

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 December 3, 2007, BellSouth Telecommunications, Inc., d/b/a AT&T Kentucky, on behalf of itself and various other members of the telecommunications industry in Kentucky (collectively "Industry Group"), filed with the Commission a Motion for Reconsideration of the permissive dialing date set in the Commission's November 9, 2007 Order in this case. The Commission determined in that Order the permissive dialing period for the new 364 numbering plan area ("NPA") should begin on January 1, 2009. Additionally, the Commission received a letter on December 10, 2007, advising that Verizon Wireless, and Sprint Spectrum L.P. d/b/a Sprint PCS, Nextel West Corp., and NPCR, Inc. d/b/a Nextel Partners (collectively "Wireless Carriers"), support the Industry Group's Motion for Reconsideration. After evaluating the Industry Group's arguments for reconsideration, the Commission herein determines that the Motion for Reconsideration should be denied.

In support of its motion, the Industry Group states that implementation of permissive dialing on January 1, 2009, as ordered by the Commission, would be confusing for customers and problematic for employees due to the proximity to the holiday season. The Industry Group states that, to prepare for a new area code

implementation, the normal procedure is to update operating systems on the weekend prior to implementation. The Industry Group points out this, too, is a busy holiday weekend. Additionally, the Industry Group argues that because each company's system produces numerous end-of-month and year-end reports at the beginning of the year, implementation of permissive dialing on January 1, 2009 would result in more confusion during an already hectic time period. The Industry Group proposed six possible alternative dates for the implementation of permissive dialing.<sup>1</sup>

The Wireless Carriers, in support of the Industry Group's motion, urge the Commission to select one of the Industry Group's proposed dates in February or March of 2009 to begin the implementation of permissive dialing. The Wireless Carriers believe an extended period between the implementation of permissive dialing and the beginning of mandatory dialing may increase confusion and generate more consumer complaints once mandatory dialing is implemented. In addition, the Wireless Carriers feel an implementation date in February or March of 2009 would provide a sufficient and standard amount of time for consumers to become familiar with dialing pattern changes brought about by the area code split.

With regard to the Industry Group's motion, the Commission understands the implementation date, as ordered, is during a busy holiday season for both the Industry Group and customers. However, there is nothing which prohibits the companies from preparing their operating systems for the implementation of permissive dialing prior to the holiday season. In its motion, the Industry Group states that updating a company's

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<sup>1</sup> The dates recommended by the Industry Group were as follows: November 9, 2008; November 16, 2008; December 7, 2008; February 15, 2009; March 8, 2009; and March 15, 2009.

operating system “is generally performed on a weekend when it is least disruptive to normal operations.” The Commission believes that system updates may be performed on any weekend prior to the holiday season which would be least disruptive to normal operations, and allow companies to be prepared for the implementation of permissive dialing on January 1, 2009, without causing any unnecessary confusion. With regard to customer education, the Commission believes in order to avoid any unnecessary confusion among the Industry Group’s customers, companies may elect to start customer education plans prior to the holiday season as well.

Under the current circumstances, the Commission cannot support a later implementation date for permissive dialing to begin, as suggested by the Wireless Carriers. Currently, the 270 NPA is projected to exhaust its supply of available numbers during the second quarter of 2009.<sup>2</sup> On November 30, 2007, mandatory thousands-block number pooling was implemented in the 270 NPA. Although the Commission continues to believe mandatory pooling will increase the life of the 270 NPA, the Commission must operate based on the current exhaust projection and address the implementation of numbering relief in a manner that avoids exhaustion of the 270 NPA prior to implementing permanent numbering relief. By delaying the implementation of permissive dialing until February or March of 2009, the Commission would risk causing additional confusion and jeopardize the availability of already rationed numbering resources should the exhaust date not change as anticipated. The Commission expects a more accurate assessment of the impact of mandatory pooling will be available during the second quarter of 2008, and the Commission may reconsider

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<sup>2</sup> Numbering Resource Utilization Forecast and NPA Exhaust Analysis, October 31, 2007.

delaying the implementation of permanent numbering relief for the 270 NPA at that time. However, it is premature and imprudent for the Commission to take such action now based on the information currently available to the Commission.

Thus, the Commission finds the Industry Group's Motion for Reconsideration with regard to the permissive dialing date should be denied, and permissive dialing of the new 364 NPA should begin no later than January 1, 2009.

IT IS THEREFORE ORDERED that:

1. The Industry Group's Motion for Reconsideration is denied.
2. The permissive dialing date shall stand as previously ordered and permissive dialing shall begin no later than January 1, 2009.

Done at Frankfort, Kentucky, this 20<sup>th</sup> day of December, 2007.

By the Commission

Commissioner Clark Abstains.

ATTEST:



Executive Director