

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)	ADMINISTRATIVE
PLAN FOR THE 270 NPA, AND NUMBER)	CASE NO.
CONSERVATION MEASURES WITHIN)	2006-00357
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 Prefixes available within the 270 NPA would be exhausted by the 1st quarter of 2009. However, on August 30, 2006, NANPA updated its forecast to estimate that the 270 NPA would be exhausted by the 4th quarter of 2007. As a result of the newest update, NANPA proceeded to declare jeopardy status for the 270 NPA. Given the current status of the 270 NPA, NANPA elected to refile its original petition for NPA relief with the Commission along with the instant Amendment and Erratum to update the petition.

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

Through this proceeding the Commission will develop a 270 NPA relief plan. As part of this process, the Commission will solicit input from the telephone customers residing within the affected area and will consider that input in reaching a decision concerning appropriate NPA relief.

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 2nd quarter of 2003. In response, the Commission issued a numbering conservation order³ with the intent of extending the life of the 270 NPA. Additionally, voluntary thousands-block number pooling was implemented in the 270 NPA in 2003, and other 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 exhaust date.

Prior to the filing of its original petition, NANPA conducted an industry meeting on April 2, 2001, in Lexington, Kentucky, which Commission staff attended. During the meeting, NANPA and the industry discussed various relief alternatives, as well as the necessity for relief of the 270 area code. Pursuant to NPA Relief Planning Guidelines, NANPA distributed an Initial Planning Document (“IPD”) to the industry prior to the relief planning meeting. Information contained in the IPD included descriptions, maps, general facts and assumptions, and the projected lives of four different geographic split

² 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).

³ Id., Commission Order, dated September 26, 2001.

alternatives and one all-services distributed overlay relief alternative. Four of the alternatives were developed by NANPA, and one geographic split alternative was developed by an industry member and submitted to NANPA prior to the distribution of the IPD.

At the April 2, 2001 meeting, the participants discussed the attributes of the relief alternatives and reached consensus to recommend to the Commission the all-services distributed overlay plan as their first choice for relief for the 270 NPA. As their second choice, the industry participants recommended a geographic split developed by industry participants. The Commission welcomes comments from the industry regarding any change in their recommendations on the relief option for the 270 NPA.

In their July 25, 2001 filing, NANPA requested that if the geographic split were adopted by the Commission as the chosen relief method, a permissive dialing period of 6 months be implemented prior to the mandatory dialing period.⁴ This action by the Commission would not be required if the Commission were to adopt the all-services distributed overlay. However, industry members did recommend that 1 + 10-digit permissive dialing be permitted for all local calls within and between the 270 NPA and any new overlay NPA that might be adopted. But all toll calls, whether the calls are to a home NPA or a foreign NPA, would require dialing 1 + 10 digits.

⁴ During any permissive dialing period, calls within the 270 NPA could be dialed using either 7 or 10 digits. During such mandatory dialing period, calls would be made using 10 digits.

As part of its relief planning process, the Commission will hold a series of public meetings regarding the proposed relief of the 270 NPA. The purpose of the public meetings will be to present information concerning the 270 NPA relief proposals as submitted by NANPA, and to allow public input concerning this matter.

The threshold issue in this case is to determine the most viable relief option for the 270 NPA. In so doing, 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 finalized. After the public meetings have been held, the Commission will allow further comments from the public and industry to be filed regarding the various relief options for the 270 NPA. Filed comments may address the various alternative relief options as well as the economic impact and the effect that the various alternatives 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 various relief options might have on the affected region.

Due to the recent update of the projected exhaust date, and the relatively short amount of time the Commission has to issue a final decision in this matter, the Commission must proceed forward in this case on an expedited basis.

DISCUSSION

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 thousands-block number pooling in the 270 NPA.⁵ 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. The FCC declared that mandatory pooling would take place in the top 100 Metropolitan Service Areas ("MSAs"), and that all other areas would be required to participate in pooling on a voluntary basis. The 270 NPA is currently an area where pooling is voluntary due to the absence of any top 100 MSAs in the region. More recently, however, the FCC has granted petitions requiring mandatory pooling in some NPAs that do not contain any metropolitan areas in the top 100 MSAs.

The Commission recognizes that thousands-block number pooling can be a useful tool in extending the life of an NPA, and may, in the future, seek authority from the FCC to implement mandatory pooling in the 270 NPA. The Commission will explore all methods of extending the life of the 270 NPA that are currently at its disposal. There are, however, no assurances that the projected exhaust date will change as a result of any Commission efforts to extend the life of the NPA, and, therefore, the Commission must move forward with this proceeding.

IT IS THEREFORE ORDERED that:

⁵ Public Service Commission of Kentucky's Petition for Interim Delegated Authority to Implement Number Pooling Trials within the 270 NPA (dated June 27, 2001).

1. All affected service providers known to the Commission shall be made a party to this proceeding and shall receive a copy of this Order.

2. Within 30 days of the date of this Order, industry representatives may file comments regarding the choices for relief identified in NANPA's original filing with the Commission on July 25, 2001.

3. Any person desiring to provide comments regarding the various alternative relief options identified in this proceeding, shall file their comments with the Commission no later than December 1, 2006.

4. If by December 1, 2006, no person has petitioned for an evidentiary hearing, this matter will stand submitted to the Commission.

Done at Frankfort, Kentucky, this 27th day of September, 2006.

By the Commission

ATTEST:



Executive Director