

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF NANPA ON BEHALF OF THE)
KENTUCKY TELECOMMUNICATIONS INDUSTRY)
FOR APPROVAL OF NPA RELIEF PLAN FOR THE) CASE NO.
270 NPA, AND NUMBER CONSERVATION) 2006-00357
MEASURES WITHIN KENTUCKY)

O R D E R

On July 19, 2006, the Commission received a filing from Neustar, Inc. (“Neustar”) updating the projected life and proposed relief of the 270 numbering plan area (“NPA”) on behalf of the telecommunications industry within Kentucky.¹ 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 the filing, NANPA estimated that the supply of Central Office (“CO”) prefixes available within the 270 NPA would be exhausted by the first quarter of 2009. However, on August 30, 2006, NANPA updated its forecast to estimate that the 270 NPA would be exhausted by the fourth quarter of 2007. Currently NANPA projects that the 270 NPA will be exhausted by the fourth quarter of 2008. NANPA has since proceeded to declare jeopardy status for the 270 NPA.

¹ Amendment and Erratum to Application of the North American Numbering Plan Administrator on Behalf of the Kentucky Telecommunications Industry (July 18, 2006).

BACKGROUND

NANPA first filed a petition for relief of the 270 NPA on July 25, 2001.² At that time, the projected exhaust date of the 270 NPA was estimated to be the second quarter of 2003. Prior to the filing of its original petition, NANPA conducted an industry meeting on April 2, 2001 in Lexington, Kentucky. Commission Staff attended the meeting. During the meeting, NANPA and industry participants discussed various relief alternatives developed by NANPA, and one geographic split alternative developed by an industry member and submitted to NANPA prior to the distribution of the Initial Planning Document.

At the April 2, 2001 meeting, participants discussed the attributes of the relief alternatives and reached a consensus to recommend to the Commission Alternative No. 5, an all services distributed overlay plan, as their first choice for relief for the 270 NPA. As their second choice, industry participants recommended Alternative No. 4A, a geographic split developed by industry participants. The industry participants eliminated Alternatives No. 1 through No. 4 because the dividing boundaries would split communities of interest and Extended Area Service (“EAS”) routes, thereby creating the need to duplicate additional CO codes to preserve seven-digit dialing to wireless customers. The industry participants noted that Alternative No. 4A would also create the need to duplicate more CO codes, but it did not divide as many communities of interest or EAS routes as the other geographic split alternatives. As part of the current proceeding, the Commission requested comments from industry participants regarding

² The Application of NANPA, on Behalf of the Kentucky Telecommunications Industry, for Approval of NPA Relief Plan for the 270 NPA, Administrative Case No. 388 (filed July 25, 2001).

any change in their consensus relief options. The Commission received no indication that there had been a change in the industry consensus approach.

In response to NANPA's initial petition for NPA relief, the Commission issued a numbering conservation order with the intent of extending the life of the 270 NPA.³ Additionally, voluntary thousands-block number pooling was implemented in the 270 NPA in 2003, and other numbering optimization measures have since been adopted by the FCC. The 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 life of the 270 NPA.

As part of its relief planning process, the Commission held a series of public meetings regarding the proposed relief of the 270 NPA. The purpose of the public meetings was to present information concerning the 270 NPA relief proposals as submitted by NANPA, and to gather public comment concerning this matter. The Commission also considered written comments filed prior to December 1, 2006, concerning the various alternative relief options, economic impact and the effect that the options may have on customers and providers. The Commission analyzed the suggestions and comments from the public, industry participants, and NANPA along with the impact of the various relief plans on the affected region in forming a final decision in this matter.

DISCUSSION AND DECISION

Just prior to the filing of NANPA's original petition in July of 2001, the Commission petitioned the FCC for delegated authority to implement mandatory

³ Administrative Case No. 388, September 26, 2001 Order.

thousands-block number pooling in the 270 NPA.⁴ The FCC eventually denied the Commission's petition on the grounds that the FCC was in the process of implementing a national rollout of thousands-block number pooling. Voluntary thousands-block number pooling was implemented in the 270 NPA in 2003. The Commission recognizes that thousands-block number pooling can be a useful tool in extending the life of an NPA, and has once again requested authority from the FCC to implement mandatory pooling in the 270 NPA.⁵ To date, the FCC has not acted on the Commission's most recent petition. There are, however, no assurances that the projected exhaust date will significantly change as a result of any Commission efforts to extend the life of the NPA. Therefore, the Commission must move forward with its decision.

The threshold issue in this case is to determine the most reasonable relief option for the 270 NPA. In so doing, the Commission has taken into account the interests of all parties affected by the imminent exhaustion of numbers in the region, and has considered comments filed with the Commission or presented at the public meetings held regarding this matter. Based on its review, the Commission has decided to adopt Modified Alternative No. 4A, a geographic split, as the method of relief for the 270 NPA. Additionally, all local exchange carriers should provide seven-digit dialing across area code boundaries within Kentucky for existing local calling plans. A copy of the map showing the geographic split proposed in Modified Alternative No. 4A is attached to this Order as Appendix A.

⁴ Public Service Commission of Kentucky's Petition for Interim Delegated Authority to Implement Number Pooling Trials within the 270 NPA (dated June 27, 2001).

⁵ The Kentucky Public Service Commission's Petition for Additional Delegated Authority to Implement Number Conservation Measures (dated October 10, 2006).

Traditionally, geographic splits have been chosen by the Commission to address NPA relief. However, the Commission notes that the use of geographic splits to address NPA relief in the future will result in continuously smaller geographic areas for assignment of new NPAs. The Commission recognizes that there comes a point where geographic splits as relief options become less feasible due to the inability to adequately address existing areas of interest and maintain desirable calling arrangements. Therefore, as future NPA relief is needed within Kentucky, the option of an all services distributed overlay may become a more attractive solution.

The second issue that the Commission must determine is which portion of the geographical split will retain the 270 NPA, and which area will receive the new, as yet undetermined, area code. The split adopted by the Commission would place the cities of Henderson, Paducah, and Hopkinsville on the west side of the split (Area B), and the cities of Bowling Green, Owensboro, and Elizabethtown on the east side of the split (Area A). Once the relief plan is implemented, NANPA has projected the life of the NPA contained in Area A to be 13 years, and the life of the NPA contained in Area B to be 23 years. Virtually all those providing public comments indicated a desire to maintain 270 as their area code. Historically, prior commissions have generally allowed the area of the geographical split holding the greatest population density and fastest growth to retain the current NPA as its area code. Here, the Commission finds that, on the basis of greatest population density and areas of fastest growth, the public interest will best be served if the eastern area (Area A), which includes the cities of Bowling Green, Owensboro, and Elizabethtown, retains the 270 area code. The Commission understands the difficulties, inconvenience, and expense associated with changing an

area code and will make every effort to ensure the transition is efficient. NANPA will assign the new area code to be used in the western area (Area B) following the issuance of this Order.

The third issue to be determined in this matter is the effective date of the area code split. The Commission makes this decision at this time in order to allow industry participants and the public the maximum period of time to adapt to the change. The Commission has reviewed the industry proposal and finds that a 17-month implementation schedule is reasonable and should be adopted for the NPA relief plan. A 6-month permissive dialing period should begin on April 1, 2008, during which time affected subscribers can dial either 270 or the new area code. Mandatory dialing of the new area code should begin on October 1, 2008.

The final issue that must be addressed is the necessity for customer education concerning the change in dialing arrangements for the new area code region and the assignment of a new area code. In order to ensure that customers are aware of the area code region split and associated dialing changes, each incumbent local exchange company ("ILEC"), competitive local exchange company ("CLEC"), and wireless provider should develop a customer education plan and, within 60 days from the date of this Order, deliver copies of those plans to the Commission.

IT IS THEREFORE ORDERED that:

1. The methodology selected for the 270 NPA relief plan within Kentucky shall be by geographical split as described herein in accordance with the proposed Modified Alternative No. 4A, a copy of which is appended hereto as Appendix A, and incorporated herein.

2. The eastern area code region (Area A), which includes the cities of Bowling Green, Owensboro, and Elizabethtown, shall retain the 270 NPA, and the western area code region (Area B), which includes the cities of Henderson, Paducah, and Hopkinsville, shall be assigned the new NPA.

3. The permissive dialing period shall begin no later than April 1, 2008, and mandatory dialing shall begin no earlier than October 1, 2008.

4. Local exchange carriers shall provide seven-digit dialing across area code boundaries within Kentucky for existing local calling plans.

5. Within 60 days of the date of the Order, each ILEC, CLEC, and wireless provider shall deliver its proposed customer education plans to the Commission.

Done at Frankfort, Kentucky, this 31st day of May, 2007.

By the Commission

ATTEST:



Executive Director

APPENDIX A

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2006-00357 DATED May 31, 2007

Alternative #4A Geographic Split for Area Code 270

Rate centers are used to define the geographic split. Rate center boundaries do not necessarily follow county or city boundaries. Those customers close to the geographic split should check their NXX code, which is assigned to a rate center, against the list of NXX codes assigned to Alternative #4A, Areas A or B.

Example phone number: (270) 123 - 4567
Area Code NXX Code

Public Service Commission staff constructed this map using the 2004 Official Kentucky Road Map from the Transportation Cabinet overlaid by information from Case #2006-00357, "The Application of NANPA, On Behalf of the Kentucky Telecommunications Industry, for Approval of NPA Relief Plan for the 270 NPA". This map is for informational purposes only and has no legal standing.

May 21, 2007

