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Decision 98-01-014 January 7, 1998

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

The City of Monterey Park,

Complainant,

vs.

Pacific Bell (U 1001 C),

Defendant.

City of Burbank, California, and City of Glendale,  
California,

Complainants,

vs.

Pacific Bell,

Defendant.

**ORIGINAL**

Case 95-12-084  
(Filed December 28, 1995)

Case 96-03-006  
(Filed March 4, 1996;  
amended August 16, 1996)

**O P I N I O N**

**I. Summary**

This decision denies the Petition for Modification (Petition) filed on November 14, 1997, by the City of Glendale, California (Glendale). Given the status of this proceeding and the implementation stage of this number plan area (NPA) split, the Petition is untimely. Glendale raised this issue in its original complaint and that fact was noted in our decision. (Decision (D.) 96-11-061, mimeo. at 19-20.) All of the information relied upon by Glendale in terms of the technical issues involved with effectuating the requested adjustments was either identified or available prior to the

time the original decision was issued. No good cause for modifying D.96-11-061 has been shown. Petition is denied.

## **II. Background**

D.96-11-061, the decision for which modification is sought, was issued on November 26, 1996, more than one year ago. That decision was issued based on a record established by the submission of extensive briefs. All parties agreed to the use of a paper record and, other than a prehearing conference, no hearings were held. The decision was circulated for comments. Petitioner Glendale participated in all of these activities. No timely application for rehearing was sought. Until Glendale's petition on November 14, 1997, nearly a year later, no petitions for modification were filed.

The permissive dialing period in the 818/626 NPAs began on June 14, 1997. The mandatory dialing period begins on February 21, 1998. This is somewhat longer than the normal six-month permissive dialing period in order to avoid the mandatory dialing period commencing around the holidays at the end of the year.

## **III. Parties' Positions**

The request from Glendale is to move approximately 15 blocks of Glendale from the 626 NPA to the 818 NPA so that all of the City of Glendale will be in the same NPA.

Glendale bases its request on several items. Glendale contends that public policy is violated by ignoring a geographic boundary and dividing communities of interest. It contends that California law favors including the entire area of a city within a single NPA. Glendale contends that the adopted NPA relief plan has disrupted the lives of residents of the area of Glendale in the 626 NPA and that "disaster" is possible. They cite an example of confusion that occurred when a resident requested animal control officers come to her home to deal with a snake in her back yard. Glendale contends that including all of Glendale in a single NPA is technically and economically feasible, referring to studies and options that were developed during the course of consideration of the 310 NPA relief plan which resulted in the splitting of the City of Long Beach.

Timely responses to the Petition were filed by the Office of Ratepayer Advocates (ORA), Pacific Bell and GTE California Incorporated (GTEC). Each of the responses

raises similar concerns related to the untimeliness of the Petition, the fact that no new matters are raised in the Petition and the technical difficulties and effects that would be involved were the Petition to be granted.

Pacific Bell states that Glendale was aware when it filed its original complaint of the impacts the proposal it advocated would have in terms of splitting Glendale and that this was actively discussed in the complaint and briefs filed in this proceeding. Pacific states that reports which Glendale appended to the Petition describing options for putting the City of Long Beach in a single NPA following a relief plan that split Long Beach merely shows untried alternatives. None of the cited options were in fact implemented. Pacific notes the technical, cost and public-confusion factors that would be involved in implementing them, assuming they could be done. Pacific also notes how far the adopted relief plan is toward implementation.

GTEC comments that Glendale acknowledged in its original complaint that it was aware the relief plan ultimately adopted would have the effect of splitting Glendale, but supported that plan even if mitigating measures were not taken to avoid placing the 15 blocks of Glendale in the adjacent NPA. GTEC also refers to the significant cost and technical problems in restoring these 15 blocks to the same NPA as the rest of Glendale. Finally GTEC expresses concern that making changes at this point would cause significant customer confusion by disrupting the permissive dialing period intended to acclimate customers to changes in NPAs.

ORA also notes that Glendale was aware that the proposal it advocated would have the effect of splitting the 15 blocks off of Glendale. ORA notes that the permissive dialing period has almost been completed and contends that it is not even possible to stop implementation of the adopted alternative. Any change would require the implementation to be completed and then a second step taken to reunite the 15 blocks. ORA notes that moving the 15 blocks back to the 818 NPA would necessitate having all affected customers change not only their NPA from 626 to 818, but also change their seven-digit phone number. ORA notes that the public safety concern raised by Glendale does not exist. Truly emergency calls dialed to 911 are unaffected by area code splits. ORA suggests that Glendale could itself take steps to eliminate whatever confusion

might exist by educating local customers about the city being served by two NPAs and that this would be easier and less disruptive than trying to readjust the NPA boundary. Finally ORA notes that splitting a city does not violate applicable statutes. Due to the fact that wire centers and political boundaries do not always align, NPA relief plans have split other cities in California as well.

#### IV. Discussion

The NPAs adopted in this proceeding, as in virtually all NPA splits, are amalgamations of wire centers. A wire center is the location of the switch that services all of the customers in a given exchange or NXX Code. Usually in urban areas, such as Glendale, there are multiple NXX codes in a given wire center. Wire centers are often close to but not exactly aligned with community political or other boundaries. In this particular case all of the city of Glendale but for 15 blocks were contained within wire centers used to constitute the new 818 NPA.

As Glendale correctly notes in its petition, there are some means by which some customers within a wire center can have their numbers assigned to a different wire center or appear to callers as though they are so assigned. Glendale notes that a study of methods to do this was undertaken in connection with the 310 NPA split area. Glendale has appended some portions of these studies, prepared in October 1995. (Petition, Appendix E.)

The materials Glendale appends note that all of these approaches involve considerable cost (often for the customer) or technical difficulty. Glendale claims that this change would be for the convenience of its residents, to avoid confusion. However, virtually every one of the suggested approaches to assign a customer from a wire center in one NPA to the wire center in another NPA will also require the customers to change their seven-digit phone number (sometimes twice) as contrasted to the need to merely change their area code. (Id.)

Finally, we note that the specific change Glendale requests was requested in its original complaint in the following fashion:

"It should be noted that while Alternative 4 [the alternative recommended by Glendale and adopted in D. 96-11-061] would split fifteen blocks from Glendale, Glendale *supports* [emphasis in original] this Complaint and requests that Alternative 4 be selected as the plan for the 818 NPA split. Glendale supports Alternative 4 because even if the ameliorative measures recommended below fail to result in restoration of the fifteen blocks to Glendale, there are overriding policy reasons for supporting Alternative 4: that alternative would best protect the community of common interests shared by cities in the San Fernando Valley and by communities in the Crescenta Valley." (Complaint of the Cities of Burbank and Glendale at 25; the ameliorative measure referred to in the complaint are the same measures referred to in the present Petition.)

Now, having gotten substantially what it requested and having waited until nearly a year has passed and the effort and expense of implementing this split is well underway, Glendale petitions to change D. 96-11-061.

Glendale has noted the potential for confusion and cited one customer's experience. We expect that, as implementation of the NPA split concludes, problems such as that identified will occur and, with appropriate experience and education, be resolved. As ORA notes, Glendale could assist in that effort to educate affected residents about a portion of Glendale being in a separate NPA.

For some of the potential problems Glendale notes, such as emergency calls to the appropriate police and fire departments, the routing of 911 calls will avoid that problem, irrespective of which NPA a customer is in.

Glendale is not the only community that spans two NPAs as a result of the split authorized or of splits elsewhere. For example, the City of Pasadena, which was not divided under the original proposal recommended by the California Code Administrator was divided in part as a result of the adjustments made to accommodate the request of the City of Glendale.

As noted, any of the ameliorative measures suggested will involve either substantial cost, substantial technical difficulties or require the affected customers to change their seven-digit number, rather than just their area code. It is easy to envision this being a greater burden and inconvenience than the adjustment necessitated over the NPA change.

For these reasons, we are not persuaded to grant the Petition and will deny it.

**Findings of Fact**

1. D. 96-11-061, which resolved this complaint and determined the manner in which the 818 NPA was to be split, was issued on November 27, 1996.
2. The Petition was filed by Glendale on November 14, 1997, nearly one year after the issuance of that decision.
3. Responses were filed by Pacific Bell, GTEC and ORA.
4. The request to include 15 blocks from the Pasadena Exchange in the same NPA as the rest of the City of Glendale was contained in the original complaint filed by Glendale and the City of Burbank.
5. Glendale stated in its original complaint that it preferred Alternate 4, the alternate that was adopted by the Commission, even if the 15 blocks that would be in a different NPA were not accommodated to be in the same NPA as the rest of Glendale.
6. The permissive dialing period for the 818/626 NPA split began on June 14, 1997.
7. The mandatory dialing period for the 818/626 NPA split begins on February 21, 1998.
8. Wire centers do not usually align exactly with community political or other boundaries.
9. There exist means by which customers served from a wire center in one NPA can receive a number in another NPA, all of which involve significant cost or technical difficulty or both.
10. Virtually all of the suggested changes would require the affected customers to change their seven-digit telephone numbers.
11. All of the information Glendale provides regarding technical measures to accommodate the requested changes was available prior to the issuance of the original decision.
12. Emergency calls made using the 911 emergency telephone system will be correctly routed irrespective of the NPA in which a customer is located.

13. Glendale is not the only community that is split in some fashion as a result of this NPA split or other NPA splits.

**Conclusion of Law**

No good cause for modifying the decision has been shown.

**O R D E R**

IT IS ORDERED that:

1. The November 14, 1997, Petition for Modification filed by the City of Glendale, California is denied.

2. Case (C.) 95-12-084 and C.96-03-006 are closed.

This order is effective today.

Dated January 7, 1998, at San Francisco, California.

P. GREGORY CONLON  
President

JESSIE J. KNIGHT, JR.  
HENRY M. DUQUE  
JOSIAH L. NEEPER  
RICHARD A. BILAS  
Commissioners