

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF NANPA ON BEHALF OF THE)
KENTUCKY TELECOMMUNICATIONS INDUSTRY) CASE NO.
FOR APPROVAL OF NPA RELIEF PLAN FOR THE) 2006-00357
270 NPA)

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. At that time, NANPA also proceeded to declare jeopardy status for the 270 NPA. On August 30, 2006, NANPA updated its forecast to estimate that the 270 NPA would be exhausted by the fourth quarter of 2007. To date, each subsequent Numbering Resource Utilization Forecast ("NRUF") report has extended the projected life of the 270 NPA. In the October 2010 NRUF report, NANPA projects that the 270 NPA will be exhausted by the third quarter of 2014.

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 petitioned 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 petition, NANPA conducted an industry meeting on April 2, 2001 in Lexington, Kentucky. At that meeting, industry participants reached a consensus to recommend to the Commission the implementation of an all-services distributed overlay plan as their first choice for relief for the 270 NPA. As their second choice, industry participants recommended the implementation of a geographic split developed by industry participants. By Order dated September 27, 2006, the Commission requested comments from industry participants regarding any change in their consensus relief options from the initial meeting. The Commission received no indication that there had been a change in the industry consensus approach.

As part of its relief planning process, the Commission held a series of public meetings in October and November 2006 regarding the proposed relief of the 270 NPA. The purpose of the public meetings was to present information on and gather public comments concerning NANPA's 270 NPA relief proposals. The Commission also received written comments concerning the various alternative relief options. 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 on this matter.

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).

On May 31, 2007, the Commission issued an Order establishing a geographic split as the chosen methodology for the 270 NPA relief plan within Kentucky. On June 12, 2007, NANPA notified the Commission that it had selected 364 as the new NPA. The Commission determined that the eastern region of the split, which included the cities of Bowling Green, Owensboro, and Elizabethtown, would retain the 270 NPA, and the western region of the split, which included the cities of Henderson, Paducah, and Hopkinsville, would be assigned the 364 NPA. In addition, an implementation schedule was established setting a date for the start of the permissive and mandatory dialing periods.

On June 27, 2001, the Commission petitioned the FCC for delegated authority to implement mandatory thousands-block number pooling in the 270 NPA.³ 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 recognized that thousands-block number pooling could be a useful tool in extending the life of an NPA and again requested authority from the FCC to implement mandatory pooling in the 270 NPA.⁴ On May 31, 2007, the petition for

³ Public Service Commission of Kentucky's Petition for Interim Delegated Authority to Implement Number Pooling Trials within the 270 NPA, CC Docket No. 99-200, CC Docket No. 96-98 (dated June 27, 2001).

⁴ The Kentucky Public Service Commission's Petition for Additional Delegated Authority to Implement Number Conservation Measures (dated October 10, 2006).

delegated authority to implement mandatory thousands-block number pooling within the 270 NPA filed by the Commission was granted by the FCC.⁵

As a result of the implementation of mandatory thousands-block number pooling and the decrease in historical demand for numbering resources within the 270 NPA, the projected exhaust date for the 270 NPA has continued to be delayed since the implementation schedule for the new 364 NPA was originally established. To date, the Commission has ordered a change to the permissive dialing date on four separate occasions and has ordered the mandatory dialing date remain open-ended due to the continued extension of the projected life of the 270 NPA. On August 13, 2010, the Commission ordered that the permissive and mandatory dialing dates be suspended to allow the Commission to monitor developments in the 270 NPA and make a determination as to the future of relief efforts when necessary. The most recent NRUF report lists the projected exhaust date for the 270 NPA as the third quarter of 2014.⁶ In addition, NANPA recently removed the jeopardy status assigned to the 270 NPA based upon the availability of numbering resources in the current pool.⁷

⁵ See *In the Matter of Numbering Resource Optimization, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Petition of the Kentucky Public Service Commission for Additional Delegated Authority to Implement Number Conservation Measures*, CC Docket No. 99-200, CC Docket No. 96-98, DA (May 31, 2007).

⁶ 2010-2 NRUF and NPA Exhaust Analysis (October 2010).

⁷ Notice to Kentucky 270 NPA Code Holders and Other Industry Members (April 30, 2010).

DISCUSSION AND DECISION

Based upon trends in the projected exhaust date for the 270 NPA over the past few years, and the continued decrease in demand for numbering resources, the Commission finds that this proceeding should be closed. The implementation of numbering conservation measures such as thousands-block number pooling have resulted in the more efficient use of numbering resources available in the 270 NPA. As a result, carriers currently have an adequate pool of available numbers in the 270 NPA, and planning for the implementation and activation of a new NPA is no longer necessary. Thus, the Commission finds that the decision to implement a geographic split as the chosen relief method for the 270 NPA should be vacated.

Should the 270 NPA relief again become necessary, the Commission finds that NANPA should petition the Commission for a decision on NPA relief. At that time, the Commission will revisit the decision on whether to implement an area code split or an all-services distributed overlay as the chosen method of relief, and a new implementation schedule will be determined.

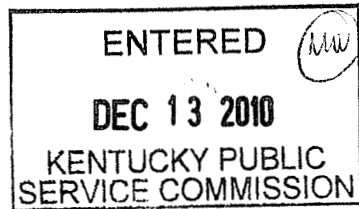
IT IS THEREFORE ORDERED that:

1. The previously ordered decision to implement a geographic split as the chosen relief methodology for the 270 NPA is vacated. A new relief method shall be chosen when relief becomes necessary for the 270 NPA.

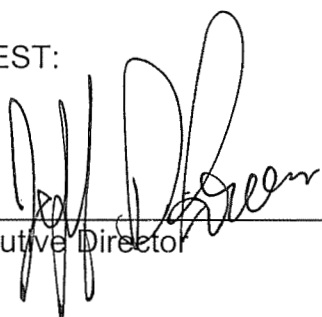
2. NANPA shall submit a new petition to the Commission to make a determination on 270 NPA relief and to establish an implementation schedule when NANPA finds that such relief for the 270 NPA becomes necessary.

3. This proceeding is closed and shall be removed from the Commission's docket.

By the Commission



ATTEST:



Executive Director

Edward T Depp
Dinsmore & Shohl, LLP
1400 PNC Plaza
500 West Jefferson Street
Louisville, KY 40202

Honorable Mary K Keyer
General Counsel/Kentucky
BellSouth Telecommunications, Inc. dba AT&T
601 W. Chestnut Street
4th Floor East
Louisville, KY 40203

Kimberly Miller
Director, Reg. Law & Public Policy
NeuStar, Inc.
2000 M Street, NW, Suite 600
Washington, DC 20036