

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION INTO THE ASSIGNMENT OF) ADMINISTRATIVE
ABBREVIATED N11 DIALING CODES) CASE NO. 343

O R D E R

Pursuant to an April 13, 1995 request by the Kentucky Transportation Cabinet ("KYTC"), the Commission has reopened this proceeding.¹ On November 5, 1993, the Commission entered an Order denying the petitions of certain entities that had requested the Commission to order local exchange carriers to assign N11 dialing codes to them. The Commission decided that allocation of the numbers was not in the best interest of Kentucky telephone users or information service providers because allocating N11 dialing codes would not provide the citizens of Kentucky with improved quality or quantity of service and in the long run would have a negative impact on the development of the information services market.² The Commission noted that it would not be prudent to allow private enterprises to exhaust this scarce public asset for private interest.³

¹ KYTC is responsible for implementing a traffic management project in the Cincinnati-Northern Kentucky area. In its request, KYTC asked the Commission to order the assignment of an N11 dialing code, "311," for the project, which is patterned after a telephone information system in Boston. KYTC asserts that the Boston system is weakened by the use of a seven-digit dialing code. Because KYTC seeks to provide the best system possible, it is seeking the assignment of "311."

² Order dated November 5, 1993 at page 8.

³ Id.

Based upon the assertions of KYTC that the service would be valuable to the public and would be generally available and not a mere commercial venture on the part of the information provider, the Commission reopened this proceeding for reconsideration of its Order as applied to public service projects. The sole issue is whether Cincinnati Bell Telephone Company ("Cincinnati Bell") should be ordered to allocate an N11 number to KYTC for its "public service project" called ARTIMIS ("Advanced Regional Traffic Interactive Management Information System").

ARTIMIS is a state-of-the-art traffic management system that relies on the latest technology to provide "real-time" information to motorists. The system is the first of its kind in this part of the United States and will provide a unique traffic operations program in the most congested roadway network in the region.

The project is a partnership between KYTC, the Ohio Department of Transportation ("ODOT"), the Federal Highway Administration ("FHWA"), the Ohio-Kentucky-Indiana Regional Council of Governments ("OKI"), and the city of Cincinnati. The system is designed to provide the Cincinnati-Northern Kentucky Metropolitan Area with accurate up-to-the-minute traffic information to the public, relieve traffic congestion, and improve air quality.

The purpose of ARTIMIS is to provide a centralized system for effective incident detection and management of the freeway system in the Cincinnati-Northern Kentucky area. The primary geographic focus of the ARTIMIS operation is 88 miles of interstate highways and state freeways in the Metropolitan Area.

Beginning June 28, 1995, travelers in the Cincinnati-Northern Kentucky area can dial the temporary SmartRoute Control Center, follow the prompts and receive information on the highway segments that they plan to travel. On October 1, 1996, an extensive network of system monitors and procedures will be in place making it possible to monitor traffic, identify traffic congestion and its cause, provide alternative route information, and take quick corrective action to clear up the congestion.

SmartRoute will eventually transfer its operations into a permanent Control Center. After the transfer, it will have a much more sophisticated and extensive information database for use in providing travel information to callers. Data from an independent evaluation of the SmartRoute Systems shows that its service has the ability to enhance significantly KYTC and ODOT efforts to reduce congestion, to increase mobility, to reduce air pollution, and to improve safety on the highways.

According to KYTC, one of the key components of this system is the ability to use an abbreviated N11 telephone number for simplicity and speed. Three-digit dialing arrangements are easier to remember and use than existing alternative dialing arrangements. However, N11 is a scarce public resource. Consequently, the Commission will not order the allocation of such numbers unless it determines that doing so is in the best interest of Kentucky telephone users or information service providers.

KYTC's determination that road systems need to be improved by using technology instead of construction, concrete and steel, makes

it clear that after implementation of the system, citizens of Kentucky will be provided with improved quality and quantity of service. None of the parties in this proceeding dispute these facts. Their dispute centers around the allocation of an N11 number to KYTC for this project.

Cincinnati Bell states that an N11 number should not be assigned to KYTC because there are policy differences that need to be decided at the federal level. It states that because Cincinnati Bell operates in various jurisdictions--Ohio, Indiana, Kentucky and federal--that it would be better served by a federal ruling.

South Central Bell states that KYTC's goal of achieving national uniformity in the use of an N11 code cannot be reached until the arrival of the next generation of abbreviated dialing, which is approximately 2-3 years away. The next generation will expand the N11 numbering and, thereby, eliminate the current N11 scarcity problem.

KYTC's responded that 1) N11 dialing codes can be introduced to the public at less cost, 2) tourists will have less difficulty when visiting the area, and 3) barriers to usage are reduced because the codes can provide highly mnemonic and universally understood access to travel information. Furthermore, KYTC states that such numbers imply public responsibility or publicly accountable and highly useful information. In addition, they convey public sponsorship and benefit.

Allocation of N11 numbers is in the best interest of Kentucky when it provides citizens of Kentucky with improved quality or

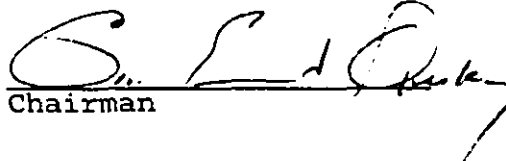
quantity of service. While this project will not serve all the citizens of Kentucky, the public purpose is significant enough that KYTC's project meets this standard and should be approved on an experimental or trial basis. Further, it should be clearly understood that KYTC's use of N11 dialing code "311" shall be strictly limited to the "public service project" called ARTIMIS.

The Commission, being otherwise sufficiently advised, HEREBY ORDERS that:

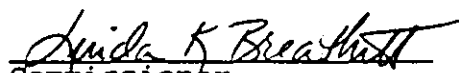
1. Cincinnati Bell shall assign KYTC an N11 dialing code, "311," for a period of two years, beginning the date of this Order.
2. KYTC's use of N11 dialing code "311" shall be strictly limited to the "public service project" called ARTIMIS.
3. At the end of the two-year period, the Commission will review the purpose and uses made by KYTC and decide whether it should be allowed to retain "311" beyond the initial two-year period.
4. Within 20 days of the date of this Order, Cincinnati Bell shall file a proposed tariff containing the rates and conditions of service for the N11 dialing code.

Done at Frankfort, Kentucky, this 21st day of June, 1995.

PUBLIC SERVICE COMMISSION


Chairman

Vice Chairman


Commissioner

ATTEST:


Executive Director