

Decision 17-02-010 February 9, 2017

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

Application of the North American  
Numbering Plan Administrator, on behalf  
of the California Telecommunications  
Industry, for Relief of the 916 Numbering  
Plan Area.

Application 16-11-007  
(Filed November 17, 2016)

**DECISION GRANTING REQUEST FOR AN ALL-SERVICE AREA CODE  
OVERLAY IN THE 916 NUMBERING PLAN AREA**

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Attachment A – Public Education Plan for 916 NPA Relief

## **DECISION GRANTING REQUEST FOR AN ALL-SERVICE AREA CODE OVERLAY IN THE 916 NUMBERING PLAN AREA**

### **Summary**

By this decision, we adopt an all-services overlay to resolve the forecasted exhaustion of numbering resources in the 916 numbering plan area, including a 13-month implementation schedule. The overlay will provide additional numbering resources to meet the demand for telephone numbers while minimizing customer inconvenience. Implementation of the relief plan shall commence immediately. To facilitate implementation of the overlay, we also order a public education program.

No existing customers will be required to change their area code or specific telephone number. New telephone numbers with the new area code may be issued to customers beginning one month after the start of the mandatory dialing period.

This proceeding is closed.

### **1. Background**

The North American Numbering Plan Administrator (NANPA),<sup>1</sup> on behalf of the California Telecommunications Industry (industry),<sup>2</sup> filed Application

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<sup>1</sup> As a neutral third-party administrator, NANPA has no independent view regarding the relief option proposed by the industry in this application.

<sup>2</sup> The “industry” is composed of current and prospective telecommunications carriers operating in, or considering operations, within the 916 area code.

(A.) 16-11-007, in which it requests relief in the 916 numbering plan area (NPA or Area Code).<sup>3</sup> No protests were filed.

### **1.1. Process for Determining Recommended Relief**

The Federal Communications Commission (FCC) holds full responsibility over all numbering issues but has delegated to the states area code relief responsibilities.<sup>4</sup> On behalf of the State of California, the California Public Utilities Commission (Commission) is responsible for proactively monitoring area code relief planning, and overseeing the integrity and competitive neutrality of the industry relief planning process.<sup>5</sup>

NANPA's primary responsibilities are to ensure numbering resources are available to the telecommunications industry in the United States of America (United States) and Canada.<sup>6</sup> NANPA assigns those resources in the form of area

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<sup>3</sup> NPA, also known as an "area code," normally represents a geographic area within a state. In the current case, the numbering plan area is 916. Throughout this decision, NPA and area code are used interchangeably.

<sup>4</sup>

[http://transition.fcc.gov/Bureaus/Common\\_Carrier/Reports/FCC-State\\_Link/IAD/utilizationdec2000.pdf](http://transition.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/utilizationdec2000.pdf)

<sup>5</sup> Public Utilities (Pub. Util.) Code Section 7936 states "The commission shall direct the North American Numbering Plan Administrator to obtain utilization data for any area code for which a relief plan is proposed, prior to adopting a plan for, or setting a date for, relief."

Pub. Util. Code § 7943 (a) "It is the intent of the Legislature that when the commission has no reasonable alternative other than to create a new area code, that the commission do so in a way that creates the least inconvenience for customers." Pub. Util. Code § 7943(c) "Before approving any new area code, the commission shall first perform a telephone utilization study and implement all reasonable telephone number conservation measures."

<sup>6</sup> When projecting that an area code will run out of prefixes, NANPA looks at a number of factors, including but not limited to: (1) the history of code assignments in the area code; (2) the current growth rate within the telecommunications industry in the NPA; (3) five years of annual code growth in that area code; and (4) each telecommunications service providers semi-annual growth forecast in the area code in question to determine future demand for new prefixes.

*Footnote continued on next page*

codes and prefixes; tracks their use to ensure effective and efficient utilization; and, on a semi-annual basis, forecasts which area codes will soon run out of prefixes.<sup>7</sup> When it determines that an area code is near exhaust, NANPA, as a neutral third party, initiates and coordinates the planning process for resolving the utilization of available prefixes, which is known as “Area Code Relief Planning” (relief planning). Such relief planning, which includes the introduction of a new NPA (area code) in the existing area code in which the exhaust is forecast to occur, normally begins three years prior to the forecasted exhaust.<sup>8</sup>

After informing the Commission of the forecasted exhaust in an area code, NANPA begins the relief planning process by calling a meeting with the industry group (industry) in order to identify viable solutions to the forecasted exhaust. NANPA and the industry are required to follow regulations established by the FCC and the Commission, as well as industry guidelines.<sup>9</sup> After the

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NANPA considers all this information to forecast when an area code will run out of, or “exhaust,” all available prefixes. This information is also considered in NANPA’s determination of the life expectancy for the relief alternatives being considered.

<sup>7</sup> A prefix, also known as a central office code (CO code) is the second set of three digits of a telephone number. Prefixes are assigned to rate centers within an area code. Each prefix consists of 10,000 line numbers.

<sup>8</sup> See Pub. Util. Code § 7931(d).

<sup>9</sup> In planning area code relief, the industry: (1) is required to follow rate center boundaries; (2) may not consider certain types of relief, such as service-specific area codes for cell phones, pagers, or other services, due to current federal regulation; and (3) may consider communities of interest, city and county boundaries, and natural dividing lines like mountains or rivers. The industry then measures these items against established industry criteria such as minimizing customer confusion, ensuring that relief plans have adequate projected lives, and maintaining competitive neutrality among service providers. ATIS – 0300061 – NPA Code Relief Planning and Notification Guidelines at Sections 2.4, 6.1, 6.3.4, and 6.4, Alliance for Telecommunications Industry Solutions. FCC 00-104 at ¶ 3.

industry develops feasible alternatives, such as an all-services overlay (overlay) or a geographic split (split),<sup>10</sup> the industry then strives to reach consensus on the best plan to resolve the forecasted exhaust in the area code in question.

The staff of the Commission's Communications Division (Commission staff) then schedules public meetings (Public Participation Meetings) to inform the public and to receive public comment about the area code alternatives.<sup>11</sup> Commission staff and representatives of NANPA are typically present at these meetings in order to provide information to the public.

After the Public Participation Meetings, NANPA submits its application to the Commission for the new area code recommending the industry consensus solution. After the Commission has made its decision, telecommunications service providers are required to implement the new area code within a specified period.

In this application, the industry reached consensus to recommend an all-services distributed overlay plan to the Commission as their choice of relief for the 916 NPA. The Industry also reached consensus to recommend a 13-month schedule for implementing the area code overlay.

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<sup>10</sup> An all-services overlay plan in which the original and new area codes apply to the same geographic area. A geographic split divides an area code into two area codes, each assigned to a specific geographic area with one area retaining the original area code and the other area is required to change to a new area code.

<sup>11</sup> Public Utilities Code Section 7931(e)(2) states that "within nine months the coordinator and the Commission staff shall conduct at least one meeting for representatives of local jurisdictions to inform them of the proposed area code relief options, and to afford the public the opportunity to discuss the potential impact of the proposed options.

## **1.2. Basics of the Telephone Numbering System**

In each area code in the United States, telephone numbers are made up of an area code, a prefix, and a line number<sup>12</sup> (for example, 916-777-0100). Specific geographic areas are assigned an area code, while each individual phone line is assigned a line number. Each area code is divided up into local serving areas called exchanges; within each exchange is a rate center. The 916 area code has 16 rate centers.

Originally, telephone numbers are assigned to service providers in 10,000 block groups. Thousand-block number pooling implemented a new resource allocation system to divide a prefix or central office code (NXX code), which is a group of 10,000 telephone numbers, into ten sequential blocks or groups of 1,000 telephone numbers allowing the allocation of telephone numbers in blocks of 1,000. This system allows multiple service providers operating in the same rate center to share the ten thousand blocks in a prefix at the thousand-block level.

Every prefix, which is assigned to a specific rate center, includes 10,000 line numbers. The FCC has set aside certain prefixes such as 211, 511, and 911, as abbreviated dialing patterns dedicated to special uses. Consequently, only 792 usable prefixes (NXX codes) exist in a given area code. Once these 792 available prefixes are used, a new area code is necessary. By August 2, 2016,<sup>13</sup> there were only 53 useable prefixes remaining in the 916 area code (about seven percent), and 916 NPA is projected to run out of prefixes in the first quarter of 2018. Further, for landline calls in California, a caller must use the 1+10-digit

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<sup>12</sup> A line number, which is the last four digits of a customer's phone number, is the number assigned to the phone line that an individual customer uses.

<sup>13</sup> See pages 89-90 of A.16-11-007.

dialing to indicate to the phone network that the call will be routed to another area code.

### **1.3. Description of 916 Area Code**

In 1947, when area codes were introduced to California, 916 NPA was one of the original three NPAs in the state. Today, the 916 NPA serves the greater Sacramento area including the state capital. The geographical area served by the 916 NPA includes small portions of El Dorado, Solano, Sutter, and Yolo Counties and much of Placer and Sacramento Counties. It includes the Cities of Lincoln, Loomis, Rocklin, and Roseville in Placer County; Citrus Heights, Elk Grove, Folsom, Isleton, Rancho Cordova, and Sacramento in Sacramento County; and the City of West Sacramento in Yolo County.

According to the California Department of Finance, New State Population Report dated May 1, 2015, which was included with A.16-11-007 (pages 39-48 of the application), Sacramento is the sixth largest city in California, and grew by 0.9 percent during the measured period.<sup>14</sup>

This 916 NPA has a mix of urban and suburban cities plus unincorporated suburban residential communities. In addition to serving the capital of the California state government and many state government buildings and structures, the 916 NPA serves the Sacramento International Airport, several museums, hospitals, universities and colleges, many tourist attractions, and fishing and boating on the Sacramento River Delta. The area served includes residential, commercial and light industrial areas with varied growth separated by agriculture and the Sacramento River Delta. There is the Port of Sacramento

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<sup>14</sup> This report addresses the level and growth of the population of California in the years 2014 and 2015.

in West Sacramento serving deep water freighters, and varied rural and open spaces. The 916 NPA is bordered on the north and east by the 530 NPA, to the west by the 707 NPA, and to the south by the 925 NPA and the 209 NPA.

## **2. Current Request for a New Area Code**

The industry reached consensus at its October 22, 2015 meeting to recommend to the Commission an all-services distributed overlay as the form of relief for the 916 NPA. The Industry submits its overlay recommendation to the Commission based upon NANPA's projections that absent NPA relief, the supply of central office codes (often referred to as "CO" or "NXX" codes) for the 916 NPA will exhaust during the first quarter of 2018.<sup>15</sup>

As required by statute,<sup>16</sup> Commission staff held three Public Participation Meetings to inform representatives of local jurisdictions and the public about the proposed area code relief options, and comments were received from the public. Comments received from the public are discussed below. At the public meetings, both NANPA and the industry recommended an overlay to resolve the forecasted exhaust of the 916 area code.

After the Public Participation Meetings were held, one more industry meeting was convened on October 28, 2016, in order to discuss the Public Participation Meetings, and confirm consensus regarding the industry recommendation to implement an overlay in the 916 NPA. The industry again achieved consensus that an overlay remains the best option for the relief of the

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<sup>15</sup> In September 2015, NANPA published an interim Number Resource Utilization Forecast (NRUF) and NPA Exhaust Analysis which indicated that the 916 NPA would exhaust during the fourth quarter of 2018. That projected exhaust date subsequently has been revised to first quarter 2018 (in its April 2016 NRUF and NPA Exhaust Analysis).

<sup>16</sup> Pub. Util. Code § 7931(e)(2).

916 NPA projected exhaust in the first quarter of 2018. The industry also reached consensus regarding a 13-month schedule for implementing the area code overlay.

In order to allow sufficient time for completion of the selected relief plan prior to exhaust of CO codes in the 916 NPA, NANPA and the industry included provision of a public education program (PEP) for customers in the current 916 NPA and requests that the Commission approve the recommended 13-month implementation schedule and PEP outlined in its application.<sup>17</sup>

NANPA then filed the current application, in which it presented both alternatives, with the industry's consensus solution of an overlay. The new area code has not yet been identified but it will be determined at or before the beginning of the 13-month implementation schedule authorized herein.

## **2.1. Alternative Methods of Relief – Overlay versus Split**

An all-services overlay is the industry's consensus recommendation. An overlay would superimpose a new area code over the same geographic area covered by the existing 916 area code. All existing customers would retain the 916 area code and would not have to change their area code or telephone number. The overlay alternative requires 1+10 digit dialing for all calls within and between the 916 area code and the new area code.<sup>18</sup> The all-services overlay alternative has a projected life of 36 years.

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<sup>17</sup> The industry requests that the Commission allow the Industry to select the specific implementation dates, once decision is issued, that do not conflict with other overlay implementations occurring across the country.

<sup>18</sup> Federal Authority: Code of Federal Regulations – Title 47: Telecommunications: 47 C.F.R. § 5219(c)(3)(ii) “No area code overlay may be implemented unless there exists, at the time of

*Footnote continued on next page*

As an alternative to the all-services overlay that the industry recommended as its consensus alternative, the application also included a description of a split alternative. The split alternative would geographically divide the 916 area code into two area codes. In this option, a line is drawn along specific rate center boundaries and a new NPA code would be assigned to one side of the line and the other side would retain the existing 916 NPA. Customers would retain their current 7-digit dialing in each of the area codes, but would require 1 + 10-digit dialing for calls between NPAs, and for calls made to another area code.

Commission staff presented the split at the public meetings. If implemented, this alternative would split the 916 NPA into two NPAs. The projected lives of the resulting NPAs are 23 years and 55 years, with a difference of 32 years,<sup>19</sup> resulting in severe imbalances of 32 years. This imbalance is well beyond an imbalance of more than ten years that, the NPA Code Relief Planning and Notification Guidelines (Relief Planning Guidelines) provides, must be avoided.<sup>20</sup> Accordingly, this split alternative does not meet the criteria set forth by the guidelines. Further, this alternative would split the Cities of Sacramento,

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implementation, mandatory ten-digit dialing for every telephone call within and between all area codes in the geographic area covered by the overlay area code."

California state Authority: Decision (D.) 96-08-028, Ordering Paragraph 4 "For any NPA, relief plan either pending or yet to be proposed, parties shall not propose an overlay as a relief option until or unless mandatory 1+10-digit dialing is in place at the time the overlay is implemented" and D.96-12-086, Ordering Paragraph 4 - "Mandatory 1+10-digit dialing shall be implemented as a condition of approving any overlay, but only in the NPA regions covered by the overlay."

<sup>19</sup> See pages 91 and 92 of Application 16-11-007.

<sup>20</sup> See Section 5.0 of the Relief Planning Guidelines.

Rancho Cordova, Elk Grove, and Citrus Heights. Therefore, the split alternative has not been presented by anyone (including NANPA and Commission staff) as a viable 916 NPA relief alternative.

## **2.2. Public Meetings and Comments**

Section 7931(e)(2)<sup>21</sup> requires that within nine months from when NANPA informs the Commission of the need for an area code change, Commission staff and NANPA to conduct at least one meeting for representatives of local jurisdictions and three Public Participation Meetings. The purpose of the meetings is to inform the local representatives and the public about the area code change options and alternatives, and to provide a forum for local representatives and the public to voice their opinions concerning the proposed relief options.

With NANPA's assistance, staff of the Commission's Communication Division and the Public Advisor's Office held three combined local jurisdiction and Public Participation Meetings. Commission staff duly noticed and held the Public Participation Meetings at various dates and times within the 916 area code; in Sacramento and Folsom on August 15, 2016; and in Roseville on August 16, 2016. In its notice of the Public Participation Meetings, Commission staff provided information to the public about the times, dates and locations for the meetings, and provided other information designed to assist the public to

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<sup>21</sup> Pub. Util. Code § 7931(e)(2) "Within nine months the coordinator and the commission staff shall conduct at least one meeting for representatives of local jurisdictions to inform them of the proposed area code relief options, and to afford them the opportunity to discuss the potential impact of the proposed options. Following the local jurisdiction meeting, the coordinator and the commission staff shall conduct at least three public meetings in the affected geographical area. The public meetings are to inform members of the public about the proposed area code relief options, and to afford affected customers an opportunity to discuss the potential impact of the proposed area code relief options and measures that may be taken to mitigate any potential disruptions. The commission may order additional public meetings to be held at any time."

attend, participate and submit written comments both at the meetings and to the Commission directly regarding the NPA relief process and options. Specifically, Commission staff provided information on how to submit written comments by sending regular mail or via electronic mail, and on how to obtain additional information about the proposed 916 NPA relief by calling a designated telephone number listed on the Commission's website.

Attendees at the three public meetings were mostly local jurisdiction officials, and most expressed support for the overlay option. Notably, the official representing the City of Rancho Cordova provided written comment, requesting the CPUC to not split the City of Rancho Cordova and to implement an overlay instead. Of the 54 people who attended the three Public Participation Meetings, 53 supported the overlay alternative.

### **3. Discussion**

As discussed above, the 916 NPA is in jeopardy of exhaustion, which no conservation measures and/or member rationing will adequately address, this satisfying the requirements of Pub. Util. Code § 7943(c). In this application, NANPA provided descriptions of relief options; concluding that "the 916 NPA is somewhat unique in that the CO code assignment allocation is centralized to such a degree that no geographic split alternative for the 916 NPA would satisfy the Relief Planning Guidelines requirement that a severe imbalance in lives of the area codes resulting from the split be avoided."<sup>22</sup>

The September 18, 2015 NRUF report, as updated in April 2016, projects that the 916 area code will exhaust in the first quarter of 2018, thus requiring both

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<sup>22</sup> Per Section 5.0 of the Relief Planning Guidelines, severe imbalances, for example, of a difference in NPA lifetimes of more than 10 years, shall be avoided.

the Commission and NANPA to act before exhaust occurs. NANPA utilizes data in the NRUF in forecasting when the 916 area code will exhaust, and satisfies Pub. Util. Code § 7936.

As noted above, Commission staff held three meetings for representatives of local jurisdictions and the public in order to inform them of the proposed area code relief options. Both NANPA and the industry recommended an overlay alternative to resolve the forecasted exhaust of the 916 area code, and majority of the attendees at the three public meetings, including local jurisdiction officials expressed support for the overlay alternative.

An overlay is less confusing and less costly for existing customers because they retain the same area code and telephone number. An overlay would not require existing customers, whether they are residential or business customers, to incur the time and expense to inform family, friends, customers, and business associates of a new area code, or incur the cost of reprinting stationery and other materials. We found that the overlay option would have the least impact on city services, particularly emergency and government services. We therefore adopt an overlay to resolve the forecasted exhaust in the 916 NPA.

NANPA has requested a 13-month schedule to implement the overlay option. This length of time is consistent with the authority we recently granted in D.08-04-059 and D.16-07-014 and therefore we adopt the requested 13-month schedule.

While NANPA proposed a plan for a voluntary PEP for customers in the 916 area code before implementing the 916 NPA relief authorized herein, the Commission believes that a funded PEP consistent with the PEPs authorized in D.08-04-059 is required. Accordingly, we require the industry to implement a

PEP that is consistent with the PEPs we authorized in D.08-04-059<sup>23</sup> and D.08-10-038, as modified in D.16-07-014.<sup>24</sup>

In previous decisions, we have utilized an industry task force to implement the PEP and manage the PEP fund. We do so here, and require this Task Force to include Commission staff and representatives from the service providers holding numbering resources in the 916 area code as of the effective date of this decision. We require the Task Force to develop a reasonable means of delineating the division of responsibility for the PEP activities so that adequate tracking and compliance can be assured. The Task Force will be responsible for developing the materials and content of the PEP, maximizing the use of prior PEP efforts, and conforming to the requirements of this order. As the content of the PEP will contain the same activities used in prior PEPs that have achieved the 70 percent customer awareness requirement, we will not require a statistically significant survey of customers to determine whether the 70 percent requirement has been met. PEP educational, outreach, and advertising materials should explain the type of area code change being implemented and the new dialing procedure, and explain that the cost and quality of telephone service will not adversely affected by the change. The materials should also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation for the overlay, and the reasons for the area code change.

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<sup>23</sup> See D.08-04-059 at 6-11, Ordering Paragraphs (OP) 2-22, and Attachment A.

<sup>24</sup> See D.08-10-038 at 4-5 and OP 5 and 6. See also D.16-07-014 (in A.15-11-017).

Telecommunications service providers must develop a detailed public education plan that is consistent with those adopted in D.08-04-059 and D.08-10-038, as modified in D.16-07-014. (*See* Attachment A to this decision.) The CD Director is authorized to oversee the finalization and implementation of the PEP and is authorized to take all actions necessary, including requiring sufficient industry contributions to the PEP fund, to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing and approving all educational materials, overseeing the customer awareness assessment process, and requiring any needed additional funding from the carriers.

#### **4. PEP Funding**

In D.08-04-059, we ordered a PEP to facilitate implementation of an overlay for the 818 area code. Specifically, we ordered the PEP to be implemented through the creation of an industry task force responsible for funding the PEP and managing the PEP fund.

Similar to the funding mechanism established in D.08-04-059 for the 818 area code PEP, we shall require PEP funds for tasks jointly assigned to all the service providers to come from those service providers holding thousand-blocks of telephone numbers in the 916 area code as of the effective date of this decision. The amount collected from each service provider shall be in proportion to the relative percentage of thousand-blocks that it holds as of the effective date of this decision. Any additional assessments or refunds shall be made on the same basis. Individual service provider costs for service provider-specific tasks shall be the responsibility of each service provider.

The Task Force shall arrange for adequate accounting of the PEP fund to ensure it is properly managed. The budget shall not include the labor costs of each service provider's representatives on the task force. The task force shall periodically report to the CD Director concerning the details of collections and disbursements.

## **5. Categorization and Need for Hearing**

In Resolution ALJ 176-3389, dated December 1, 2016, the Commission preliminarily categorized this application as ratesetting and preliminarily determined that hearings were not necessary. No protests were received. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations.

## **6. Waiver of Comment Period**

This is an uncontested matter in which the decision grants the relief requested by NANPA. Thus, pursuant to § 311(g)(2) and Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is deemed waived.

## **7. Assignment of Proceeding**

Liane M. Randolph is the assigned Commissioner and Adeniyi A. Ayoade is the assigned ALJ in this proceeding.

### **Findings of Fact**

1. NANPA, on behalf of the industry, filed A.16-11-007 requesting relief for the 916 NPA (area code).
2. Area code 916 was created in 1947 as one of the original three NPAs in the state. The 916 NPA today serves the greater Sacramento area including the state capital, and includes small portions of El Dorado, Solano, Sutter, and Yolo Counties and much of Placer and Sacramento Counties. The Cities of Lincoln,

Loomis, Rocklin, and Roseville in Placer County; Citrus Heights, Elk Grove, Folsom, Isleton, Rancho Cordova, and Sacramento in Sacramento County; and the City of West Sacramento in Yolo County are included in the 916 NPA.

3. As of August 2, 2016, there were 53 useable prefixes remaining in the 916 area code, and 916 NPA is projected to run out of prefixes in the first quarter of 2018.

4. The 916 NPA is in jeopardy of exhaustion and no conservation measures and/or member rationing will prevent exhaustion.

5. The FCC holds full responsibility over all numbering issues but has delegated area code relief responsibilities to the states. On behalf of the State of California, the Commission is responsible for proactively monitoring area code relief planning, and oversees the integrity and competitive neutrality of the industry relief planning process.

6. NANPA's primary responsibilities are to ensure numbering resources are available to the telecommunications industry in the United States and Canada. NANPA assigns those resources in the form of area codes and prefixes; tracks their use to ensure effective and efficient utilization; and, on a semi-annual basis, forecasts the life of each area code. When an area code runs out of prefixes available for assignment, this is identified as "exhaust."

7. When NANPA determines that an area code is near exhaustion, it initiates and coordinates the relief planning process for addressing the forecasted exhaustion of available prefixes. Such relief planning, which includes the introduction of a new area code in the area code facing a forecast exhaust, typically begins three years prior to the forecasted exhaust is due to occur.

8. After informing the Commission of the forecasted exhaust in an area code, NANPA convened a Relief Planning Meeting with the industry on October 22,

2015, in order to identify viable solutions to the forecast exhaust. For the Relief Planning Meeting, the industry was required to follow regulations established by the FCC and the Commission, and follow industry guidelines.

9. After feasible alternatives, such as overlay or split, were developed by the industry, the industry group reached consensus on the best plan to resolve the forecast exhaust in the 916 NPA in question at its October 22, 2015 Relief Planning Meeting.

10. In compliance with Pub. Util. Code § 7936, NANPA and the industry considered the September 18, 2015 NRUF report (as updated in April 2016) in forecasting when the 916 area code will reach exhaustion, and in determining a consensus alternative to resolve the forecasted exhaust of the 916 NPA.

11. In compliance with Pub. Util. Code § 7943(c), NANPA, the industry and Commission staff considered all reasonable telephone number conservation and rationing measures in the 916 area code, and found that none will be adequate to address the projected 916 NPA exhaustion in the first quarter of 2018.

12. In compliance with Pub. Util. Code § 7931(e)(2), Commission staff and NANPA conducted meetings for both representatives of local jurisdictions as well as the public in order to inform them of the area code change options and provide an opportunity to voice their opinions.

13. Commission staff provided information to enable customers to submit comments both in person at the meetings and in writing.

14. A total of 54 people attended the three public meetings, and 53 people either had no objections to, or explicitly supported an overlay.

15. After the Public Participation Meetings, NANPA held another meeting on October 28, 2016, to discuss the Public Participation Meetings and confirm its

consensus regarding the industry recommendation to implement an overlay in the 916 NPA.

16. An all-services overlay alternative is the industry recommended consensus solution to address the projected exhaustion of the 916 NPA.

17. The split alternative is the least preferred alternative because it would geographically divide the 916 area code into two area codes with a projected life of 55 years and 23 years, resulting in a difference of 32 years.

18. On November 17, 2016, NANPA, on behalf of the industry submitted A.16-11-007 to the Commission requesting authority to implement the industry's consensus solution of an overlay to relief the 916 NPA.

19. The all-services overlay would superimpose a new area code over the same geographic area covered by the existing area code. Existing customers would not have to change their area code or phone number.

20. One plus 10 (1+10) digit dialing is required in California, and requires a customer to dial the number one as well as all ten digits of the phone number, including the area code, prefix, and line number, when dialing to a different area code. The all-services overlay alternative requires 1+10 digit dialing for all calls within and between the 916 area code and the new area code.

21. Title 47 of the Code of Federal Regulations § 5219(c)(3)(ii) provides that no area code overlay may be implemented unless there exists, at the time of implementation, mandatory ten-digit dialing for every telephone call within and between all area codes in the geographic area covered by the overlay area code.

22. D.96-08-028 prohibits any NPA relief plan to propose an overlay as a relief option until or unless mandatory 1+10-digit dialing is in place at the time the overlay is implemented.

23. D.96-12-086 requires mandatory 1+10-digit dialing to be implemented as a condition of approving any overlay in the NPA regions covered by the overlay.

24. The all-services overlay alternative for resolving the forecasted exhaustion in the 916 area code has a projected life of 36 years.

25. Pursuant to Pub. Util. Code § 7936, before approving any new area code, the Commission shall direct NANPA to obtain utilization data for any area code for which a change is proposed.

26. The September 18, 2015 NRUF report, as updated in April 2016, projects that the 916 area code will be exhausted in the first quarter of 2018, requiring both the Commission and NANPA to act before exhaustion occurs. NANPA utilizes data in the NRUF to forecast when the 916 area code will reach exhaustion.

27. Pursuant to § 7943(a), where there is no reasonable alternative other than to create a new area code, the Commission must do so in a way that creates the least inconvenience for customers.

28. Pursuant to Pub. Util. Code § 7943(c), the Commission shall perform a telephone utilization study and implement all reasonable telephone number conservation measures.

29. Due to the significant changes that will occur in the consumers' dialing protocols following the implementation of the all-services overlay authorized by this decision, a PEP consistent with the PEPs authorized in D.08-04-059 and D.08-10-038, as modified in D.16-07-014, is required.

30. In previous decisions, we have utilized an industry task force to implement the PEP and manage the PEP fund.

31. A PEP is included herein as Attachment A. The PEP is based on PEPs used for previous overlay area code changes.

32. No protests have been received.

### **Conclusions of Law**

1. The all-services overlay option will cause the least inconvenience for consumers and is the option preferred by the industry and the majority of responding customers and local and state government in the 916 area code.

2. In compliance with Pub. Util. Code § 7943(a), the Commission should adopt the overlay option to resolve the forecasted exhaust for the 916 area code.

3. A PEP that is consistent with the one adopted in D.08-04-059 and D.08-10-038, as modified in D.16-07-014 (Attachment A to this decision) should be adopted.

4. The CD Director should be authorized to oversee the finalization and implementation of the PEP and should require all actions necessary to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing and approving all educational materials, overseeing the customer awareness assessment process, and requiring any needed additional funding from the carriers.

5. An industry task force should be utilized to implement the PEP and manage the PEP fund.

6. The Task Force should include Commission staff and representatives from the service providers holding numbering resources in the 916 area codes as of the effective date of this decision.

7. The Task Force should develop a reasonable means of delineating the division of responsibility for the PEP activities so that adequate tracking and compliance can be assured.

8. The Task Force should be responsible for developing the materials and content of the PEP, maximizing the use of prior PEP efforts, and conforming to the requirements of this order.

9. As the content of the PEP will contain the same activities used in prior PEPs that have achieved the 70 percent customer awareness requirement, we will not require a statistically significant survey of customers to determine whether the 70 percent requirement has been met.

10. PEP educational, outreach, and advertising materials should explain the type or area code change being implemented and the new dialing procedure, and explain that the cost and quality of telephone service will not be adversely affected by the change. The materials should also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation for the overlay, and the reasons for the area code change.

11. PEP funds for tasks jointly assigned to all the service providers should come from those service providers holding thousand-blocks of telephone numbers in the 916 area code as of the effective date of this decision. The amount collected from each service provider should be in proportion to the relative percentage of thousand-blocks that it holds as of the effective date of this decision. Any additional assessments or refunds should be made on the same basis.

12. Individual service provider costs for service provider-specific tasks should be the responsibility of each service provider.

13. The Task Force should arrange for adequate accounting of the PEP fund to ensure it is properly managed. The CD Director should be authorized to review the Task Force accounting for PEP funds.

14. The PEP budget should not include the labor costs of each service provider's representatives on the Task Force.
15. The Task Force should periodically report to the CD Director concerning the details of collections and disbursements.
16. The schedule requested by NANPA to be implemented will provide enough time for full implementation of the overlay to occur prior to the exhaust, which is forecasted to occur in the 916 area code.
17. The implementation of the all-services overlay alternative for the relief of the 916 NAP should commence immediately.
18. A public hearing is not necessary.
19. This proceeding should be closed.

## **O R D E R**

### **IT IS ORDERED** that:

1. The proposed all-services overlay in the 916 area code is adopted.
2. A public education program included herein as Attachment A is adopted for the all-services overlay for the 916 area code.
3. The Director of the Communications Division is authorized to oversee the finalization and implementation of the Public Education Program and is authorized to take all actions necessary to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing and approving all educational materials, overseeing the customer awareness assessment process, and requiring any needed additional funding from the carriers.

4. The industry shall fund the Public Education Program to achieve at least 70 percent customer awareness and understanding across all major customer groups of the change in dialing patterns and area code identification resulting from the overlay, how they will be affected by the change and the rationale behind the change.

5. A Task Force shall be utilized to implement the Public Education Program (PEP) and manage the PEP fund.

6. The Task Force shall include Commission staff and representatives from the service providers holding numbering resources in the 916 area code as of the effective date of this decision.

7. The Task Force shall develop a reasonable means of delineating the division of responsibility for the Public Education Program activities so that adequate tracking and compliance can be assured.

8. The Task Force shall be responsible for developing the materials and content of the Public Education Program, maximizing the use of prior Public Education Program efforts, and conforming to the requirements of this order.

9. The Communications Division Director shall require sufficient industry contributions to the Public Education Program budget fund to ensure they are sufficient to achieve the 70 percent customer awareness requirement.

10. The Communications Division Director shall monitor the activities of the Task Force to ensure that sufficient actions have occurred to achieve the 70 percent customer awareness requirement, and if the 70 percent customer awareness requirement is not met, shall direct the Task Force to continue the Public Education Program to achieve the requirement.

11. Public Education Program educational, outreach, and advertising materials shall explain the type of area code change being implemented and the new

dialing procedure, identify the area covered by the overlay, and explain that cost and quality of telephone service will not be adversely affected by the change.

The materials shall also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation for the overlay and the reasons for the area code change.

12. Public Education Program funds for tasks jointly assigned to all the service providers shall come from those service providers holding thousand blocks of telephone numbers in the 916 area code as of the effective date of this decision. The amount collected from each service provider shall be in proportion to the relative percentage of thousand-blocks that it holds as of the effective date of this decision. Any additional assessments or refunds shall be made on the same basis.

13. Individual service provider costs for service provider specific tasks shall be the responsibility of each service provider.

14. The Task Force shall arrange for adequate accounting of the Public Education Program fund to ensure it is properly managed. The Communications Division Director is authorized to review the Task Force accounting of Public Education Program funds, including the collection and disbursement of those funds.

15. The Public Education Program budget shall not include the labor costs of each service provider's representatives on the Task Force.

16. The Task Force shall periodically report to the Communications Division Director concerning the details of Public Education Program fund collections and disbursements.

17. The implementation of the all-services overlay alternative for the relief of the 916 NAP shall commence immediately following the effective date of this decision.

18. Application 16-11-007 is closed.

This order is effective today.

Dated February 9, 2017, at San Francisco, California.

MICHAEL PICKER

President

CARLA J. PETERMAN

LIANE M. RANDOLPH

MARTHA GUZMAN ACEVES

CLIFFORD RECHTSCHAFFEN

Commissioners

## **ATTACHMENT A**

### **Public Education Plan for 916 NPA Relief**

| Activity | Description                                                                                                                                                                                                                                                                                                                                                                                      | Audience                                                                                                                                                                                             | Shared or Individual Service Provider Effort | Start Date                     | Completed Date         |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|--------------------------------|------------------------|
| 1        | Effective date of decision approving 916 area code overlay                                                                                                                                                                                                                                                                                                                                       | NA                                                                                                                                                                                                   | NA                                           |                                | Date of Decision (DOD) |
| 2        | NANPA 916 implementation meeting                                                                                                                                                                                                                                                                                                                                                                 | CPUC Staff and Industry                                                                                                                                                                              | Shared                                       |                                | 2 weeks after DOD      |
| 3        | Email to industry asking for participation on task force & subcommittees                                                                                                                                                                                                                                                                                                                         | Industry                                                                                                                                                                                             | Shared                                       |                                | 2 weeks after DOD      |
| 4        | Overlay information distributed internally as job aid for customer service representatives to answer customer questions. Representatives should not need to refer questions to the CPUC.                                                                                                                                                                                                         | Customer service representatives                                                                                                                                                                     | Individual                                   |                                | 1 month after DOD      |
| 5        | 916 overlay update to industry websites                                                                                                                                                                                                                                                                                                                                                          | All customers                                                                                                                                                                                        | Individual                                   |                                | 3 months after DOD     |
| 6        | News release describing 916 area code relief plan for distribution within the 916 area code including chambers of commerce and local governments                                                                                                                                                                                                                                                 | All customers                                                                                                                                                                                        | Shared                                       |                                | 4 months after DOD     |
| 7        | Notify California Relay Services to send messages alerting customers to 1 + 10 digit dialing requirement in 916/new NPA                                                                                                                                                                                                                                                                          | Hearing impaired customers                                                                                                                                                                           | Shared                                       |                                | 5 months after DOD     |
| 8        | Customer Notification No. 1: Announce the new area code plan. Include information about 1 + 10-digit dialing and indicate affected areas                                                                                                                                                                                                                                                         | All customers                                                                                                                                                                                        | Individual                                   |                                | 3 months after DOD     |
| 9        | Provide letters with the information in Customer Notification No. 1, as well as PEP Task Force contact information and an offer to provide industry speakers, to senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government agencies, airports, alarm service providers and public safety organizations through the 916 area code. | Senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government agencies, airports, alarm service providers and public safety organizations | Shared                                       |                                | 3 months after DOD     |
|          |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                      |                                              |                                |                        |
| 10       | <b>Begin Permissive Dialing</b>                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                      |                                              | 6 months after DOD on Saturday |                        |
| 11       | Published Directories: Add information on cover to alert customers in 916 area code                                                                                                                                                                                                                                                                                                              | All customers                                                                                                                                                                                        | Individual                                   |                                | 6 months after DOD     |
| 12       | Offer industry appearances on local radio and TV talk shows                                                                                                                                                                                                                                                                                                                                      | All customers                                                                                                                                                                                        | Shared                                       | 3 1/2 months after DOD         | 6 months after DOD     |
| 13       | Correct payphone signage to include updated dialing instructions                                                                                                                                                                                                                                                                                                                                 | All customers                                                                                                                                                                                        | Individual                                   |                                | 9 months after DOD     |
| 14       | News releases to media serving 916 area code and adjacent area codes and statewide regarding start of mandatory dialing                                                                                                                                                                                                                                                                          | Statewide                                                                                                                                                                                            | Shared                                       |                                | 11 months after DOD    |

|    |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                      |            |                                                             |                     |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------------------------------------------------------|---------------------|
| 15 | Disseminate information in relevant zoned editions of major newspapers, ethnic media, radio and television through paid advertising. (Note: The bulk of the information should be disseminated in the three weeks preceding the beginning of mandatory 1+10 digit dialing.)                                                                                                                      | All customers                                                                                                                                                                                        | Shared     | 6 months after DOD                                          | 12 months after DOD |
| 16 | Offer industry appearances on local radio or TV talk shows                                                                                                                                                                                                                                                                                                                                       | All customers                                                                                                                                                                                        | Shared     | 10 months after DOD                                         | 12 months after DOD |
| 17 | Customer Notification #2. Announce the new area code plan. Include information about mandatory 1 + 10 digit dialing and indicate affected areas.                                                                                                                                                                                                                                                 | All customers                                                                                                                                                                                        | Individual |                                                             | 11 months after DOD |
| 18 | Provide letters with the information in Customer Notification No. 2, as well as PEP Task Force contact information and an offer to provide industry speakers, to senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government agencies, airports, alarm service providers and public safety organizations through the 916 area code. | Senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government agencies, airports, alarm service providers and public safety organizations | Shared     |                                                             | 9 months after DOD  |
| 19 | Complete implementation of recorded message announcing mandatory dialing                                                                                                                                                                                                                                                                                                                         | All customers                                                                                                                                                                                        | Individual |                                                             | 9 months after DOD  |
|    |                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                      |            |                                                             |                     |
| 20 | <b>Begin Mandatory Dialing</b>                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                      |            | 1 month before 916 overlay effective date                   |                     |
| 21 | <b>New NPA/Area Code assigned and implementation completed</b>                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                      |            | <b>13 months after DOD, 1 month after mandatory dialing</b> |                     |

(END OF ATTACHMENT A)