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Decision 99-03-058 March 18, 1999

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)

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OPINION

I. Introduction

By this decision, we formally approve the proposed overlay relief plan for the 714 Numbering Plan Area (NPA) based upon review of the alternatives as presented to the Commission by the North American Numbering Plan Administrator (NANPA) by transmittal letter dated November 30, 1998. The 714 NPA currently serves a portion of Local Access and Transport Area (LATA) 730 principally located in Orange County.

The 714 area code was introduced in California in 1951. The 619 and 909 area codes were split from 714 in 1982 and 1992, respectively. The 949 area code was split from the 714 area code in April 1998. The remaining 714 area code still requires additional relief to meet the industry's projected exhaust date of first quarter of 2000. Accelerated growth in the 714 area code will require continued use of extraordinary conservation measures by the industry to ensure available NXX codes to last until first quarter of 2001 (i.e., the end of mandatory dialing). After the 714/949 split, the 714 area code will serve LATA 730 with 13 Rate Areas.

The process for implementing new area codes in California is covered by state statute, applicable Commission decisions, and industry guidelines. California state statute prescribes requirements for customer notification, establishment of new NPA boundaries and transitional dialing periods. "Affected subscribers" must have written notice at least 24 months prior to the introduction of a new area code.

We have formulated statewide policies regarding area code relief through a series of decisions since 1995. Area code relief plans have become increasingly controversial in recent years as the demand for numbering resources has risen dramatically due to new technological advances in telecommunications and to

the advent of local competition. We acknowledged the need for a comprehensive statewide policy on area code relief in connection with the proposed 310 NPA relief plan filed in 1995. We considered at that time the adoption of an overlay for the 310 NPA as an alternative to the traditional use of geographic splits. In D.95-08-052, we rejected the overlay option for the 310 NPA on the basis that, among other things, it was not at that time a competitively neutral relief remedy. We left open the prospect of considering an overlay as an option in future NPA relief plans once the anticompetitive aspects of the overlay could be overcome. We further directed that the Local Competition Docket be used to develop a comprehensive statewide policy regarding NPA relief.

On August 2, 1996, we issued D.96-08-028, adopting certain initial measures as part of a statewide policy on area code relief. We concluded in D.96-08-028 that as a condition for consideration of the overlay as a relief option, the overlay must be competitively neutral. We also established two prerequisites at a minimum for competitive neutrality. These were: (1) mandatory 1+10-digit dialing for all calls within the service areas subject to the overlay;¹ and (2) the full implementation of permanent local number portability (LNP) within the service area subject to the overlay. We determined that a further record needed to be developed regarding the relative merits of overlays versus splits once anticompetitive impediments could be overcome.

On December 20, 1996, the Commission released D.96-12-086, further expanding on the policy regarding the use of overlays once the competitive

¹ In D.96-12-086, we ruled not to adopt statewide mandatory 1+10-digit dialing concurrently with the first overlay. We concluded that the advantages of preserving seven-digit dialing, for as many customers and for as long as possible, outweigh any potential customer confusion resulting from instituting mandatory 1+10-digit dialing only in those regions subject to overlays.

impediments could be resolved. In D.96-12-086, we evaluated the relative merits of splits versus overlays in terms of how consumers would be impacted differently with an overlay versus a geographic split. In particular, we reviewed consumer surveys conducted by various parties concerning preferences for overlays and geographic splits as a means of creating new area codes. In that decision, we concluded that, at least for the near term, customers were better served with the geographic split option. We directed that splits should continue to be used for relief plans which would take effect at least through the year 2000. However, particularly in light of the consumer preference survey which reflected a greater receptiveness among certain classes of customers to the overlay proposal in the 310 NPA compared to other NPAs, we left open the possibility of adopting an overlay for the next round of relief in the 310 NPA to take effect prior to 2000. The Commission has opened R.98-12-014 to consider a statewide NPA relief planning policy on a prospective basis beyond the year 2000. For purposes of the present 714 NPA relief proposal, we shall evaluate it based on its own merits. In D.97-08-065, we required that an overlay be evaluated in reference to the same criteria applicable to a geographic split.

In D.96-12-086, we further developed the necessary conditions which would have to be met in order to justify approval of an overlay. We required that a customer education program be instituted at least 12 months before an overlay would take effect explaining the new mandatory 1+10-digit dialing requirements and the overlay plan to the public. We also required that upon approval of any overlay, the code administrator and telecommunications industry members were to:

- a. Notify the nationwide industry, the national code administrator, and customers of the proposed dialing plan change.
- b. Educate customers, industry, and internal employees on the dialing plan change.

- c. Correct signage for dialing instructions on payphones and in directories.
- d. Perform switch translation work for implementing mandatory 1+10-digit dialing (12 weeks prior to cutover).
- e. Simultaneously with the cutover, institute customer instructional announcement for misdialed seven-digit calls.

In addition to the requirements imposed by the Commission, the Federal Communications Commission (FCC) issued its own requirements in FCC Order 96-333 with respect to overlays. In particular, the FCC required that every carrier was to be assured of at least one NXX code in the existing area code during the 90-day period preceding the introduction of the overlay. The FCC also required mandatory 1+10-digit dialing for an overlay. The FCC also in a separate order prohibited overlays from being applied only to specific telecommunications services such as cellular, but required that overlays must apply to all services. (Declaratory Ruling and Order, FCC Docket 95-19, IAD File No. 94-102, adopted January 12, 1995.) Based upon these policies, we now consider the proposed options submitted by the NANPA for relief in the 714 NPA.

II. Industry Relief Planning Process

The planning process for NPA Relief is established in the industry-approved document INC 97-0404-016 "NPA Code Relief Planning and Notification Guidelines," to be used by NPA Relief Coordinators. The document lists the assumptions, constraints, and planning principles used in NPA Code relief planning efforts. It also lists the steps of the NPA Code relief planning process and describes the alternative methods of providing NPA Code relief and their characteristics. Industry meetings were conducted to develop alternatives

for exhaustion relief in the 714 NPA, based on prescribed criteria which had been used by the industry for previous relief plans.² The criteria are:

1. Minimize end users' confusion.
2. Balance the cost of implementation for all affected parties.
3. Provide that customers who undergo number changes shall not be required to change again for a period of eight to ten years.
4. Not favor a particular interest group.
5. Cover a period of at least five years beyond the predicted date of exhaustion.
6. Provide that all of the codes in a given area shall exhaust about the same time in the case of splits. In practice, this may not be possible, but severe imbalances, for example, a difference in NPA lifetimes of more than 15 years, should be avoided.
7. Comply with state and federal statutes, rulings and orders.

By letter to the assigned Administrative Law Judge dated November 30, 1998, Lockheed Martin IMS, in its role as the North American Numbering Plan Administrator (NANPA), on behalf of the telecommunications industry in California presented the two NPA relief plans for the 714 area code.

These NPA relief plans were developed by representatives of the California telecommunications industry in meetings facilitated by NANPA using a consensus decision making process and following industry approved NPA relief planning guidelines. Important input to the relief plans was provided at public meetings required by Public Utilities (Pub. Util.) Code Section 7930(b),

² The criteria are based on the INC 97-0404-016 "NPA Code Relief Planning and Notification Guidelines."

which were conducted in September 1998, and a local jurisdiction meeting, which was held with city and county government representatives on July 7, 1998.

The Area Code Relief Coordinator convened seven meetings attended by members of a telecommunications industry planning team to discuss and develop relief alternatives for the 714 NPA. This team is composed of the Lockheed Martin - NANPA, California Public Utilities Commission (CPUC) staff³ and current code holders: local exchange carriers, interexchange carriers, wireless carriers and competitive local carriers.

During the October 13, 1998 industry meeting, the industry agreed to forward Alternatives 1 and 8B to the Commission for a final decision. The industry recognized it could not reach consensus⁴ on one plan but was able to reach consensus on two exhaust relief plans: an all services overlay and a geographic split.

III. Public Notification and Meetings

Public Notification of the impending exhaust of 714 area code was initiated by telephone corporations in May 1998. This established the two-year advance notification requirement Pub. Util. Code § 7930. Industry meetings began October 7, 1997 to develop alternatives for exhaust relief.

³ The Commission staff participants do not vote on relief plan options.

⁴ The INC 97-0404-016 "*NPA Code Relief Planning and Notification Guidelines*" defines the term "consensus" for use in the planning process as follows:

"Consensus is established when substantial agreement has been reached among interest groups participating in the consideration of the subject at hand. Interest groups are those materially affected by the outcome or result. Substantial agreement means more than a simple majority, but not necessarily unanimity."

A Local Jurisdiction meeting for city and country government representatives was held on July 7, 1998. The purpose of this meeting was to provide jurisdictions with a status report on the 714-relief process and to gather additional information. Representatives were asked to express their support for the alternatives by filling out a "show-of-interest" form.⁵ While Local Jurisdictions were invited to the Local Jurisdiction meeting and all Public Meetings, some did not send a representative to indicate their preference for a relief alternative.

The industry presented one overlay plan (Alternative 1), four two-way geographic split plans (Alternatives 3A/B, 8A/B, 14A/B, 15A/B) and one three-way split plan (Alternatives 11A/B/C) at the Local Jurisdiction meeting.

Preferences were reflective of the jurisdictions wishing to keep their cities "whole" and not split. There were 44 non-industry attendees with only 24 show-of-interest forms being submitted. There was no significant preference for any one of the alternatives presented. Several local jurisdictions requested maps that showed the city boundaries in relation to the split lines and would not make a selection until these maps were provided. A second letter with maps of the 714 NPA that reflected more detail of city boundaries was sent July 28, 1998. The jurisdictions were requested to respond with a show-of-interest form by August 21, 1998.

Twenty-eight show-of-interest forms were returned: There were 12 showing preference for Alternative 8B, four for Alternative 8A, three for

⁵ While the show-of-interest is not intended to be a popular voting mechanism, it does provide the industry with a means of getting input on relief alternatives. The Show-of-Interest also provides the industry a method of gathering comments and issues from those in attendance.

Alternative 14B, two for Alternative 1, two for Alternative 11C, one each for Alternatives 3A, 3B, 11A, no forms were submitted for Alternative 11B, and one preferred none of the alternatives.

Public meetings were required to occur within six months of the May 1998 customer notification, i.e., by November 1998. The industry team held three public meetings, as required by Pub. Util. Code § 7930. The industry met on August 31, 1998 and agreed to present the following alternatives to the general public: one overlay plan (Alternative 1), and two options for two-way split plans (Alternatives 8A/8B and 14A/14B). The industry, NANPA and the CPUC jointly conducted three public meetings in Huntington Beach, Santa Ana and Anaheim on September 15 and 16, 1998. The combined show-of-interest selections from both the Local Jurisdiction and Public Meetings resulted in 18 selecting Alternative 1, and eight for Alternative 8A, 43 for Alternative 8B, three for Alternative 14A, and six for Alternative 14B. There was a dominant showing of interest towards Alternative 8B, and a secondary interest towards Alternative 1. Of the 13 letters received from the public prior to the public meetings, 12 supported Alternative 8B. Additionally, ten letters were received following the public meetings: two supported Alternative 8B, two supported Alternative 1, one Alternative 8A, and two supported a boundary realignment of the Santa Ana rate area to the 949 area code.

The industry could not reach consensus on one single plan, but reached consensus on forwarding two relief plans, Alternative 1 and Alternative 8B, to the Commission for a decision. The industry directed the NANPA on October 13, 1998, to forward these findings to the Commission for a final decision.

IV. Proposed Plans

Alternative 1 introduces a new overlay area code in the same geographic area as the existing 714 area code, and allows all existing customers to retain their 714 area code and telephone number. The overlay requires that all customers (in the 714 area code and the new overlay area code) dial 1 plus the area code plus the seven-digit number for all calls beginning January 6, 2001. The proposal calls for the overlay area code to take effect also on January 6, 2001. The industry asks the Commission to decide the date for the start of permissive dialing.

Alternative 8B, a geographic split, splits off the northern rate areas of the 714 area to a new area code and allows the customers in the southern rate areas, including the county seat, to retain the 714 area code.⁶ This plan allows all customers, in the resulting 714 area and the new area code, to retain seven-digit dialing within their respective area codes. This plan requires the 714 area code customers in the northern portion of Orange County to change to the new area code.

The Industry proposes the following implementation schedule for Alternative 8B:

Start of Permissive Dialing	May 13, 2000
Start of Mandatory Dialing	November 11, 2000
End of Mandatory Dialing	February 10, 2001

As a result of the shortage of available NXX codes in the 714 NPA, parties expressed a consensus that the NANPA request that the Commission consider an accelerated implementation schedule for either of the adopted relief plans. If the

⁶ Under this relief plan, the cities of Costa Mesa, Huntington Beach, Westminster, Midway City, Fountain Valley, Seal Beach, Los Alamitos, Tustin, portions of Cypress, Anaheim, Orange, Stanton, and most of the cities of Santa Ana and Garden Grove would retain the 714 area code.

plan adopted by the Commission is an overlay, parties representing CLCs, in particular, acquiesce in an accelerated plan only with "great apprehension," noting that any truncation of the customer education period to accommodate an accelerated relief schedule may effect the ability of the current 714 NPA customer to know that when one dials the new area code, one is dialing a geographic neighbor, and not, for example, New Jersey. The Industry proposes that the exact date of any accelerated schedule be determined by the Commission after consultation with the Industry in conjunction with the master relief schedule. Based on when a plan is approved, the Industry believes accelerated implementation could occur as early as third quarter 1999 or as late as first quarter 2000. The Industry believes the Commission should allow for an accelerated overlay schedule only to the extent that an effective and comprehensive education program is implemented in a timely manner. Two position papers were filed, one in support of the overlay (Alternative 1) and the other in support of the geographic split (Alternative 8B).

The position paper favoring the overlay was jointly sponsored by AirTouch, GTE California Incorporated, MobileMedia/MobileComm, Pacific Bell, PageNet and The Telephone Connection. Proponents of the overlay argue that overlays are superior to geographic splits in providing relief of an area code because they can be implemented faster and can be easily relieved when they exhaust. An overlay does not require the 9-12 month permissive and mandatory periods to allow customers to learn changed area codes for telephone numbers. An overlay involves less work for carriers than does a split as existing NXXs do not need to be reprogrammed, making it easier to schedule relief earlier than with geographic splits when multiple relief projects are being implemented simultaneously.

Overlay proponents further note that an overlay will leave the existing 714 geographic area intact and avoids further shrinking of the area code. Thus, conflicts between communities over retaining the old area code area avoided. With an overlay, current customers will not have to change their numbers.

A second position paper supporting Alternative 8B (geographic split) was jointly sponsored by the California Cable Television Association, Nextlink and ICG Telecom. Proponents of Alternative 8B believe that it is superior to the overlay, and would best meet industry goals and Commission requirements to minimize impact on customers and telecommunication providers and provide a reasonable code life. The Proponents argue that an overlay can create confusion which might have critical impacts in emergency situations, particularly for elderly and non-English speaking customers. Proponents stress the importance of maintaining the unique geographic identity of the 714 area code.

Additionally, Alternative 8B provides the industry more time to resolve local number portability (LNP) problems currently experienced by some new entrants. For example, some customers that are ported to Nextlink are experiencing call completion problems during the 213/323 split implementation which Nextlink believes are LNP related. Cox reports similar call completion problems for calls from wireless carriers in the 714 area code to Cox customers ported from Pacific Bell in the 949 area. Cox also believes that the problems stem from a combination of factors involving LNP and area code relief implementation. Parties argue that the problems cited by NextLink and Cox would have been dramatically greater with an overlay, where the calls affected would be the majority of calls made within a specific geographic area rather than those made to another geographic area.

Separate comments were filed on January 29, 1999, jointly sponsored by the California Small Business Association, California Small Business Roundtable,

Orange County Minority Business Council, Chinese-American Chamber of Commerce of Orange County, Vietnamese Chamber of Commerce in Orange County, and Singapore-American Business Association of Southern California (collectively, "CSBA et al"). CSBA et al. Support Alternative 1, the overlay, arguing that it will minimize disruption to small businesses. CSBA et al. argue that an area code split would be particularly onerous for small businesses subject to the new area code which would incur significant expense to change their advertising, stationery, business cards, and other printed materials.

Comments were also filed by the Commission's Office of Ratepayer Advocates (ORA),⁷ in response to the draft decision of the assigned ALJ. ORA opposes adoption of an overlay for the 714 NPA arguing that a geographic split is appropriate in this instance and is consistent with preferences of the public as expressed in public and local jurisdiction meetings.

V. Discussion

We conclude that the proposed 714 NPA overlay would best satisfy the criteria for evaluation of relief plans as identified by the Industry Team. For the reasons discussed below, we also conclude that the overlay would, in fact, provide the best overall remedy for 714 NPA relief when compared against the geographic split offered as an alternative.

The industry has determined that a window of time between the fourth quarter of 1999 and the first quarter of 2000 would be available to accommodate the early opening of the overlay area code. While such an accelerated opening of the area code could relieve code shortages in the 714 NPA sooner, it would also truncate the time available to prepare the public for mandatory 1+10-digit dialing

⁷ ORA is an independent advocacy arm of the Commission separate from the Commission's Telecommunications Division.

and to educate them concerning the novel nature of the overlay concept. It is important that the public be given an adequate amount of time to prepare for the overlay implementation in order to minimize any disruptive effects which might otherwise occur. The acceleration of the opening of the new area code to the end of the first quarter of 2000 would fail to provide sufficient lead time to accommodate the statutory minimum 12-month advance customer notice requirement.

In joint comments filed February 22, 1999, on the draft decision, Pacific and GTEC argued that while an acceleration in the overlay implementation to the first quarter of 2000 may not be supportable, the overlay should not be delayed until January 2001. Pacific and GTEC state that the overlay implementation could be accelerated to October 2000, and still meet the necessary statutory advance notice requirements. Although D.96-12-086 prescribed that geographic splits were to be used for NPA relief implemented prior to the year 2001, Pacific and GTEC believe an October 2000 overlay implementation date is still warranted in this instance. Pacific and GTEC note that the Commission authorized an overlay for the 408 NPA prior to the year 2001 as an exception to the policy adopted in D.96-12-086. Pacific and GTEC believe a similar exception is warranted here.

We shall adopt the proposal of Pacific and GTEC to accelerate the implementation date for opening the overlay area code to October 7, 2000 to accommodate earlier relief of NXX code exhaust. The acceleration of the opening of the area code overlay to October 7, 2000, is appropriate in this instance since it will provide access to numbering resources on a more timely basis. The shortage of NXX codes limits the ability of carriers to obtain the necessary numbering resources to offer local service within a given NPA. By delaying the opening of the area code overlay until January 2001, carriers would be deprived of NXX codes from the opening of the overlay, thus further constraining their ability to

provide numbers to their customers. The accelerated opening of the overlay to October 7, 2000, will permit carriers to use NXX codes from the overlay NPA earlier than would otherwise be possible to assign telephone numbers to new customers. We shall correspondingly accelerate the implementation date for mandatory 1+10-digit dialing to begin in the 714 NPA. Thus, to preserve a three-month window prior to the implementation of the overlay area code, 1+10-digit dialing shall become mandatory in the 714 NPA on July 7, 2000. The accelerated implementation of the overlay area code should also still provide sufficient time to prepare the public for mandatory 1+10-digit dialing and to educate them concerning the novel nature of the overlay concept. It is important that the public be given an adequate amount of time to prepare for the overlay implementation in order to minimize any disruptive effects which might otherwise occur. The acceleration of the opening of the new area code to October 7, 2000 should provide sufficient lead time to accommodate the minimum 12-month advance customer notice requirement.

As discussed below, we also conclude that the accelerated overlay start date should provide sufficient lead time to satisfy competitive neutrality criteria. The early implementation date for the overlay thus warrants a limited exception to the policy adopted in D.96-12-086 calling for the continued use of geographic splits for area code relief implemented prior to the January 1, 2001. We authorize this exception to our policy in D.96-12-086 only for the 714 NPA based on the specific circumstances before us here. Our generic policy adopted in D.96-12-086 calling for the use of geographic splits for area code relief implemented prior to January 1, 2001, otherwise remains in effect. Our authorization of an accelerated implementation of the 714 NPA overlay in no way prejudices the outcome of our deliberations in R.98-12-014 concerning the prospective Commission policy regarding area code relief methods.

In previous NPA relief plans, certain industry members had not supported an accelerated schedule for an overlay implementation due to concerns that remaining NXX codes in the existing NPA would be taken out of the lottery upon the opening of the overlay NPA, and such codes would become quickly exhausted, because customers would prefer a number in the original NPA to a number to the exclusion of codes in the new NPA.

Such a concern was raised at the Industry Planning Meeting for the 650 NPA at which time participants agreed that if an overlay is approved for the 650 NPA, the remaining NXX codes in the 650 NPA would not be removed from the lottery, but would continue to be rationed via the lottery process after the new NPA opens until such codes are exhausted. We believe that a similar treatment of NXX codes in the 714 NPA should adequately address any concerns over premature code exhaust, and we shall make this a requirement for the accelerated 714 NPA overlay schedule adopted herein.

The potential merits of an overlay were considered in the consumer surveys reviewed in D.96-12-086 in which respondents expressed preferences for splits or overlays. Although respondents in the survey expressed a greater preference for splits compared with overlays at the time the survey was taken, the 714 NPA had not yet entered into the current phase of code exhaustion, for which yet another round of NPA relief is required. The results of the previous consumer-preference poll must be weighed in light of the increasing hardship of cumulative changes in area code, and the difficulty in fairly devising successive splits of the same NPA over time.

While both the overlay and a geographic split will have certain adverse impacts on customers in the 714 NPA to the extent they each disrupt the status quo, we believe the overlay will have less adverse overall impacts in this instance. Particularly in densely populated regions such as the 714 NPA, which

have been subject to progressive shrinkage through a succession of recent NPA splits, it becomes increasingly difficult to perpetuate a further splitting of the NPA. Customers in the 714 NPA have already gone through two NPA splits within the past six years (the 714/909 split in 1992 and the 714/949 split in 1998), and have been affected by at least three more splits in adjacent NPAs since 1991. As the 714 NPA faces the prospect of even further shrinkage in the current proposal before us, it becomes increasingly difficult to draw boundaries that minimize splitting local communities. The drawing of boundaries becomes ever more contentious with each subsequent split.

The continual splitting of the 714 NPA also makes it increasingly difficult to balance the projected lives of the old and new NPAs. The shorter the NPA life resulting from a geographic split, the more frequently customers must be subjected to the disruptions and hardships that come with changing area codes yet again. The relative consumer support for a split in comparison to an overlay can only be expected to decrease as the cumulative burdens of shrinking NPAs continue.

The overlay avoids the problems involved with the continual geographic splitting of local communities by leaving existing boundaries intact. The overlay also avoids the need for existing customers to change their area code. At the public meetings for the 714 NPA, some attendees particularly business customers, about the economic hardships resulting from having to notify customers of area code changes, and to changing business cards and letterheads.

While the overlay avoids these problems, the overlay is not without its own issues. For example, while the NPA boundary would not change, the defining feature of the boundaries would itself change. In other words, the geographic boundaries would no longer define a single NPA, but two (or more) NPAs. Thus, one of the advantages of having geographically-defined NPA

boundaries (i.e, as a means of common identification) will over time become less meaningful as multiple NPAs within a single geographic region proliferate. The area code in an overlay signifies *when* the customer was assigned the number rather than *where*, geographically, the number is located. Thus, for example, a business may consider an assignment of the overlay NPA less desirable than the original NPA which is assigned to a neighboring business, particularly when the NPA is first introduced. Customers may perceive the business with the new NPA to be newer or less established than the neighboring business that retains the more recognized original NPA. Therefore, the advantage of the overlay in avoiding new geographic splits must be weighed against the drawback that it also tends to obscure the traditional use of NPAs as a common geographic bond of local communities of interest.

Another drawback of an overlay which customers will experience is the loss of seven-digit dialing for calls within the same NPA. In the consumer preference surveys reviewed in D.96-12-086, customers generally placed significant value on the ability to dial only seven digits for calls within the NPA. Yet, we must weigh the value of seven-digit dialing against the other problems involved in yet another split of the 714 NPA. Because of the shrinking size of the 714 NPA, an increasing number of customers' calls originated within the 714 NPA terminate outside of the 714 NPA boundaries.

As further splitting occurs, the number of different NPAs within a prescribed region increases, and the percentage of calls which require dialing a separate area code increases. As the proliferation of new area codes continues to fragment previously homogenous NPA regions, therefore, the relative advantages of seven-digit dialing applies to a continually shrinking pool of numbers. Likewise, as this trend progresses, the relative advantages of geographic splits compared with overlays become less apparent.

We acknowledge that a traditional advantage of a geographic split is that it allows communities of interest to share a single area code as a means of unique geographic identity. With the continual splitting of geographic regions, however, it becomes increasingly difficult to retain whole communities of interest within a single area code. The proposed splitting of the remaining 714 NPA as contemplated under Alternative 8B would entail dividing a number of cities between two area codes. To the extent this happens, the traditional advantage of a geographic split in retaining communities of interest intact in a single NPA would be largely lost.

In this instance, we find that through the successive shrinkage of the 714 NPA through the 1990s, the scales have tipped in favor of an overlay for the pending round of relief. We appreciate that, with the introduction of an overlay, the 714 NPA will no longer provide a unique geographic area code identity. Customers must learn to distinguish between two separate area codes when dialing numbers within the current 714 NPA region. Customers will also have to dial the area code prefix for all calls within the overlay region, even if it is the same as their own area code.

We believe the public should be properly educated concerning the impacts of the changes resulting from the overlay. We are concerned particularly about those public sectors with special needs such as children, the elderly and disabled, and non-English-speaking customers. To address this concern, we have previously mandated that a comprehensive public education program be conducted as a prerequisite to implementation of an overlay. We have already mandated such PEPs as precursors to the overlays approved for the 310 and 408 NPAs. We shall likewise approve such a program for public education and acceptance of the overlay in this instance.

We believe that the 714 NPA overlay can be implemented in a competitively neutral manner. As previously stated, one of the prerequisites of competitive neutrality is full implementation of permanent LNP. Under the schedule adopted by the FCC, full implementation of permanent LNP was to be concluded by December 31, 1998, in the 100 largest metropolitan service areas (MSAs) nationwide. Proponents of the geographic split argue, however, that more time is needed to resolve LNP problems currently being experienced by some new entrants before an overlay for the 714 NPA is approved. We recognize that some CLCs are still experiencing certain call completion problems which may be LNP-related. Since the overlay area code would not go into effect until January 6, 2001, however, the industry will still have approximately two more years within which any debugging of LNP startup problems can be resolved. As a cautionary measure, we shall require Pacific and GTEC to file a report with the Commission, and to serve it on parties of record by July 7, 1999, regarding the status of full LNP implementation in the 714 NPA as of June 30, 1999, including identifying and rectifying an LNP-related call completion problems. In view of these measures, we conclude that the proposed 714 NPA overlay satisfies the criterion that permanent LNP be available at the time the overlay is to take effect.

Another potential problem with the overlay is that customers who seek to add additional lines at the same location after the overlay takes effect may only be able obtain the additional lines under the new area code and thus be left with two area codes for multiple lines the same location. The only alternative, if they wish for all their lines to be in one NPA, would be to change the original numbers' area code, thereby losing one of the presumed advantages of the overlay. If the customer's local service provider has a remaining inventory of NXX codes within the 714 NPA, the provider presumably could offer the customer an additional line within the same NPA. We are concerned, however,

with the potential for certain carriers, particularly the ILECs, to gain a competitive advantage from being able to assign new numbers using the 714 NPA while new entrants with limited NXX codes in the 714 NPA may have to rely on the new NPA for making number assignments. We shall not resolve this issue in this decision, but will solicit further comments concerning what measures may be appropriate with respect to the assignment of numbers from NXX codes in the 714 NPA after the overlay NPA is initiated in order to promote competitive neutrality among carriers.

We also place a high priority on promoting the development of measures to ensure the efficient utilization of NXX codes so that carriers are not competitively disadvantaged by limited access to numbering resources. Number pooling is one essential tool to make more efficient use of NXX codes. Parties to this proceeding previously addressed the prospects for developing number pooling, as well as other code conservation measures, in comments filed in this docket on February 25, 1998 with replies on March 13, 1998, in response to an ALJ ruling dated January 13, 1998.

Number pooling can promote more competitively neutral access to numbering resources for all participating carriers by enabling multiple carriers to share a single NXX code through the technology associated with permanent LNP. There are numerous and substantial technical, administrative, and cost issues related to number pooling, however, that must be addressed. In particular, more intensive tracking of number allocation will be required. An audit of code utilization within the industry will be required to determine the maximum number of NXXs or blocks of 1,000 numbers that can be recovered from pooling participants for sharing. Some degree of NXX code utilization does not automatically disqualify an NXX from being shared. The Industry Numbering Committee (INC) has recommended that the degree of "contamination" (i.e.,

prior usage) that should be allowed for a block of 1,000 numbers to be considered for the pool is 0% to 10%. Yet, some providers have urged a much higher level of contamination be allowed in order to achieve a greater degree of number efficiency.

As a step toward the establishment of number pooling, we shall direct the assigned ALJ to solicit further comments from parties concerning what sorts of NXX code utilization reporting requirements or other measures may be appropriate to protect existing 1,000-number blocks from undue "contamination" pending the implementation of number pooling. We shall place a high priority on the expedited implementation of number pooling in the 714 NPA.

In D.98-08-037, we directed that workshops be convened to begin the implementation of number pooling and rate center consolidation. Workshops have been held to work toward instituting number pooling. We directed that the industry submit a schedule for implementation by March 31, 1999. On March 24, 1998, the NANC created a Numbering Resource Optimization Working Group (NRO-WG) to address issues of number availability and conservation. The Common Carrier Bureau (Bureau) of the FCC has requested that NANC report on national number pooling standards, in sufficient detail to support, both technically and operationally, a uniform, nationwide system for pooling by December 1999. The adoption of an overlay of the 714 NPA by October 2000 (under the accelerated schedule) would thus take place after the scheduled date for a nationwide number pooling system to be in place.

VI. Availability of NXX Codes to Meet FCC Requirement

In view of the contingency measures we adopt herein, we conclude that sufficient NXX codes will be available to permit the NANPA to assign at least one code in the 714 NPA to each certified carrier within the service area that does not presently have one, as required by the FCC. As of the date comments were

filed, there were 266 codes available for assignment in the 714 NPA, subject to lottery rationing.

As we noted in D.98-05-021, it takes 66 days for the CNCA to complete the code opening process. A schedule thus is needed for carriers to notify the CNCA of their code orders sufficiently in advance to allow the codes to be opened on a timely basis. We shall therefore direct that any presently certificated facilities-based CLC which has not previously been assigned a 714 NPA NXX code shall file a "Statement of Intent" with the CNCA if it seeks to be assigned such a code. These statements shall be filed by September 30, 1999. Likewise any new facilities-based CLC's becoming certificated between September 30, 1999 and the activation of the overlay NPA in October 2000 shall be required to notify the NANPA within 30 days of certification if they intend to request a 714 NPA NXX code prior to October 2000. We shall direct the NANPA to reserve the requisite codes to satisfy the FCC code assignment requirement as of the effective date of this order. Any CLC that is awarded a code in the 714 NPA through the lottery shall be removed from the list of carriers eligible for a 714 NXX code assignment under the FCC requirement. We shall also direct the NANPA to impose a freeze on lottery code assignments during the 90 days preceding the overlay opening. The Commission on its own motion or at the request of the NANPA may reevaluate this freeze as the implementation date of the overlay approaches and the availability of NXX codes thus becomes more predictable. The remaining codes shall be reserved during the final 90 days for assignment to new entrants in the 714 NPA region which have not previously received an NXX code in the 714 NPA. Therefore, with these measures in place, we conclude that there will be sufficient codes to permit each carrier to receive at least one code in the 714 NPA during the 90 days prior to the overlay taking effect.

VII. Customer Education Program Regarding Mandatory 1+10-Digit Dialing and the Overlay

In D.96-12-086, we recognized that the introduction of an overlay together with mandatory 1+10-digit dialing will be a novel innovation and require a transitional period for customers to become accustomed to the change. Customers within the boundaries of the overlay will have to adjust to dialing 1+10-digits when calling numbers even within their own NPA. In order to address the need for customer familiarity with the new dialing pattern for the overlay NPA, we ruled in D.96-12-086 that a customer education program begin no later than 12 months prior to the implementation date for the overlay.

We recently approved a public education plan (PEP) for the 310/424 NPA overlay in D.98-12-081. We shall direct that the industry implement a similar PEP for the 714 NPA overlay, drawing upon the experience acquired from the 310/424 PEP. The formulation of the PEP for the 714 NPA overlay should also be done on a consolidated basis with any other overlays planned for Southern California scheduled to be implemented in a similar timeframe.

We identified in D.96-12-086 certain minimum elements to be included in any PEP in conjunction with an overlay. For example, the plan must explain why mandatory 1+10-digit dialing is a necessary feature of an overlay relief plan. Customers must be informed that the change in their dialing patterns resulting from an overlay will not affect the distinction between local and toll calls, nor the rates charged for the different types of calls. For the 310 NPA overlay, we required that the education plan should focus particular attention on the education of children as well as to elderly and disabled, in addition to non-English speaking groups. The PEP for the 714 NPA overlay should incorporate similar appropriate measures to communicate the change to each of these groups.

The public education program should also give priority to notifying those entities which will need to reprogram equipment to change to mandatory

1+10-digit dialing. For example, electronic security alarm companies and those with PBXs need to be contacted as soon as possible to allow them maximum lead time to reprogram equipment to accommodate mandatory 1+10-digit dialing.

The education program must also permit callers to easily locate the correct area code for a given number and to know that the 1+ the area code must be dialed preceding any number within the region subject to the overlay. Under the current dialing plan, customers dial 411 for directory assistance to locate numbers within the same NPA, and 555-1212 preceded by the area code, if the number is within a different NPA. The PEP must inform customers how to dial directory assistance to locate numbers applicable to different area codes within the same overlay region. In addition to billing inserts and public service announcements, changes will also be necessary in published telephone directories covering the 310 NPA overlay region to identify the area code in addition to the seven-digit number for each directory listing.

The education program should also include information about the use of the emergency 911 system in an overlay environment, and should be designed to reach non-English-speaking customers through multilingual materials and involvement in community organizations.

The education program must be conducted not merely within the service territory covered by the 714 NPA, but must also focus on customers in adjacent NPAs which have frequent interaction with customers in the 714 NPA. Particularly because the 1+10-digit dialing requirement will only apply in the region subject to the overlay, customers will need to be informed that the revised rules will not apply outside of the geographic boundaries of the 714 NPA.

Although customers outside of the 714 NPA will not be required to dial 1+10-digits for calls within their own NPAs, they will still be impacted by the 714 NPA overlay dialing requirements to the extent they temporarily visit the 714

NPA region and make calls within that region. To a lesser extent, some level of public education regarding the overlay needs to be conducted on a statewide basis, recognizing that California is a highly mobile state, and residents from Northern California may travel into the 714 NPA calling area. Likewise, a statewide public education program will facilitate public acceptance of any future overlays which may be approved for other NPAs within California.

We concluded in D.98-05-021 that the requirement for a permissive and mandatory dialing period was only intended to apply where existing area codes are changed as part of a geographic split relief plan under the terms of Section 7931. The permissive and mandatory dialing periods provide an opportunity for customers to become accustomed to the change in dialing requirements as a result of an area code change. Since existing numbers do not change in an overlay, the requirement for permissive and mandatory dialing in the context of an area code change for existing numbers does not apply. Moreover, the statutory provision that previously prescribed permissive and mandatory dialing periods as the result of an area code change has been revised effective January 1, 1999. Pursuant to the revised provisions of Section 7931 and 7932, the terms "mandatory" and "permissive" dialing are replaced with the term "transitional" dialing. Section 7932 specifically calls for a "transitional" dialing period in those cases where the new area code requires 1+10-digit dialing, but provides the Commission discretion to set the duration for such a transitional dialing period. Customers still need a transitional adjustment period, however, to become acquainted with mandatory 1+10-digit dialing and the notion of two area codes within a single geographic area.

We shall use the term "permissive" dialing period in connection with an overlay to refer to the period during which customers can reach the same party

by dialing either seven digits or 1+10-digits. Customers are permitted, but not required, to use 1+10-digit dialing during this period.

As part of the customer education program for the 714 NPA overlay, we shall require that a formal "permissive" dialing period be instituted beginning no later than January 6, 2000 to coincide with the customer education program. To the extent that any carriers providing local service within the 714 NPA do not presently offer their customers the capability to dial 1+10-digits within the same NPA, we shall require them to make permissive 1+10-digit dialing available to their customers by October 6, 2000. During the permissive dialing period, customers should be encouraged to voluntarily dial 1+10-digits for calls within their NPA as part of the education program for the overlay.

In D.96-12-086, we directed that upon activation of mandatory 1+10-digit dialing, customers who attempt to dial seven digits will hear an instructional recording informing them of the 1+10-digit dialing requirement. The industry has proposed that mandatory 1+10-digit dialing be instituted at the same time that the overlay area code takes effect. In the interests of minimizing customer confusion, however, we believe that mandatory 1+10-digit dialing should take effect three months prior to initiation of the new overlay area code. In this way, customers will already have become somewhat accustomed to dialing 1+10-digits before they have to make the further adjustment of distinguishing between two different area codes within the same geographic calling area. We shall therefore require that mandatory 1+10-digit dialing take effect in the 714 NPA on July 7, 2000. We shall require that all telecommunications carriers institute an instructional announcement directing callers to dial 1+10-digits effective by this date to be continued indefinitely after the date overlay area code is implemented in the 714 NPA. With this measure in place, customer confusion should be minimized, even for visitors from other areas that are subject to different dialing

patterns. With repeated usage over time, public familiarity and acceptance of 1+10-digit dialing should increase.

We shall direct the NANPA to convene an industry meeting within 60 days following the effective date of this decision for the purpose of addressing the implementation details of the public education program for the overlay to include, at a minimum, the elements discussed above. The program should give first priority to the 714 NPA and surrounding areas, and should provide for a combination of press releases, television and radio announcements, and billing inserts discussing the effects of the overlay. The Industry Team shall submit a draft of the proposed public education program to the Commission's Consumer Services and Telecommunications Divisions and Public Advisor's Office for Commission review and approval, to be scheduled by ALJ ruling. The Public Advisor will work in cooperation with the Consumer Services and Telecommunications Divisions, the assigned ALJ, the Coordinating Commissioner for telecommunications and the Assigned Commissioner in reviewing the proposed plan.

VIII. Conclusion

On balance, we conclude that, while both the overlay and geographic split will have certain adverse impacts to the extent they disrupt the status quo, the overlay will have less overall adverse impacts than the geographic split alternative proposed for the 714 NPA. We believe the problems with an overlay largely relate to its novelty and the need for a transition period for customers to grow accustomed to the change in dialing procedures. These problems should be adequately resolved through appropriate customer education and the practical experience of making calls within region subject to the 714 NPA overlay. Accordingly, we approve the overlay option for the 714 NPA, and direct the

Industry Team to move expeditiously to implement an overlay to relieve exhaustion of the 714 NPA.

IX. Comments on Draft Decision

The draft decision of the ALJ in this matter was mailed to the parties in accordance with Pub. Util. Code § 311(g) and Rule 77.1 of the Rules of Practice and Procedure. Comments were filed on February 22, 1999, and reply comments were filed on March 1, 1999. We have taken parties' comments into account, as appropriate, in finalizing this decision.

Findings of Fact

1. Area code relief is needed due to the impending exhaustion of NXX codes in the 714 NPA projected to occur during the first quarter of 2000.

2. The Area Code Relief Coordinator convened a series of meetings with the telecommunications Industry Planning Team to discuss and develop relief alternatives for the 714 NPA.

3. The Industry Team eliminated alternative plans which failed to meet the designated criteria, but was unable to reach consensus on a *single* relief plan.

4. The Industry Team narrowed the alternatives to two options: (1) an overlay; and (2) a two-way split.

5. The Commission has stated in D.96-08-028 that "before an overlay could be approved, there must be reasonable assurance that permanent LNP would be fully implemented before the overlay became operational."

6. Without permanent LNP, an overlay in the 714 NPA would not be competitively neutral.

7. Absent the availability of LNP, customers subject to an overlay might have to change area code merely as a result of changing service providers, placing CLCs at a competitive disadvantage.

8. FCC Order 96-286 established that all carriers, both incumbents and new entrants, must provide LNP in the 100 largest MSAs to all requesting telecommunications carriers, by December 31, 1998.

9. By any reasonable measure, there is an ample cushion of time to allow for any debugging of the LNP implementation and still have LNP fully operational within the 714 NPA before the opening of the overlay scheduled for January 6, 2001.

10. FCC Order 96-333 required that every carrier was to be assured of at least one NXX code in the existing area code during the 90-day period preceding the introduction of any overlay which may be approved.

11. In view of the contingency measures adopted in this decision, sufficient NXX codes will be available to permit the NANPA to assign at least one code in the 714 NPA to each certified carrier within the service area who does not presently have one during the last 90 days preceding the opening of the overlay, as required by the FCC.

12. Since it takes 66 days for the NANPA to complete the code opening process, a schedule is needed for carriers to notify the NANPA of their code orders sufficiently in advance to allow the codes to be opened on a timely basis.

13. Pub. Util. Code Section 7931's requirement for a permissive and mandatory dialing period only applies where existing area codes are changed as part of a relief plan to acquaint customers with the area code change.

14. Since the area code for existing telephone numbers does not change in an overlay, the permissive or mandatory dialing as defined in PU Code Section 7931 does not apply, although a transitional period is still need to educate customers before a new area code overlay is established through an overlay.

15. D.96-12-086 required mandatory 1+10-digit dialing within the region subject to an overlay to prevent an anticompetitive dialing disparity between

customers of competing carriers who lacked equivalent access to NXX codes in the old NPA.

16. D.96-12-086 required that a customer education program be instituted at least 12 months before an overlay would take effect explaining the new mandatory 1+10-digit dialing requirements and the overlay plan to the public.

17. D.96-12-086 directed that, upon activation of the overlay area code, customers who dial seven digits will hear an instructional recording informing them of the 1+10-digit dialing requirement.

18. D.96-12-086 identified certain minimum elements to be included in the customer education plan, including an explanation why mandatory 1+10-digit dialing is necessary, and assurance that the change in their dialing patterns will not affect the rates charged for calls.

19. The results of the consumer preference poll reviewed in D.96-12-086 must be evaluated in light of the increasing hardship of cumulative changes in area code, and the difficulty in fairly devising successive splits of the same NPA over time.

20. As the 714 NPA faces further shrinkage in the current proposal for code relief, the drawing of boundaries that minimize the splitting of local communities becomes increasingly difficult.

21. The shorter the NPA life, the more frequently customers must be subjected to the disruptions and hardships that come with changing area codes yet again.

22. The overlay avoids the contentiousness of drawing new NPA boundaries by leaving existing boundaries intact, and avoids the need for existing customers to change their existing telephone number area code.

23. Over the long-term, overlays tend to divide communities inasmuch as communities will not be identifiable by a single area code. Over the long term,

this effect may be more pronounced than the community rifts that are introduced by area code splits.

24. A geographic split creates economic hardships particularly on affected businesses which must notify customers of area code changes, and change business cards, letterheads, advertisements, etc.

25. With an overlay, geographic boundaries no longer define a single NPA, thereby eliminating the advantage of having geographically-defined NPA boundaries as a means of identifying and unifying communities of interest.

26. A business may consider an assignment of the overlay NPA less desirable than the original NPA, since customers may perceive the business with the new NPA to be newer or less established than the neighboring business that retains the more recognized original NPA.

27. The ILECs possess the majority of NXX codes in the 714 NPA, and may seek to offer numbers to customers from NXX codes in the 714 NPA after the overlay as a marketing tool.

28. Number pooling can promote more competitively neutral access to numbering resources for all participating carriers by enabling multiple carriers to share a single NXX code through the technology associated with permanent LNP.

29. An audit of code utilization within the industry will be required to determine the maximum number of NXXs or blocks of 1,000 numbers that can be recovered from pooling participants for sharing.

30. With an overlay, customers will experience the loss of seven-digit dialing for calls within the same NPA.

31. In the consumer preference surveys reviewed in D.96-12-086, customers placed significant value on the ability to dial only seven digits for calls within the NPA.

32. Although customers in the 714 NPA may already be accustomed to dialing 1+10 digits for a portion of their calls, the overlay will still require them to learn that calls within the same area code also require 1+10-digit dialing.

33. With the overlay, customers with multiple lines at the same location seeking to add additional lines may only be able obtain the additional lines under the new area code, resulting in two area codes at the same location.

34. While both the overlay and geographic split have certain adverse impacts, the overlay will have less overall adverse impacts than the geographic split alternative proposed for the 714 NPA.

Conclusions of Law

1. The adopted relief plan should be the alternative which best satisfies the criteria applied by the Industry Team in their selection of relief alternatives, namely:

- a. Minimize end users' confusion.
- b. Balance the cost of implementation for all affected parties.
- c. Provide that customers who undergo number changes shall not be required to change again for a period of eight to 10 years.
- d. Not favor a particular interest group.
- e. Cover a period of at least five years beyond the predicted date of exhaustion.
- f. Provide that all of the codes in a given area shall exhaust about the same time in the case of splits. In practice, this may not be possible, but severe imbalances, for example, a difference in NPA lifetimes of more than 15 years, should be avoided.
- g. Comply with state and federal statutes, rulings and orders.

2. In order to qualify for approval, the overlay plan must meet the minimum criteria established by this Commission and by the FCC for competitive neutrality at the date by which the overlay would take effect.

3. The adoption of the proposed overlay for the 714 NPA satisfies the prescribed criteria for competitive neutrality, and provides the best overall solution based upon the relief planning criteria applied by the Industry Team.

4. The proposed overlay plan should be approved in accordance with the terms and conditions adopted in the order below.

5. The customer education program to acquaint customers with mandatory 1+10-digit dialing and the overlay, as ordered in D.96-12-086, should incorporate the features set forth below.

6. Since permissive 1+10-digit dialing already is in place for some telecommunications carriers, customers should be encouraged to voluntarily dial 1+10-digits for calls where permissive 1+10-dialing is available within their NPA as part of the education program during the year leading up to the overlay. Telecommunications carriers shall notify their customers as to whether permissive 1+10 is available in their area.

7. The recorded instructional announcement alerting customers who dial seven digits to dial 1+10-digits should be continued indefinitely by all telecommunications carriers following the date the 714 NPA overlay area code is opened.

8. The public education plan should focus attention on the education of all classes of customers including children, the elderly, the disabled, as well as the non-English speaking groups in the current 714 NPA.

9. The education program should cover customers in adjacent NPAs, since customers therein will still be impacted by the 714 NPA dialing requirements to the extent they temporarily visit and make calls within the 714 NPA region.

10. To a lesser extent, some public education regarding this overlay plan needs to be conducted on a statewide basis, recognizing that California is a highly mobile state, and residents from northern California may have occasion to travel into the 714 NPA calling area.

11. The industry should give priority to notifying security alarm companies, customers with PBXs, and other entities which will need to reprogram equipment as a result of the change to mandatory 1+10-digit dialing.

12. The Commission should place a high priority on promoting the development of measures to promote the efficient utilization of NXX codes so that CLCs are not competitively disadvantaged by limited access to numbering resources after the overlay is established.

13. As an interim measure, given their existing pool of numbers in the 714 NPA, Pacific and GTEC should be ordered to identify the percentage utilization for all blocks of 1,000 numbers within the NXX codes assigned to them in the 714 NPA, and to report this information to the Director of the Commission's Telecommunications Division within 30 days of the issuance of this order.

14. As an interim measure until further procedures have been developed in California for 1,000-block pooling, number assignments made by the ILECs to their customers in the 714 NPA should be made first from NXXs that have more than 25% utilization. This measure will preserve NXX codes with 25% utilization or less for number pooling solutions once those solutions are implemented.

O R D E R

IT IS ORDERED that:

1. The proposed overlay plan for the 714 Numbering Plan Area (NPA) as presented by the North American Numbering Plan Administrator (NANPA) identified as Alternative 1 is hereby approved.
2. All telephone corporations shall implement permissive 1+10-digit dialing by October 7, 1999 and mandatory 1+10-digit dialing on July 7, 2000 for the 714 NPA and on October 7, 2000 for the new overlay NPA.
3. All telephone corporations are hereby ordered to proceed with all due diligence to expeditiously implement the approved 714 NPA overlay relief plan, with the new area code to take effect on October 7, 2000.
4. No later than June 1999, the NANPA shall notify the general public by press release regarding the new area code to be assigned as an overlay covering the same geographic area as the existing 714 area code. The notice shall set forth the schedule for mandatory 1+10-digit dialing become effective July 7, 2000, for the 714 NPA and for the new area code to be activated effective October 7, 2000.
5. Each telephone corporation, including paging companies and resellers, serving the geographic area covered by the existing 714 NPA shall give written notice to its affected customers of the adopted 714 NPA overlay relief plan without delay and no later than June 1999. The notice shall advise customers that as to whether that telephone corporation offers permissive 1+10-digit dialing to reach numbers within their own area code in preparation for the pending overlay, and that 1+10-digit dialing will become mandatory within the boundaries of the 714 area code as a result of the new overlay area code and that such dialing will be effective on July 7, 2000.
6. The NANPA shall provide nationwide notification of the adopted 714 NPA relief plan by no later than October 1999.

7. The NANPA shall convene an Industry Team meeting within 60 days following the effective date of this decision for the purpose of developing consensus on the implementation of the public education program for the overlay to include, at a minimum, the elements discussed in Decision 96-12-086, and in the conclusions of law above, and the schedule for mandatory 1+10 digit dialing.

8. All customer owned pay telephone providers within the 714 NPA shall update their signage to reflect mandatory 1+10-digit dialing instructions by July 7, 2000.

9. The public education program shall give first priority to focusing on the 714 NPA and surrounding areas, and provide for a combination of press releases, television and radio announcements, and billing inserts explaining the effects of the overlay.

10. The Industry Team shall submit a draft proposal for the public education program, including a proposed budget and funding proposal, to the Commission's Consumer Services and Telecommunications Divisions and Public Advisor's Office for review and approval as scheduled by the assigned Administrative Law Judge (ALJ). The review and approval shall be coordinated among the Public Advisor, the Consumer Services and Telecommunications Divisions, the assigned ALJ, the Coordinating Commissioner for telecommunications, and the Assigned Commissioner.

11. Any existing certificated facilities-based competitive local carrier (CLC) which has not previously been assigned a 714 NPA NXX code, shall file a "Statement of Intent" with the CNCA if it seeks to be assigned such a code in the 90 days prior to the implementation of the overlay, to be filed by September 30, 1999.

12. Any new facilities-based CLCs becoming certificated or intending to become certified between September 30, 1999, and the activation of the overlay NPA in October 2000 shall be required to notify the NANPA within 30 days of certification if they intend to request a 714 NPA NXX code prior to October 2000.

13. The NANPA shall reserve the requisite NXX codes to satisfy the FCC code assignment requirement within the 714 NPA.

14. To the extent NXX codes are needed to meet the FCC requirement, additional codes shall be reserved from the lottery to be made available to new entrants without any existing codes in the 714 NPA.

15. Within the final 90 days preceding the opening of the overlay NPA, the NANPA shall declare a freeze on further assignments of 714 NPA codes, with the exception of new entrants who require one code to satisfy FCC requirements. The Commission, on its own motion or at the request of the NANPA, reserves the option to reevaluate this freeze as the availability of NXX codes through October 2000.

16. The Commission shall further consider appropriate measures regarding the assignment of telephone numbers from NXX codes in the 714 NPA after the overlay NPA is activated in order to promote competitive neutrality.

17. The assigned ALJ shall take further comments concerning what measures are appropriate to preserve uncontaminated 1,000-number blocks in anticipation of the implementation of number pooling.

18. Pacific and GTEC shall each be required to file a report explaining whether permanent LNP is fully implemented in the 714 NPA region served by each incumbent local exchange carrier by June 30, 1999. The report shall be address whether any remaining LNP-related call completion problems are being experienced and shall be filed with the Commission and served on each party to this proceeding by July 7, 1999. In the event permanent LNP is not yet fully

operational, the report shall set forth a contingency plan to address the failure to meet the FCC deadline.

19. The NXX codes in the 714 NPA shall remain subject to lottery rationing until the remaining NXX codes in the NPA have been exhausted.

20. A limited exception to the policy adopted in D.96-12-086 is granted to permit the 714 NPA overlay to be implemented prior to January 1, 2001.

This order is effective today.


Dated March 18, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
Commissioners



949
(4/88)

Alt. #1	Projected Lives
Overlay	10.25 years to 12.00 years

 AREA CODE BOUNDARIES
 COUNTY BOUNDARIES
 RATE CENTERS & EXCHANGES

**714 AREA CODE EXHAUST RELIEF
ALTERNATIVE #1
Overlay**

Scale in Miles
1 2

Provided by California Code Administration
Issue Date 6/30/97 714 MAP3