of the Comments of the Joint Telecommunications Carriers. Please confirm your receipt of this filing by placing the stamp of your Office with the date received on the enclosed additional copy and return it to me via our runner.

Very truly yours,

STOLL KEENON OGDEN, PLLC

Douglas F. Brent

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COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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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)	

COMMENTS OF THE JOINT TELECOMMUNICATIONS CARRIERS

The Joint Telecommunications Carriers,¹ representing a coalition of an incumbent wireline provider, competitive local exchange carriers, and wireless carriers, hereby file pursuant to the Kentucky Public Service Commission's ("Commission") Order dated August 30, 2012, their comments to the Application filed by Neustar, Inc., the North American Numbering Plan Administrator ("NANPA"), on April 2, 2012.

I. Overview

On April 2, 2012, NANPA filed with the Commission an Application for area code relief for the 270 numbering plan area ("NPA"), which at that time was projected to exhaust during the first quarter of 2015. Since then, the projected demand for central office codes in the 270 NPA has accelerated, and the projected exhaust is now during

¹ The telecommunications carriers collectively referred to herein as the "Joint Telecommunications Carriers" are BellSouth Telecommunications, LLC d/b/a AT&T Kentucky, AT&T Communications of the South Central States, TCG Ohio, and New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (collectively, "AT&T"); Insight Phone of Kentucky, LLC and Time Warner Cable Information Services (Kentucky), LLC (collectively, "Time Warner Cable"); Sprint Spectrum, L.P., and Sprint Communications Company L.P. (collectively, "Sprint"); T-Mobile Central LLC, and Powertel/Memphis, Inc. (collectively, "T-Mobile"); and Verizon Wireless and MCI metro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (collectively "Verizon").

the first quarter of 2014.² In the Application, NANPA requested that the Commission approve the Industry's consensus decision to recommend an all-services distributed overlay plan as the preferred form of area code relief for the 270 NPA. In the Application, NANPA further requested the Commission adopt a 13-month implementation schedule for the overlay in order that the supply of central office codes (typically referred to as "CO" or "NXX" codes) can be replenished prior to exhaust.

The Joint Telecommunications Carriers strongly support both recommendations for the reasons stated in NANPA's Application and those stated herein. Such actions will significantly minimize inconvenience to consumers and support the continuing trend throughout the United States to use the overlay method as the preferred form of area code relief.

II. The All-Services Overlay Plan Is the Most Equitable Approach to Area Code Relief

As indicated in NANPA's Exhibit A to its Application at pages 5-8, the overlay has numerous advantages over an area code split, including less customer impact and fewer technical issues. Moreover, as seen in the recent implementation of overlays in numerous states across the nation, overlays are the least disruptive for consumers and can be effectively and efficiently implemented. As a result, overlays are increasingly common across North America as the preferable form of area code relief.³

² See http://www.nanpa.com/pdf/NRUF/Changes_from_April_2012_NRUF_Forecast.pdf.

³ On a national level, 21 overlays have been implemented since January 1, 2005, and only one split (NM 505) since January 1, 2005. An additional 12 overlays have been implemented in Canada and the Dominican Republic since January 1, 2005, and no other splits in other NANP nations in that timeframe.

A. An Overlay Does Not Create “Winners” and “Losers”

The Commission’s two main choices for area code relief are an overlay or a geographic split. The public interest detriments of an area code split are well-understood, and the 270 NPA is no exception. Unlike an overlay, an area code split would not treat consumers who have a 270 telephone number today in an equitable manner. A split would force customers on the “losing” side of the new NPA boundary to unnecessarily change their 10-digit phone number, thus requiring them to contact their family, friends and business associates to provide their new number. An area code split would place potentially onerous financial burdens on business owners and operators in the affected area by requiring them to update their company stationery, business cards, texting information, Internet-related sites, including social media, and advertisements – in addition to contacting existing customers to inform them of a new business phone number. Further, today there are numerous non-telephone company databases that use full 10-digit telephone numbers as a search criterion, such as airlines, doctors, utilities, grocery reward programs, pharmacies, national missing children databases, and others that would need to be updated with a new telephone number if an area code split were chosen. As consumers and businesses alike become increasingly attached to and are identified by their telephone numbers, an area code split is significantly more burdensome than it might have been just five or 10 years ago.

B. An Overlay Can Be Easily Implemented and Adapted to by Consumers

The successes experienced with the recent overlay implementations in Oklahoma in April 2011 (*In the Matter of a General Investigation Into the Exhaust of the 918 NPA*, Cause No. PUD 200800135; Order No. 572602, Oklahoma Corporation

Commission, January 4, 2010) and North Carolina in April 2012 (*In the Matter of Area Code Relief for North Carolina's 919 Numbering Plan Area*, DOCKET NO. P-100, SUB 137B, North Carolina Utilities Commission, June 21, 2011) demonstrate that the industry can smoothly implement overlays in an effective and efficient manner that will minimize adverse impact on consumers. Overlays represent a progressive approach to introducing additional numbering resources and are the most prevalent form of area code relief adopted by state commissions across the country since at least 2005.⁴

In earlier years, state commissions expressed concern for the burden and inconvenience to consumers of 10-digit dialing on calls within the same area code. Today, however, the possibility of a telephone number change – and the resulting burdens and costs associated with the change – far outweigh the burden of 10-digit dialing for many customers. Experience over the last several years shows that consumers easily adapt to making many “local” calls between area codes and dialing 10 digits as part of their routine calling patterns. Plus, the growing use of wireless devices, and in particular smart phones, as a consumer’s primary phone⁵ means that “dialing” for many consumers consists of highlighting a contact and choosing the called party’s number rather than inputting 10 digits. Thus, the concern that 10-digit dialing will be a burden for consumers when an overlay to the 270 NPA is implemented will have even less validity going forward.⁶

⁴ See fn. 1.

⁵ According to a study by the Centers for Disease Control and Prevention issued in April 2011, there were 3.7 million wireless subscribers in Kentucky and 31.5% of adults in Kentucky were living in wireless-only households. See <http://www.cdc.gov/nchs/data/nhsr/nhsr039.pdf>.

⁶ Once 10-digit dialing becomes the accepted practice in an area, future area code exhaust situations are easily resolved by simply adding another area code overlay into the mix. In contrast, the negative consequences of splitting an area code will recur in the future, potentially requiring some percentage of
(footnote continued on next page)

C. An Overlay Avoids Certain Local Number Portability and Other Technical Implementation Problems Associated With a Split

An additional benefit of overlays over splits is that implementation of an overlay avoids technical problems carriers have experienced in complying with customers' local number portability ("LNP") requests. Specifically, there are significant technical challenges to complying with LNP requirements during the permissive dialing period of an area code split. Under relevant federal rules, the Number Portability Administration Center ("NPAC") houses all of the ported and pooled number data. During the night on which permissive dialing is implemented, NPAC personnel must update the NPAC database to include both the old and the new NPA. On the same night, all carriers in the NPA must update their operational support systems with the new and old NPA so that port requests will complete within the designated porting intervals. Port requests can fail or create a backlog if the carriers' operational support systems are not in sync with the NPAC's database. If such coordination fails, calls can also be misrouted or denied, leading to consumer dissatisfaction and undermining the unquestionable competitive and consumer benefits of LNP.

In addition, many carriers have implemented newer network routing technologies such as Voice over Internet Protocol ("VoIP"). These technologies would require significant and costly operational developments to accommodate a NPA split versus an overlay solution because the VoIP call routing platforms are centralized on a national basis rather than a local switching basis as with the traditional TDM network.

(footnote continued from previous page)

the same consumers and business customers to incur the same costs/headaches to resolve the next number exhaust situation affecting the same area.

Finally, there are a number of other technical implementation problems that can arise for wireless customers when an area code split is implemented. These include, but are not limited to:

- **Caller ID Customer Confusion** - During the permissive dialing period, the called party's Caller ID device or handset may indicate that a received call originates from a number with the new area code even though the caller is still using a number in the old area code. Although this issue does not technically affect the ability of the call to complete, it can lead to confusion on the called party's part. The called party may choose not to answer the call because the indicated originating number or the new area code is not recognized, or the stored contact list in the called party's device or handset has not been updated. There is no such problem with an overlay because no customer is forced to change his or her number.
- **Text and Multi-Media Messaging Completion** - Some wireless systems currently are able to handle only one 10-digit telephone number for text and multi-media (e.g., picture) messaging. Therefore, if during the permissive dialing period the calling party inputs a different 10-digit number (i.e., using the new area code) than the one which is in the called party's wireless provider's system (i.e., the old area code number), the message will fail and not be delivered.
- **Smart Phone Applications Impacts** – With the growing proliferation of smart phones, wireless customers have the ability to add various types of third-party applications to their phones without the approval or even the knowledge of their wireless service providers. These applications, which can run into the hundreds or even thousands depending upon the smart phone's storage capacity, are routinely identified by the customer's existing 10-digit number. As a result, changing a customer's area code in a split would likely impact the operation of many of these advanced data applications, causing customer confusion and generating complaints.
- **Wireless Phone Reprogramming Issues** – When implementing a split, most wireless providers will change the area code of affected customers' phones over-the-air, if the handset is over-the-air capable, to avoid manually reprogramming each handset. But where customers with handsets that are not over-the-air capable do not bring their handsets in to the provider for manual reprogramming, or are military personnel or other customers living abroad whose phones are outside the range of over-the-air reprogramming, these customers' new area code will not get timely programmed before mandatory dialing begins. As a result, they will not be able to receive calls because their old area code 10-digit number in their phones will not match the new area code number that is in the service provider's customer record.

- **Administrative Number Impacts** -- Most wireless carriers have various administrative numbers in their networks, and those numbers can be affected by a split as well. For example, temporary local directory numbers (TLDNs) in a network are used to facilitate the delivery of calls to customers that are roaming on that network. If TLDNs are in central office codes whose area codes have changed, then wireless carriers have to take great care in changing those numbers during the permissive dialing period of the split to avoid negatively impacting call completion for those roaming customers. Carriers have to do extensive testing before the start of permissive dialing and again before mandatory dialing in a split to ensure that changing the area code of any administrative number in the network will not negatively impact a customer's ability to receive calls. There are no such concerns with an overlay because none of the existing administrative numbers would need to change.

III. The Joint Telecommunications Carriers Support the Proposed 13-Month Implementation Schedule

In its Application at page 5, NANPA outlines a 13-month schedule for implementation of the recommended all-services overlay. Under the schedule, the first six months are dedicated to customer education and network preparation, followed by six months of permissive 7- or 10-digit dialing and continued customer education. After this first year, mandatory 10-digit dialing begins and the first code activation from the new NPA will become effective after one month of mandatory 10-digit dialing. Based on the industry's past experience with overlay implementations across the country, this 13-month period should provide adequate time for preparation and customer education, leading to a smooth implementation of the overlay and avoiding the denial or delay of service to customers due to the unavailability of new CO codes.

Because of all the technical issues associated with an area code split implementation, the industry would be unable to implement an area code split successfully in the same 13-month timeframe. Further, because the projected exhaust of the 270 NPA could occur in as soon as 15-18 months, a decision for an all-services

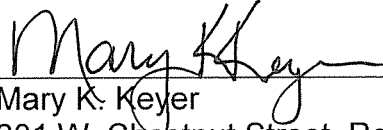
overlay is needed almost immediately so that the 13-month implementation schedule can be preserved. As such, the Joint Telecommunications Carriers respectfully suggest the following dates for a 13-month implementation interval for an all-services overlay for the 270 NPA:

Event	Date
Network preparation period begins	Saturday, February 23, 2013
Permissive 10-digit dialing and customer education period begins where calls within the 270 NPA can be dialed using 7 or 10 digits	Saturday, August 24, 2013
Mandatory 10-digit dialing begins	Saturday, February 24, 2014
Effective date of the new overlay NPA (earliest central office code activation from the new NPA)	Saturday, March 24, 2014

IV. Conclusion


For the foregoing reasons and those set forth in the NANPA Application, the Joint Telecommunications Carriers urge the Commission to adopt the all-services overlay plan and 13-month implementation schedule as the NANPA recommends in its Application. By doing so, the Commission will implement area code relief for the 270 NPA with the least inconvenience possible to existing customers and will help avoid denial of service to new customers of certain telecommunications providers prior to the anticipated exhaust of the 270 NPA in the first quarter of 2014.

Respectfully submitted,



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been served by first class mail on those persons whose names appear below this 28th day of September, 2012:

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