

Decision 99-11-028 November 4, 1999

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish a Framework for Network Architecture Development of Dominant Carrier Networks.

Rulemaking 93-04-003
(Filed April 7, 1993)

Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks.

Investigation 93-04-002
(Filed April 7, 1993)

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**Summary**

By this decision, we resolve the issue of how Foreign Number Plan Area (FNPA) Directory Assistance (DA) calls should be routed, in the wake of the implementation of intraLocal Access and Transport Area (LATA) presubscription in Pacific Bell's (Pacific) service territory. Such calls shall continue to be routed to the customer's local service provider, rather than to the presubscribed intraLATA toll carrier.

Background

Decision (D.) 98-12-069 established the checklist items which Pacific had to accomplish in order to receive Commission approval of its Section 271 Application for InterLATA authority¹ in California. One of those items involved Pacific's compliance with the checklist requirement to make unbundled switching available to competitors.² Competitors charged that Pacific had refused to provide various types of customized routing associated with unbundled switching. One of the custom routing options which AT&T Communications of California, Inc. (AT&T) requested, and which Pacific denied at the time, was the routing of intraLATA DA calls (also known as FNPA-555-1212 calls). AT&T wanted those calls to be routed along with 411 calls to its own operator platform.

D.98-12-069 ordered Pacific to provide all custom routing options that were determined to be technically feasible. Ordering Paragraph 11 of the decision directed the Telecommunications Division to convene a workshop to review the technical feasibility of certain custom routing requests that Pacific had previously denied. During the workshop, the parties agreed that routing of FNPA-555-1212 calls is technically feasible. Thus, that routing option did not have to be tested. Accordingly, pursuant to D.98-12-069, Appendix B, Unbundled Switching, bullet #3, Pacific must provide this option as a function of local service.

¹ Pursuant to 47 U.S.C. § 271.

² § 271(c)(2)(B)(vi).

As Pacific began to implement intraLATA dialing parity pursuant to D.99-04-071, the company found that it could not single out a subset of FNPA-555-1212 calls and route those separately. Pacific asserted that all FNPA DA calls must be treated either as local calls or as intraLATA toll calls. After discussions with the Telecommunications Division, Pacific determined to route all FNPA-555-1212 calls to the local service provider's operator platform, on an interim basis, pending further action in this docket. An Administrative Law Judge's (ALJ) Ruling issued on May 21, 1999 requested comments from the parties. The ruling invited parties to comment on whether the local service provider or the intraLATA toll provider should control the routing of FNPA DA calls, now that Pacific has implemented intraLATA dialing parity. Parties filed opening comments on June 18, 1999, and reply comments on July 2, 1999.

Parties' Position

In their Opening Comments, AT&T, MCI WorldCom (MCIW), and Sprint Communications Company L.P. (Joint Commenters) maintain that unless Pacific routes the FNPA DA calls to the customer's presubscribed intraLATA carrier, Pacific is not providing dialing parity, as required by the Telecommunications Act of 1996 (the Act). Section 251(b)(3) of the Act sets out the obligation of all local exchange carriers "to provide dialing parity to competing providers of telephone exchange service and telephone toll service." According to the Joint Commenters, Pacific may not diverge from its federally-imposed obligation to provide intraLATA dialing parity absent a waiver from the FCC; this Commission lacks the authority to authorize or endorse Pacific's unilateral action denying intraLATA dialing parity in the case of FNPA DA calls.

In its opening comments, Pacific cites the Commission's Implementation Rate Design (IRD) Decision, D.94-09-065, in which the Commission ruled that all

DA calls within a LATA should be treated as local in nature. Thus, the free call allowances associated with 411 should be applied to directory assistance calls to all area codes within a LATA.³ Consequently, the 411 directory assistance allowance includes all FNPA 555-1212 calls, and the billing rate for calls over the allowance is 25 cents per call. Pacific points out that if the Commission reclassifies FNPA 555-1212 as intraLATA toll calls, consumers who purchase local service from Pacific and choose an intraLATA toll carrier other than Pacific could experience an increase in the charges for those DA calls. According to Pacific, both AT&T and MCIW currently charge \$1.40 for FNPA-555-1212 calls.

Pacific maintains that FNPA DA calls should be routed to competitive local exchange carriers (CLECs) to promote competition in the local exchange market. Moreover, the Commission has expressly endorsed FNPA 555-1212 as a part of unbundled local switching customized routing in order to further competition in the local market. Pacific sees no compelling reason to route the FNPA calls to interexchange carriers (IXCs) since the IXC DA market is already "extremely competitive."

Pacific states that all FNPA-555-1212 calls should be treated the same and all routed to either CLECs or IXCs in order to avoid confusion for consumers. Pacific does not support treating FNPA DA calls as local for CLECs purchasing Option B or Resale Operator Alternate Routing⁴ (ROAR) unbundled switching

³ D.94-09-065, *mimeo.*, at 64 (September 15, 1994).

⁴ Effectively, this is resale customized routing.

and as intraLATA toll for other customers. To differentiate the treatment based on whether or not an end-user's CLEC is purchasing Option B or ROAR, could place Pacific in the middle of disputes between CLECs and IXC's over which company should receive the FNPA-555-1212 calls originated by a particular customer.

With respect to switch translations, Pacific asserts that it is more efficient to route all FNPA DA calls the same way. As part of its implementation of intraLATA dialing parity, Pacific had to change routing instructions in each of its 430 switches in order to set up routing of the FNPA DA calls. If the classification of FNPA DA calls is reversed and those calls are treated as toll, Pacific would have to reverse the translations in each switch. In addition, once the translations are established, they must be administered and maintained on an ongoing basis, which Pacific claims is a significant increase in its workload for switch translations. Therefore, from a network management perspective, it is more efficient to route all FNPA-555-1212 calls the same way and leave the existing translations in place.

Pacific concludes that routing certain FNPA DA calls to CLECs purchasing Option B and ROAR and routing all other FNPA DA calls to intraLATA toll providers would give those CLECs an unfair advantage. This inconsistent treatment of the FNPA DA calls would favor CLECs purchasing Option B and ROAR, at the expense of Pacific and CLECs who use Pacific's DA service but are not chosen as the intraLATA toll carrier.

The Joint Commenters⁵ respond to Pacific's allegation that confusion could result among consumers and carriers from routing FNPA DA calls as intraLATA toll calls with the assertion that the possibility for confusion disappeared when Pacific implemented intraLATA dialing parity in May 1999. Customers and carriers alike are rapidly adapting to the two-Primary Exchange Carrier (2-PIC) environment where customers can presubscribe to an intraLATA carrier.

It is Pacific, insists the Joint Commenters, that threatens to confuse matters by suggesting that such calls be routed in all instances to the local exchange carrier. For example, if customers request DA Call Completion, Pacific would complete all intraLATA toll calls, even for those customers who have chosen to have their toll calls carried by an intraLATA toll provider other than Pacific.

In its Reply Comments, AT&T reiterates its argument that Pacific has a legal obligation under the Act to deliver all intraLATA toll traffic, including FNPA DA calls, to the presubscribed IXC. AT&T maintains that the IRD decision has no bearing on the issue at hand. That decision relates only to Pacific's obligation to its local exchange customers and the details of administering the free call allowance for DA service. The IRD case pre-dated the Commission's determination to open the local exchange market to competition so it has no relevance to Pacific's obligations to CLECs. It also pre-dates by five years the advent of IntraLATA presubscription (ILP), so it decidedly makes determinations about what happened before presubscription, and not after.

In response to Pacific's complaint that customers could pay more for FNPA DA calls, AT&T regards that as an advantage to Pacific in today's

⁵ MCIW and Sprint Communications Company L.P. filed the Reply Comments as Joint Commenters. AT&T filed separate Reply Comments.

increasingly competitive telecommunications market. Pacific can use the DA issue to urge customers to remain Pacific's local and intraLATA toll customers.

AT&T also refutes Pacific's argument that the retention of FNPA DA calls as local promotes local competition. Since 97 percent of customers remain Pacific's local service customers and are not served by CLECs, it is absurd to make that conclusion. Pacific benefits, not the CLECs.

AT&T observes that the *Final Staff Report* and D.98-12-069 pre-date the FCC's ruling relating to the implementation of ILP. While those documents do endorse the routing of FNPA DA calls to a CLEC where mandated by the carrier's interconnection agreement, this was a pre-ILP requirement. The Commission has never ruled that, after the implementation of dialing parity, FNPA DA calls should continue to be routed to the local carrier.

AT&T also disputes Pacific's allegation that the delivery of FNPA DA calls to the intraLATA carrier will unduly favor CLECs using ROAR or Option B. AT&T is not sure whether the difference in treatment would be to Pacific's detriment or benefit. Pacific can advertise to its customers that they lose a part of their free call allowance if they switch to another provider of intraLATA service, which should be to its benefit.

AT&T refutes Pacific's premise that the Commission must decide that all FNPA DA calls should be routed to either CLECs or IXC. Pacific does not maintain in its comments that, as a technical matter, all FNPA DA calls must be routed to either CLECs or IXCs, because that is not the case. Pacific is fully aware that it must route FNPA DA calls of CLECs using resale or unbundled local switching Option A to Pacific's DA platform, while it can route those same calls for carriers using ROAR or unbundled switching Option B to the CLEC's DA platform. Pacific does not claim technical infeasibility in the disparate routing of those calls.

AT&T finds Pacific's claim of customer confusion to be disingenuous. It is in the CLEC's best interest to inform customers fully of the nature of their local service and the prices they will pay for particular services. Any confusion among carriers can be clarified as carriers renegotiate their existing interconnection agreements.

Arguments Pacific makes based on network efficiencies are not relevant to Pacific's obligations under the Act to implement ILP, says AT&T. Pacific has an absolute legal duty to provide intraLATA dialing parity; there is no exception for FNPA DA calls in the Act. According to AT&T, network efficiencies are therefore irrelevant.

The Utility Reform Network (TURN) takes no position on how FNPA DA calls should be routed, but urges the Commission to ensure that customers receive adequate notice in the event that FNPA DA calls are treated as toll calls. In the event that the Commission adopts the position of the Joint Commenters, the Commission must ensure that customers who choose a competing intraLATA toll provider are informed that they are also authorizing a change in their provider of FNPA DA calls. Such notification is critical to protect customers against unexpected charges.

The Commission's Office of Ratepayer Advocates (ORA) supports maintaining FNPA DA as part of basic local exchange service. ORA contends that the Joint Commenters misinterpret the requirements of the Act. According to ORA, the Act makes a distinction between dialing parity and directory assistance. The local exchange carrier must provide the former and provide nondiscriminatory access to the latter.

Dialing parity is intended to ensure that customers experience the same dialing pattern for similar calls regardless of their choice of service provider. In the case of FNPA DA, there is no dialing disparity. All customers use the same

dialing pattern to access intraLATA FNPA DA service, regardless of their choice of intraLATA toll provider. Thus, the routing of the FNPA DA calls is not a dialing parity issue.

ORA states that the CPUC should continue its current treatment of FNPA DA as part of local service, as established in the IRD decision which enables residential customers to make use of their monthly allowance of five non-charged DA calls per month. ORA notes that the continuing proliferation of new NPAs in California can result in customers having multiple NPAs within their local calling area. Local exchange customers should be able to continue to apply FNPA DA calls against their monthly DA call allowance.

ORA cites a decision of the Michigan Commission which determines that DA is not a part of the dialing parity requirement and declines to deviate from past treatment of directory assistance as essentially a basic local exchange service. The Michigan Commission states:

The Commission found that directory assistance continues to be an indispensable telecommunications service that should be regulated in essentially the same manner as basic local exchange service. As a result, local directory assistance calls should not be included in intraLATA dialing parity because they do not constitute toll service.⁶

ORA states that Pacific's request for a price increase for its directory assistance service and elimination of free call allowances undermines the company's consumer protection argument. Nevertheless, ORA supports

⁶ In the Matter of the Application of MCI Telecommunications Corporation Against Ameritech Michigan and GTE North Incorporated, Case No. U-10138, 1995 Mich. PSC LEXIS 45*55.

Pacific's position that intraLATA FNPA DA calls continue to be part of local exchange service.

Pacific responds to the Joint Commenters' opening comments, stating that neither the dialing parity requirement in the Act, nor the FCC or CPUC decisions addressing presubscription require Pacific to route FNPA-555-1212 calls to IXCs. The Act defines the term dialing parity to mean where "a person...is able to provide telecommunications services in such a manner that customers have the ability to route automatically, without the use of any access code, their telecommunications to the telecommunications services provider of the customer's designation...." The way FNPA DA calls are routed today to the local service provider meets this requirement. End-user customers do not have to dial extra digits to have their FNPA DA calls routed either to a CLEC or to Pacific.

Further, the FCC recognizes that "[a] telephone call requiring seven-digit dialing is not necessarily a local call...and a telephone call requiring ten-digit dialing is not necessarily a toll call."⁷ Pacific states that the Joint Commenters seem to believe that because FNPA-555-1212 is a ten-digit call, it is therefore an intraLATA toll call that should be routed to the IXC. In the case of implementation of an area code overlay, next door neighbors could be assigned different area codes, but calls between the neighbors are local.

Pacific asserts that AT&T should have advised the Commission in the 271 switching workshops that after implementation of ILP it wanted FNPA-555-1212

⁷ Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket Nos. 96-98, 95-185, 96-8, 92-237, Order 96-333 (released August 8, 1996), ¶ 75.

calls routed to the IXC chosen by the end-user customer. AT&T pressured the Commission to rule that Pacific had tested routing of FNPA DA calls to the local service provider and that such custom routing must be offered as part of unbundled switching. AT&T did not indicate that it believed the requirement to route FNPA DA calls as local calls would end with implementation of ILP.

If the Commission determines that the FNPA-555-1212 calls should route to the intraLATA toll provider, then the Commission must clarify that Pacific is not obligated to provide those calls to local service providers as part of unbundled switching to meet the 271 requirements. Pacific views as inconsistent AT&T's demand that Pacific add FNPA-555-1212 calls routed to the IXC to the Lucent and Nortel testing plans for routing intraLATA toll calls to the local service provider. It maintains that there is no logical basis for inclusion of FNPA-555-1212 test calls routed to the IXC in a test of unbundled local switching.

Discussion

We first address the issue of whether the Act requires that FNPA DA calls be included within the dialing parity requirement. Section 251(b)(3) requires dialing parity for telephone exchange service and telephone toll service. That section includes a further requirement that local exchange carriers provide "nondiscriminatory access" to directory assistance, as well as other services.

In its rules implementing Section 251(3)(b) of the Act, the FCC separates these into two distinct requirements. The Act defines dialing parity as the ability to provide telecommunications services so that customers can route their calls automatically, without the use of any access code, to the telecommunications

provider of their choice, and the FCC's rules mirror that definition.⁸ As this definition clearly states, the dialing parity requirement relates only to parity in the number of digits dialed. FNPA DA calls satisfy the dialing parity requirement in that no extra digits are dialed.

The rules promulgated by the FCC make it clear that the FCC intended the dialing parity provisions to apply to intraLATA toll calls. Section 51.209(b) requires that customers be allowed to presubscribe to a particular telecommunications carrier "for all intraLATA toll calls." Also, both the Act and the FCC deal with dialing parity and nondiscriminatory access to directory assistance as two separate issues. Thus, we find that we are not constrained by the Act or the FCC's implementing rules to require that FNPA DA calls be included as part of the Act's dialing parity requirement.

Next, we need to look at what constitutes an intraLATA toll call versus a local call. With the proliferation of area codes in California, it is no longer easy to distinguish between intraLATA toll and local calls. At one time, dialing a 10-digit phone number would generally have been indicative of an intraLATA toll call. That is no longer the case. As the geographic area served by particular area codes gets smaller, we increasingly find more than one NPA within a customer's local calling area. For example, in the greater Los Angeles area, several local calling areas include as many as seven different area codes. Thus, a significant number of local calls within these calling areas require 10-digit dialing, rather than the 7-digit dialing customers traditionally enjoyed for most local calls.

⁸ Telecommunications Act of 1996, Section 3, Definitions 47 U.S.C. § 153 and FCC Second Report and Order on Interconnection, FCC 96-333 § 51.5 Terms and Definitions.

Fortunately for California's telephone consumers, telephone companies do not rely on the FNPA to determine whether a call is local or intraLATA toll. Rather, telephone companies rely on established rating information and measured distances between rate centers to make their determination. If all FNPA DA calls are routed to the presubscribed intraLATA carrier, that carrier will be handling some calls that should be within the jurisdiction of the local service provider. Clearly calls to a different area code can be either local or toll. In multiple area code local calling areas, such as exists in greater Los Angeles and elsewhere, increasing numbers of calls to an FNPA are local rather than intraLATA. That makes the FNPA alone a poor indicator of whether a call is local or intraLATA.

In their opening comments on the draft decision (DD), the Joint Commenters claim the DD's conclusion approaches the FNPA routing issue as an "either/or" proposition. They insist that in a perfect world it would be technically feasible for Pacific to distinguish between FNPA DA calls that are local in nature and FNPA DA calls that are intraLATA toll, and to route those calls to the appropriate carrier. This is partially accurate: FNPA DA calls can be routed to CLECs using unbundled switching Option B and ROAR. The Joint Commenters criticize Pacific's inability to single out a subset of FNPA DA calls for local switching Option A and route them separately – either as local calls or as intraLATA toll calls to be handled by the customer's intraLATA toll carrier. They contend that Pacific has admitted that it is technically feasible for it to implement either outcome by programming its switches. They also characterize the issue as a legal question rather than a technical question. Which carrier should FNPA DA calls be routed to under local switching Option A: Pacific or the customer's intraLATA toll carrier of choice? The Joint Commenters assert that the federally imposed requirement to provide intraLATA dialing parity,

absent a waiver from the FCC, requires the routing of FNPA DA calls to the presubscribed intraLATA toll carrier.

In reply, Pacific argues that while the call a customer makes after receiving a number from dialing FNPA DA may be local or intraLATA toll, Pacific's end office switches cannot make this distinction based on the FNPA call made to directory assistance. At the time the end office switch receives an FNPA call, the switch cannot determine, based on "555" whether the number requested from directory assistance will be a local or toll call when the customer requesting the number places the call.

When the end office switch receives an FNPA call, it has no way of knowing what the NXX code will be for the number requested by the customer. Therefore, the switch cannot route the call to the local or intraLATA provider based on whether the number requested will be a local or toll call. FNPAs include both local and intraLATA toll NXX codes. The switch relies on the NXX code to determine that a call to a particular FNPA-NXX is local or intraLATA toll because each NXX is associated with a specific rate center. The complexity with FNPA DA is that "555" is an NXX that merely signifies directory assistance and not an association with any rate center. In conclusion, Pacific maintains that it is technically infeasible for the end offices that receive FNPA calls to determine if the number requested will be a local or intraLATA toll call. The end office switches cannot route certain FNPA calls to different carriers (local or intraLATA toll) based on whether the call will be local or intraLATA toll. Accordingly, all FNPA calls should be routed the same way.

There are two different concepts at issue here, and not discussing them separately has muddied the waters. The first concept relates to the requirement to custom route FNPA DA calls under unbundled switching, while the second

deals with the more generic issue of how FNPA DA calls are routed in general, and how that routing is affected by the Act's dialing parity requirement.

Pacific has stated that it can custom-route FNPA DA calls under unbundled switching Option B and ROAR. The Joint Commenters raise the issue of Option A unbundled switching for the first time in their comments on the DD, and Pacific responds that Option A has no place in a discussion of the FNPA DA issue. We agree with Pacific's assertion. In D.98-12-069, we adopted three types of unbundled switching, and describe Option A as follows: "CLC customers used the unbundled network elements in a Pacific central office switch, and Pacific switched and routed them over the same local transport facilities as it did its own customers."⁹ In their remarks, the Joint Commenters appear to be redefining Option A, which does not provide for any routing separate from the routing for Pacific's own customers on its network. Option A does not provide for any specialized routing of FNPA DA calls. Under Option A, all FNPA DA calls are routed to Pacific's operator platform, along with calls from its own customers. It is Option B that provides the capability for custom routing of FNPA DA calls.

Here, we are examining the generic issue of routing FNPA DA call where the various specific features of unbundled switching are not part of the equation. We have stated above our holding that the dialing parity requirement does not extend to FNPA DA calls and will not repeat that discussion. Pacific's contention that its switches cannot distinguish local calls from intraLATA calls when a customer dials FNPA "555" is compelling. The routing of FNPA DA calls must be made on a per-call basis, while for unbundled switching, the routing for all of

⁹ D.98-12-069, mimeo., at 48.

a particular Option B customer's calls is programmed into the switch, based on that customer's telephone number. Anytime an Option B customer picks up the telephone to place a call, the switch knows where to route that call.

Unfortunately, the "perfect world" the Joint Commenters describe does not exist. It is technically infeasible to separate out a subset of FNPA DA calls and route those singularly. Pacific's switches must route all FNPA DA calls (other than those under unbundled switching Option B and ROAR) to either the local carrier or the intraLATA toll carrier.

The Joint Commenters and Pacific raise a number of issues relating to network efficiencies and view the price for DA and the availability of the free call allowance as competitive issues. AT&T would have us focus our attention on the terms of its interconnection agreement with Pacific. However, we prefer to look at the issue from the viewpoint of the customer. FNPA Directory Assistance calls are not priced according to the usual rates for toll calls. Residential customers currently have five free calls per month for all directory assistance inquiries within their LATA; this includes both 411 and FNPA DA calls. Pacific charges residential customers 25 cents each for calls over that allowance. Examining all the factors, we find that an FNPA DA call within a LATA is not a toll call.

We acknowledge that the Implementation Rate Design (IRD) Decision, which established the current rules governing Pacific's provision of DA service, predated the advent of local exchange competition. Still, we share the Michigan Commission's view that directory assistance service is a key element of basic local exchange service. The ALJ's proposed decision in A.98-05-038 reiterates that basic service for residential customers is defined as a minimum level of telecommunications service which each carrier of last resort is required to provide to all residential customers. Access to local directory assistance is one of the specific service elements of basic service. Therefore, we would like to ensure

that customers are able to take advantage of the most advantageous DA rates and conditions available to them.

We do not want directory assistance to become part of a competitive tug-of-war between carriers, to the detriment of the consumer. Instead we will order that FNPA DA calls continue to be routed to the customer's local service provider so that those customers can get the full benefit of any free call allowance and lower per-call rates.

Since these calls are deemed to be local in nature, Pacific Bell shall not be relieved of its obligation under D.98-12-069. Thus, Pacific is required to offer the unbundled switching options (specifically Option B and ROAR) requested by a CLEC in those geographic areas where the FCC has determined that unbundled switching will be available as an unbundled network element.¹⁰

Comments on Draft Decision

The draft decision of Administrative Law Judge Jacqueline A. Reed was mailed to the parties in accordance with Public Utilities Code 311(g) and Rule 77.1 of the Rules of Practice and Procedure. Comments were filed on October 25, 1999, and reply comments were filed on November 1, 1999. We have taken the comments into account as appropriate in finalizing the decision.

Findings of Fact

1. The Telecommunications Act of 1996 (the Act) defines dialing parity as the ability to provide telecommunications services so that customers can route calls

¹⁰ We recognize that the FCC's Unbundled Network Elements (UNE) remand order, announced in a September 15, 1999 FCC press release and unissued as of this date, could change the availability of unbundled switching as a UNE, particularly in urban areas.

automatically, without the use of any access code, to the telecommunications provider of their choice.

2. Foreign Number Plan Area (FNPA) directory assistance (DA) calls do not require that extra digits be dialed.
3. The FCC's rules apply the dialing parity provisions to intraLATA toll calls.
4. It is no longer easy to distinguish between intraLATA toll and local calls.
5. A customer's local calling area may include more than one NPA.
6. Telephone companies rely on established rating information and measured distances between rate centers to determine whether a call is local or intraLATA toll.
7. Telephone companies do not base the determination of whether or not a call is local or intraLATA toll on the FNPA.
8. FNPA DA calls could include local calls as well as intraLATA calls.
9. FNPA DA calls are not priced according to the usual rates for toll calls.
10. Access to directory assistance is a key element of basic local exchange service.

Conclusions of Law

1. The Act's dialing parity requirements, reflected in the FCC's rules, relate only to parity in the number of digits dialed.
2. FNPA DA calls satisfy the dialing parity requirement because they do not necessitate the dialing of extra digits.
3. FNPA DA calls are not intraLATA toll calls.
4. Telephone consumers should receive the full benefit of lower FNPA DA rates and free call allowances available from Pacific.
5. IntraLATA FNPA DA calls should continue to be routed to the customer's local service provider.

6. Pacific should not be relieved from its obligation to offer the unbundled switching options (specifically Option B and Resale Operator Alternate Routing (ROAR)) requested by a CLEC.

7. This order should be effective immediately so that this crucial routing issue may be promptly resolved.

O R D E R

IT IS ORDERED that:

1. Pacific Bell (Pacific) shall continue to route IntraLocal Access and Transport Area Foreign Number Plan Area Directory Assistance calls to the customer's local service provider.

2. Pacific shall offer unbundled switching options (specifically, Option B and Resale Operator Alternate Routing) in those geographic areas where the Federal Communications Commission has determined unbundled switching will be available as an unbundled network element.

This order is effective today.

Dated November 4, 1999, at San Francisco, California.

RICHARD A. BILAS
President
HENRY M. DUQUE
JOSIAH L. NEEPER
JOEL Z. HYATT
CARL W. WOOD
Commissioners