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**ORIGINAL**

Decision 97-02-017 February 5, 1997

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service.

Rulemaking 95-04-043  
(Filed April 26, 1995)

Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service.

Investigation 95-04-044  
(Filed April 26, 1995)

### O P I N I O N

By this decision, we formally approve the relief plans for the 213, 408, and the 510 Numbering Plan Areas (NPAs) which have been presented to the Commission and previously agreed to among industry planning participants.

In Decision (D.) 96-12-086, we recognized the dramatic growth that has been occurring in the demand for telephone numbers within California and the need for a statewide policy governing NPA relief planning. In D.96-10-067, we affirmed that Pacific Bell (Pacific) shall continue to serve as the California Code Administrator (CCA) and shall be responsible for initiating and planning NPA relief during the interim period until a national code administrator is established.

In D.96-12-086, we adopted a policy calling for the use of geographic splits for all NPA relief plans in California through the year 2000 with the possible exception of the 310 NPA. Therefore, previous industry disputes regarding possible use of an overlay in the 213 NPA have been resolved by D.96-12-086, and the only matter remaining for Commission action is the formal approval of a geographic split plan. The CCA has recently presented the assigned Administrative Law Judge (ALJ) with status reports as to relief planning for the 213, 408, and 510 NPAs. Within the 213, 408, and 510 NPA relief planning industry groups, all participants reached consensus on a single geographic split plan. A brief summary of each NPA relief plan is set forth below.

### **213 NPA**

On November 6, 1996, the CCA submitted to the assigned ALJ in the Local Competition Docket a document entitled *213 NPA Exhaust Relief Plan* which informed the Commission of industry efforts to develop a plan for relief of the impending code exhaustion in the 213 NPA. Industry participants initially considered a variety of 213 NPA relief options, but subsequently narrowed the alternatives down to two, either a geographic split (identified as Option 1a) or an overlay (identified as Option 2). Participants agreed to eliminate all other options for a geographic split except for Option 1a. D.96-12-086 has already rejected the option of an overlay for the 213 NPA. Thus, the only remaining plan before us is the geographic split (Option 1a) which would create a new area code for all current 213 NPA customers other than those in the downtown Los Angeles region.

The resulting Option 1a split will have a doughnut shape with the three-mile diameter region of downtown Los Angeles retaining the 213 area code. While this shape does not conform to the traditional east-west or north-south splitting of NPA boundaries, it is the only way to achieve an equal division of the 213 NPA into two parts without splitting downtown Los Angeles. Industry participants also agreed on a schedule for the beginning of permissive and mandatory dialing under the split option. The number of the new area code will be made public as soon as it is known.

### **510 NPA**

On December 17, 1996, the CCA mailed to the assigned ALJ a similar status report regarding industry efforts to develop a 510 NPA relief plan. By a unanimous vote, taken on November 13, 1996, the 510 NPA exhaustion-relief industry planning team adopted a relief plan for a geographic split of the existing area that the 510 area code serves today. Generally speaking, the I-80/I-880 corridor, west of the Berkeley and Hayward Hills, will retain the 510 area code. The I-680 corridor, east of the Berkeley and Hayward Hills, will be assigned to the new 925 area code. This new area code is required to relieve the imminent exhaustion of the 510 area code. Implementation is planned to begin March 14, 1998.

#### **408 NPA**

On January 15, 1997, the CCA presented the ALJ with a status report regarding the 408 NPA relief plan. A new area code is required to relieve the imminent code exhaustion within the 408 area code. Implementation is planned to begin July 11, 1998. By a unanimous vote, taken November 12, 1996, the 408 NPA exhaustion-relief industry planning team agreed upon a relief plan, creating a new 831 area code by splitting the existing geographic area that the 408 area code serves today. Generally speaking, the County of Santa Clara will retain the 408 area code along with very small portions of San Mateo, Santa Cruz, Alameda, and Stanislaus Counties. The Counties of Santa Cruz, Monterey, and San Benito will be assigned to the new 831 area code, along with very small parts of San Mateo, San Luis Obispo, and Merced Counties.

#### **Discussion**

The proposed geographic split plans have been developed based on the collective efforts of industry participants in conformance with applicable state statutes and industry planning guidelines. Recognizing that the industry planning group has reached consensus on the appropriate geographic split for the 213, 408, and the 510 NPAs, we conclude that the proposed geographic splits are reasonable and hereby approve each of them. Given the need for timely NPA relief to prevent code exhaustion, we direct the CCA to proceed with all due diligence to expeditiously implement the approved 213, 408, and 510 NPA relief plans.

#### **Findings of Fact**

1. The CCA has presented the assigned ALJ with status reports as to the projected code exhaustion and steps to develop relief planning measures which have been undertaken for the 213, 408, and 510 NPAs.
2. In D.96-12-086, we adopted a policy calling for the use of geographic splits for all NPA relief plans in California through the year 2000 with the possible exception of the 310 NPA.
3. Previous industry disputes regarding possible use of an overlay in the 213 NPA have been resolved by D.96-12-086.

4. Industry participants initially considered a variety of 213 NPA relief options, but subsequently narrowed the alternatives down to two, either a geographic split (identified as Option 1a) or an overlay (identified as Option 2).

5. Since D.96-12-086 has already rejected the option of an overlay for the 213 NPA, the only remaining plan before the Commission is the geographic split (Option 1a).

6. The 213 NPA Relief Option 1a would create a new area code for all current 213 NPA customers other than those in the downtown Los Angeles region, resulting in a doughnut-shaped NPA.

7. The three-mile-diameter region of downtown Los Angeles would retain the 213 area code.

8. While the doughnut shape does not conform to the traditional east-west or north-south splitting of NPA boundaries, it is the only way to achieve an equal division of the 213 NPA into two parts without splitting downtown Los Angeles.

9. Industry participants also agreed on a schedule for the beginning of permissive and mandatory dialing under the split option.

10. Within the 408 and 510 NPA relief planning industry groups, all participants reached consensus on a single geographic split plan for each NPA.

11. For the 408 NPA, participants agreed on a plan that would permit Santa Clara County and small portions of San Mateo, Santa Cruz, Alameda, and Stanislaus Counties to retain the 408 area code. The new 831 area code would be assigned to Santa Cruz, Monterey, and San Benito Counties.

12. For the 510 NPA, participants agreed on a plan that would permit the region west of the Berkeley and Hayward Hills to retain the 510 area code, with the eastern region receiving the new 925 area code.

13. The proposed geographic-split plans for the 213, 408, and 510 NPAs have been developed based on the collective efforts of industry participants in conformance with applicable state statutes and industry planning guidelines.

**Conclusion of Law**

It is concluded that the proposed geographic splits for the 213, 408, and 510 NPAs as agreed to among industry planning groups are reasonable and should be approved.

**O R D E R**

**IT IS ORDERED that:**

1. The proposed geographic split plans for the 213, 408, and 510 Numbering Plan Areas (NPAs) which have been presented to the Commission by the California Code Administrator (CCA) are hereby approved.

2. Given the need for timely NPA relief to prevent code exhaustion, the CCA is hereby ordered to proceed with all due diligence to expeditiously implement the approved 213, 408, and 510 NPA relief plans.

3. The following implementation schedule for relief implementation is adopted:

	<u>213</u>	<u>408</u>	<u>510</u>
Start of Permissive Dialing	6/13/98	7/11/98	3/14/98
Start of Mandatory Dialing	1/16/99	2/20/99	9/12/98
End of Mandatory Dialing	4/13/99	5/22/99	1/9/99

This order is effective today.

Dated February 5, 1997, at San Francisco, California.

P. GREGORY CONLON  
President  
JESSIE J. KNIGHT, JR.  
RICHARD A. BILAS  
Commissioners

I will file a partial dissent.

/s/ HENRY M. DUQUE  
Commissioner

I dissent.

/s/ JOSIAH L. NEEPER  
Commissioner

R.95-04-043; I.95-04-044  
D.97-12-017

Henry M. Duque, Commissioner, dissenting:

Recently, the Commission received survey information that customers in the region now served by the 213 area code prefer the overlaying of eleven-digit dialing onto this area code rather than splitting the area once again. I believe that we should honor citizen preferences and adopt an overlay.

This decision errs by rejecting an overlay policy that would both honor these preferences and enable citizens to avoid changes in their telephone numbers.

For these reasons, I must dissent.

/s/ HENRY M. DUQUE

Henry M. Duque  
Commissioner

February 7, 1997

San Francisco


R.95-04-043; I.95-04-044  
D.97-12-017

Henry M. Duque, Commissioner, dissenting:

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This decision errs by rejecting an overlay policy that would both honor these preferences and enable citizens to avoid changes in their telephone numbers.

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Henry M. Duque  
Commissioner

February 7, 1997

San Francisco