

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: MAY 6, 1999

TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYÓ)

FROM: DIVISION OF COMMUNICATIONS (ILERI, ^{MCB}BARRETT)
DIVISION OF LEGAL SERVICES (WATTS, COX) ^{WPC} ^{CB}

RE: DOCKET NO. ~~990184-TL~~ - REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR THE 941 AREA CODE

DOCKET NO. 990184-TL - INVESTIGATION INTO BOUNDARY ISSUES
IN SOUTH SARASOTA AND NORTH CHARLOTTE COUNTIES (ENGLEWOOD
AREA)

DOCKET NO. 981941-TL - INVESTIGATION INTO TELEPHONE
EXCHANGE BOUNDARY ISSUES IN SOUTH POLK COUNTY (FORT MEADE
AREA)

AGENDA: MAY 18, 1999 - REGULAR AGENDA - POST HEARING DECISION -
PARTICIPATION IS LIMITED TO COMMISSIONERS AND STAFF

CRITICAL DATES: EXHAUST DATE (SEPTEMBER, 1999)

SPECIAL INSTRUCTIONS: NONE

FILE NAME AND LOCATION: S:\PSC\CMU\WP\990223.RCM

CASE BACKGROUND

Pursuant to the Number Plan Area (NPA) Code Relief Planning and Notification Guidelines (INC 97-0404-016), Mr. Stan Washer, Senior NPA Relief Planner for the Eastern Region of the North American Numbering Plan (NANP), notified the code holders and other industry members on June 16, 1998, that the 941 area code was approaching exhaustion. The NANP Administrator hosted an industry meeting in Tampa, Florida, on July 8, 1998 to discuss alternative relief plans. NANP Administration (NANPA), at that time, had only two plans. The industry reached a consensus to recommend Alternative Relief Plan #1, a geographic split, as the method of

DOCUMENT NUMBER-DATE

05763 MAY-6 99

FPSC-RECORDS/REPORTING

DOCKET NOS. 990223-TP, 990184-TL, 981941-TL
DATE: MAY 6, 1999

relief for the 941 area code. On August 14, 1998, Mr. Washer notified the Commission of the industry's consensus.

Historically, the Commission did not formally review area code relief plans unless a specific dispute over what plan should be implemented arose within the industry. The Commission deferred to the industry consensus. In this case and several recent ones, however, the Commission received many objections to the proposed plan from members of the public, asking that the Commission review the proposed relief plans. As a result of reviewing the 941 situation, staff became aware of certain boundary issues associated with the proposed relief plan. Citizens and public officials alike in the Ft. Meade area of Polk County and the Englewood community in Sarasota County voiced concerns about the impact of the proposed plan on their respective communities. Consequently, dockets were established to investigate these boundary issues; Docket Nos. 981941-TL for the Ft. Meade/Polk County region and 990184-TL for the Englewood/Sarasota County region.

The Commission scheduled workshops and public hearings in each matter. The notice of public hearings and the industry's consensus plan were printed in the news media, attracting a great deal of attention and public interest in this matter. Counting both before and after the public hearings, approximately six hundred (600) customer responses were received by mail, phone, fax, and e-mail. The majority of the customers were from Polk, Lee, Sarasota, and Charlotte Counties and strongly opposed the industry's consensus split plan. Resultant from the workshops, staff expanded the list of alternatives to five, three which included various split and overlay configurations. Because the overlay would require 10-digit¹ dialing for all local calls, Commission staff believed that it was in the public interest to review not only the industry consensus plan, but also the other alternatives. Furthermore, on February 26, 1999, a formal complaint pertaining to the 941 relief plan was filed by Wireless One (d/b/a Cellular One), which necessitated the initiation of a third docket, Docket No. 990223-TL, Request for review of proposed numbering plan relief for the 941 area code. Due to the rapidly approaching exhaust of the current NPA, Docket No. 990223-TL was put on an expedited schedule. In Order No. PSC-99-0633-PHO-TL, issued April 5, 1999, all three (3) of the dockets were consolidated. This action negated the hearings and scheduled events associated with the earlier dockets, 981941-TL and 990184-TL (Ft. Meade and Englewood, respectively). Customer hearings and a full evidentiary technical hearing for the newly consolidated docket (Docket No. 990223-TL) were scheduled and

¹Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, FCC 96-333, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392 (1996)

DATE: MAY 6, 1999

conducted on April 8, 1999² in Sarasota and in Ft. Myers on April 9, 1999. Based on the testimony from these public hearings, staff has suggested 10 more alternatives, for a total of 15. All alternatives are described in staff's analysis in Issue 1 following.

This recommendation will address which relief plan the Commission should implement, and what specific dialing patterns should apply in order to make calls within the affected area codes.

RULINGS

At the beginning of the technical hearing in this proceeding, the presiding officer, the Commission Chairman, issued the following rulings:

1. The Commission Chairman granted Wireless One's petition to have Mr. Francis J. Heaton designated as its qualified representative for this proceeding under Rule 28-106.106, Florida Administrative Code.
2. The Commission Chairman granted Lockheed Martin and NANPA's petition to have Ms. Kim Wheeler designated as their qualified representative for this proceeding under Rule 28-106.106, Florida Administrative Code.
3. The Commission Chairman granted Sprint-Florida's request that the April 7, 1999, letter from Mr. Dwyer of Wireless One to the Chairman not be admitted into the record.
4. The Commission Chairman approved the stipulation of the parties to consolidate Docket No. 981941-TL with consolidated Docket Nos. 990184-TL and 990223-TL for purposes of the hearing.
5. The Commission Chairman granted BellSouth Mobility's motion to substitute witness William Brown for the purpose of adopting the prefiled direct and rebuttal testimony of Ronald Burleson.
6. The Commission Chairman acknowledged that Sarasota County withdrew its witness James Ewing for purposes of the hearing.

²In this recommendation, citations to the hearing transcripts will be identified with the hearing date followed by the transcript page.

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission approve the industry's consensus geographic split plan for 941 area code relief, and if not, what relief plan should the Commission approve?

RECOMMENDATION: No, the Commission should not approve the industry's plan. Staff recommends that the Commission should implement Alternative #7, a geographic split in which (1) Manatee, Sarasota, Charlotte, Hardee, and DeSoto Counties including the Boca Grande exchange, but excluding the North Fort Myers exchange, are placed in a new area code, and (2) the remaining counties are kept in the 941 area code. The Commission should also order parties in this docket to send a letter to alarm companies and representatives of the counties, and place notices in the customers' bills of the need to reprogram any equipment which is area code sensitive. (ILERI, BARRETT)

POSITIONS OF THE PARTIES:

NANPA:

NANPA's role, in accordance with industry guidelines, is to assist the Florida telecommunications industry in reaching consensus to recommend a single relief plan for the 941 NPA to the Florida PSC. As a neutral third party administrator, NANPA has no independent view regarding the selected NPA relief plan.

SPRINT:

Sprint now believes that the geographic split submitted by the NANPA may not be the best plan based on customer input. As proposed, the split excluded the Ft. Meade exchange from the NPA associated with the rest of Polk County. After hearing from the customers, Sprint agreed that those customers should be included in the NPA associated with the GTEFL exchanges in Polk County³. The proposed split would also have divided the Englewood/Cape Haze community into two area codes. This aspect created significant concern in that community as well as between County and business leaders. Instead, under certain

³The portions of the Bowling Green and Avon Park exchanges lying in Polk County should not be included with the NPA associated with Polk County unless Highlands and Hardee Counties are also included with Polk County. The majority of the customers in these exchanges do not reside in Polk County.

conditions, Sprint can support an overlay, the modified⁴ two-way split in Alternative 3 or a reasonably balanced three-way split.

GTE:

The Commission should approve the plan that will be in the best interests of the majority of affected subscribers. Based on this standard, GTEFL believes the most suitable option is Alternative 3.

CHARLOTTE:

No. The proposed split will be extremely detrimental to the citizens, businesses, and government of Charlotte County, especially the Englewood community. The Commission should split the 941 NPA into three balanced NPAs, allowing longer exhaust periods. Charlotte, Sarasota, and Manatee Counties should remain together, without the use of an overlay.

SARASOTA:

No. Alternative 1 does not address the unique characteristics of the tri-county area comprised of Sarasota County, Manatee County and Charlotte County with regard to demographics and community of interests. In fact, it splits the Englewood community which has invested a significant amount of money and time to remain as a single community although divided by the Sarasota-Charlotte county line. The most appropriate relief plan is a 3-way split of the 941 service area with Sarasota, Manatee and Charlotte counties in one section, Polk, Hardee, DeSoto, Highlands and Okeechobee in another, and Glades, Hendry, Lee, Collier and Monroe in a third section (Alternative #11, TR. 523). This 3-way split would recognize the community of interests between the various counties, avoid a confusing overlay for the predominately senior population in the Sarasota/Manatee/

⁴The modification that Sprint supports would include with Sarasota County the entire exchanges of Cape Haze, Punta Gorda (including the DeSoto County portion), Port Charlotte (DeSoto and Lee portions) and the Boca Grande Exchange (including the Lee County portions). The North Fort Myers exchange (including the Charlotte County portion) would remain associated with whatever NPA was assigned to Lee County.

Charlotte area, and provide longer exhaust periods which are nearly uniform in length.

MANATEE: Manatee County supports a plan that would allow it to retain its 941 area code in a service area consisting of Manatee, Sarasota and Charlotte Counties.

CELLULAR-ONE:

The Commission should not approve the initially proposed geographic split for the 941 area code, nor any other split. Wireless One (Cellular One) recommends the Commission approval of a fully distributed area code overlay. No geographic area is more deserving of retaining the existing code than another; no number changes are warranted.

BELLSOUTH MOBILITY:

The Commission should immediately adopt an all-services overlay relief plan. Compared to other relief alternatives involving geographic splits, an overlay provides the most expeditious and least costly numbering relief plan available.

STAFF ANALYSIS: Commissions across the country have struggled over the past few years with the issue of whether a geographic split or some form of area code overlay is the more appropriate method of providing relief from the exhaustion of telephone numbers within an area code. This proceeding is the second most complex to date in Florida given the number of alternatives being considered.

Before the public hearings took place, there were five alternatives. The majority of the customers indicated that they would prefer a split which would keep Manatee, Sarasota, and Charlotte Counties together. During the public hearings, various alternatives were discussed and analyzed. (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334, and 4/9/99 TR 431) Due to different testimonies at the hearings, staff added 10 more alternatives in an attempt to determine the best alternative to meet the needs of customers in the 941 area code (4/8/99 TR 257).

The NANPA and the industry utilize the NPA Code Relief Planning and Notification Guidelines to identify relief alternatives for area codes nearing exhaustion. On January 27,

1999, the Industry Numbering Committee (INC) reissued the NPA Code Relief Planning and Notification Guidelines (INC97-0404-016). (EXH. 3) The INC currently identifies the following relief alternatives:

NPA Split Method

By this method, the exhausting NPA is split into two geographic areas leaving the existing NPA code to serve, for example, an area with the greatest number of customers (in order to minimize number changes) and assigning a new NPA code to the remaining area. This method divides areas by jurisdictional, natural or physical boundaries (counties, cities, river, etc.) between the old and new NPAs.

This method has been the alternative chosen for practically all NPA relief situations prior to 1995. NPA splits have occurred with enough frequency so that technical aspects have been addressed and established implementation procedures are generally understood. Public education and acceptance of the process has been made easier because of the numerous NPA splits that have occurred. This method generally provides long term relief for an area.

Boundary Realignment Method

In an NPA boundary realignment, the NPA requiring relief is adjacent to an NPA, within the same state, that has spare NXX code capacity. A boundary shift occurs so that spare codes in the adjacent NPA can be used in the NPA requiring relief. As a result, the geographic area of the exhausting NPA shrinks and the geographic area of the NPA with spare capacity expands. Only the customers in the geographic area between the old and new boundaries are directly affected by this change. This method applies to multi-NPA states only. It could provide for a better balance of central office (NXX) code utilization in the affected NPAs. This method is viewed as an interim measure because it tends to provide shorter term relief as compared to implementing a new NPA code.

Overlay Method

An NPA overlay occurs when more than one NPA code serves the same geographic area. In an NPA overlay, code relief is provided by opening up a new NPA code within the same geographic area as the NPA(s) requiring relief. Numbers from this new NPA are assigned to new growth on a carrier-neutral basis, i.e., first come, first served. Since the overlay relief method could result in unequal dialing for those customers served out of the overlay NPA, the FCC⁵

⁵Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, FCC Order No. 96-333, Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19392

requires 10-digit dialing for all of the affected customers' local calls within and between the old and new NPAs in order to ensure that competitors, including small entities, do not suffer competitive disadvantages. In addition to requiring 10-digit dialing for all local calls, the FCC requires that every carrier authorized to provide telephone service in the affected area code have the ability to be assigned at least one NXX in the existing area code during the 90-day period preceding the introduction of the overlay.

The overlay method reduces or eliminates the need for customer number changes like those required under the split and realignment methods. It also provides the option of eliminating the permissive dialing period as part of implementation. However, this method will necessitate 10-digit dialing of local calls between the old and new NPAs as central office (NXX) codes are implemented in the new NPA. Four potential implementation strategies have been identified for an NPA overlay. They are:

a) **Distributed Overlay** - The distributed overlay strategy may be considered in situations when growth in telephone numbers is expected to be more or less evenly distributed throughout the existing NPA requiring relief. The new NPA is added to the NPA requiring relief and shares exactly the same geographic boundaries. When growth telephone numbers are required, they are assigned from the new NPA.

b) **Concentrated Growth Overlay** - A concentrated growth overlay may be considered in situations when the majority of the new telephone numbers are expected to be concentrated in one section of the existing NPA. For example, a fast growing metropolitan area and a sparsely populated rural area could exist within the same NPA. The overlay NPA would be assigned initially to the section of the NPA experiencing the fastest growth, and new phone numbers in that section would be assigned from the new NPA. As more relief is required, the geographic area served by multiple NPAs could expand.

c) **Boundary Extension Overlay** - With a boundary extension overlay, the NPA requiring relief is adjacent to an NPA with spare capacity. The boundary between these two NPAs is eliminated, and spare NXX codes from the adjacent NPA are assigned within the original NPA boundary where relief is required. An appropriate use of boundary extension might be in a state consisting of two NPAs, where one NPA has spare capacity. This solution has the advantage of not requiring a new NPA code, but it also has the same limitation as a boundary realignment in that it provides less long term relief.

d) **Multiple Overlay** - The multiple overlay strategy may be considered where relief is required in two or more NPAs. For example, this solution may be appropriate in a metropolitan area where two or more NPAs cover a small geographic area and where it would be difficult to implement another kind of relief, i.e., a split or a distributed overlay. The new NPA would be assigned to overlay the multiple existing NPAs serving the entire metropolitan area. As another example, a new NPA could be assigned for new growth within an entire state where more than one NPA exists.

Other

A combination of the methods described above may be used. For example, a concentrated growth overlay could be assigned initially to a section of an NPA experiencing fast growth, and as more relief is required, the section served by two NPAs could expand into a distributed or multiple overlay as demand requires. Other combinations of relief methods may be appropriate. Each NPA requiring relief must be analyzed on the basis of its own unique characteristics with regard to demographics, geography, regulatory climate, technological considerations and community needs and requirements.

Background Information:

As many witnesses explained in their testimonies, each type of relief plan (geographic split or overlay) has inherent advantages and disadvantages. Listed below are some of the advantages and disadvantages that were identified for each type of plan. (4/8/99 TR 17 and EXH. 1)

Advantages of Overlay Plan

1. Customers in the overlay area can retain their telephone numbers.
2. Customers are not required to change advertisements containing 941 area code telephone numbers.
3. Cellular carriers are not required to reprogram their customers' cellular telephones.
4. Costs to customers and carriers are minimized.
5. This method is the best and simplest migration path to future NPA relief by assuring the elimination of number changes and confusion.
6. This method is easy to implement from the telecommunications network perspective.

Disadvantages of Overlay Plan

1. 10-digit dialing is required for all local calls within the overlay area.
2. Directories and Directory Assistance will be required to provide 10-digit numbers.
3. All advertisements that contain 7-digit telephone numbers must be changed to 10-digit numbers.
4. Alarm monitoring companies will be required to reprogram their equipment to comply with the 10-digit dialing requirement.

Advantages of Geographic Split

1. 7-digit dialing would remain for intra-NPA local calls. (This may or may not include ECS calls depending on whether there is IXC competition)

Disadvantages of Geographic Split

1. Customers served by the new area code must change the area code portion of their telephone numbers.
2. Customers served by the new area code must change advertisements which included the 3-digit area code.
3. InterNPA EAS/ECS routes will require 10-digit dialing.
4. There is a short permissive dialing period.

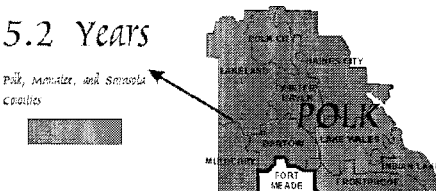
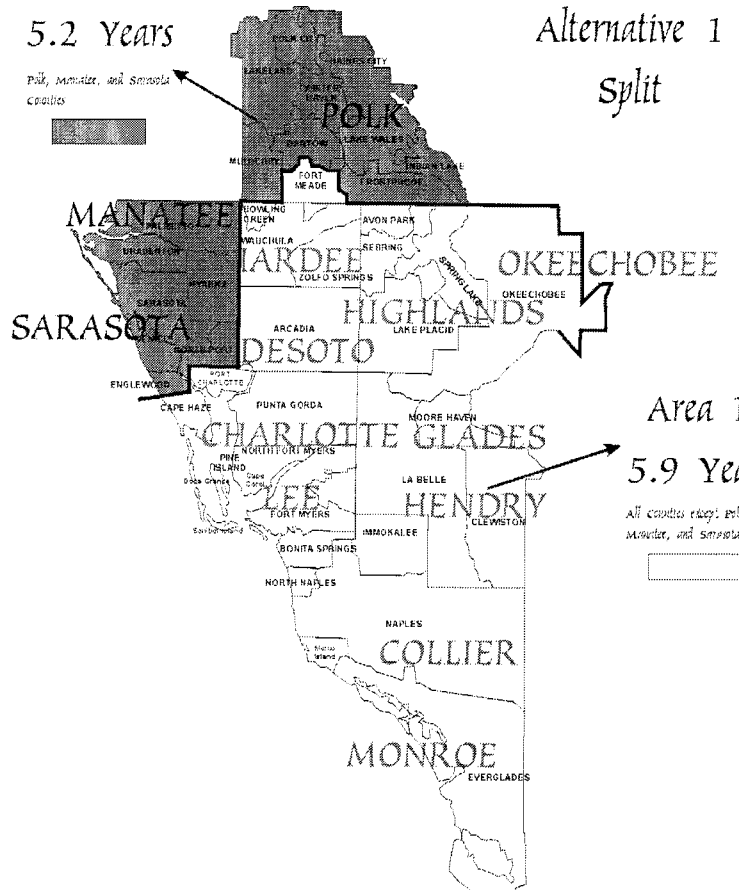
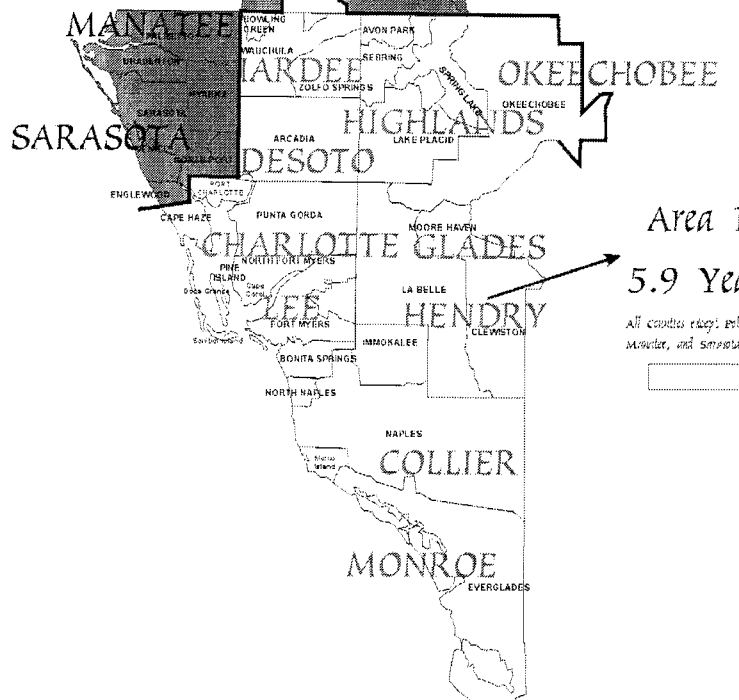
Witness Kenworthy indicated that the first consideration is to determine if there is a way to split the area code based on the geographic area, the number of rate centers (exchanges), county boundary lines, or Local Access and Transport Area (LATA) boundary lines, and then create two areas with approximately equal life spans. (4/8/99 TR 19)

During this proceeding, fifteen area code relief options were considered. Each alternative plan is explained with a brief description, a schematic view, and the exhaust years based on Assumption #1 as presented by NANPA⁶.

⁶Assumption #1 is that the area code growth will continue at approximately the same rate as current demand for central office codes. (EXH. 3)

Discussion of Alternatives:

Alternative #1:

No	Description
1	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Area A 5.2 Years</p> <p>Polk, Manatee, and Sarasota counties</p>  </div> <div style="width: 35%; text-align: center;"> <p>941 Area Code Alternative 1 Split</p>  </div> <div style="width: 30%;"> <p>Area B 5.9 Years</p> <p>All counties except Polk, Manatee, and Sarasota counties</p>  </div> </div>

This alternative proposes a single geographic split in the 941 area code. This is the industry's consensus plan. Many witnesses from Polk (4/8/99 TR 57 and EXH. 8), Manatee, Sarasota, and Charlotte Counties (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334) have opposed the idea of a geographic split that would divide the Englewood and Fort Meade communities, from their respective counties. Public testimony strongly indicates that this split would divide communities of interest. In addition, due to the EAS/ECS routes, many customers would be required to dial 10 digits, which was opposed by many customers.

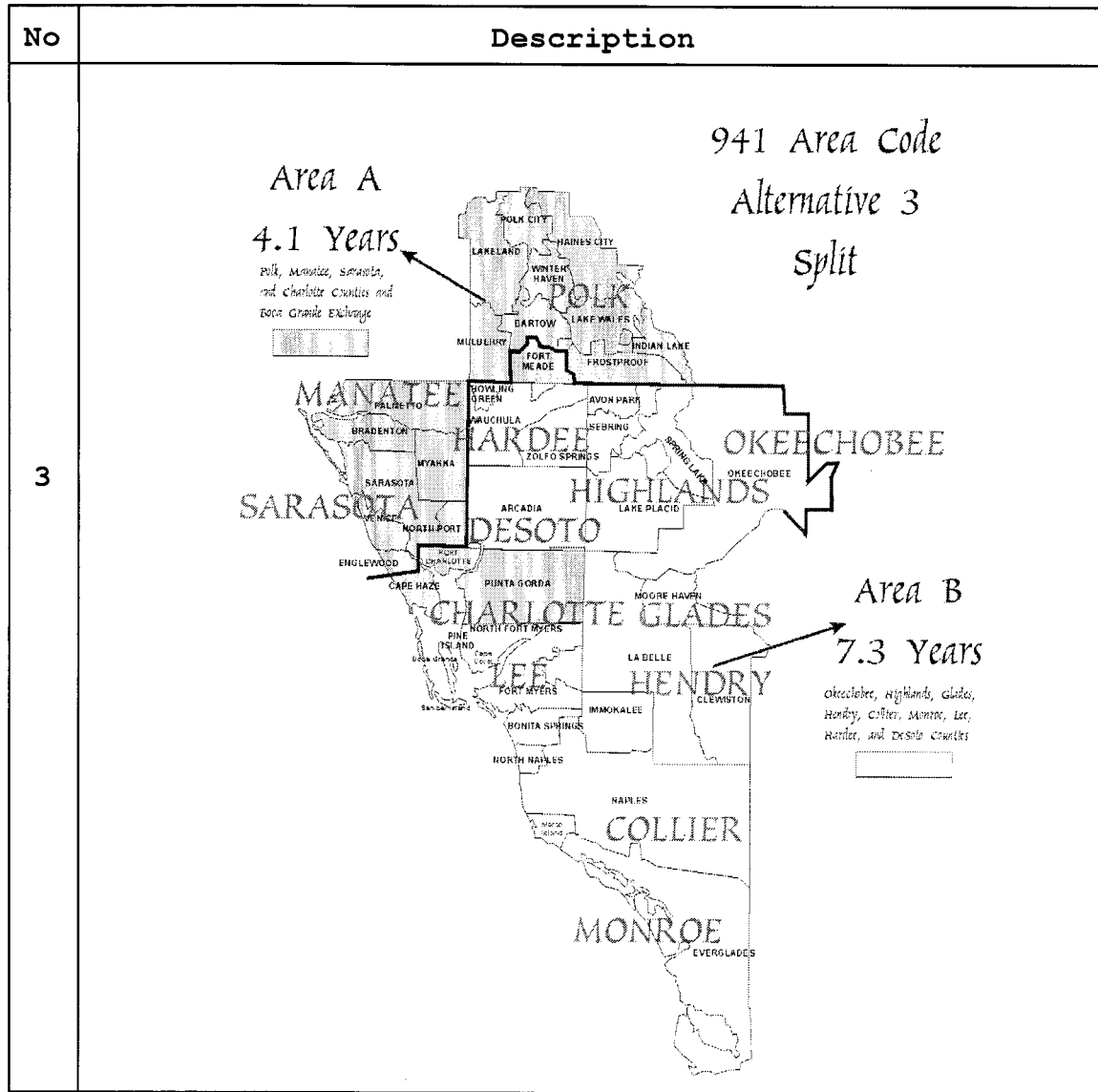
(4/8/99 TR 22, 31, 36, 38, 41, 45, 48, 52, 54, 59, 60, 65, 69, 86, 89, 93, 174, 291, 300, 313, 324, and 334)

Alternative #2:

No	Description
2	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Area A</p> <p>4.6 Years</p> <p><i>Polk, Manatee, and Sarasota counties, and Cape Haze, Fort Meade, and Port Charlotte exchanges</i></p> </div> <div style="width: 35%; text-align: center;"> <p>941 Area Code Alternative 2 Split</p> </div> <div style="width: 30%;"> <p>Area B</p> <p>6.7 Years</p> <p><i>All Counties except Polk, Manatee, and Sarasota counties, and Cape Haze, Fort Meade, and Port Charlotte exchanges</i></p> </div> </div>

This alternative proposes the same geographic split plan as in Alternative #1, but includes the Fort Meade, Cape Haze, and Port Charlotte exchanges. However, the community of interest between the Englewood community and remaining portions of Charlotte County would be divided as a result of this split. Many customers wanted to include all of Charlotte County due to community of interest, as well as essential services such as water and fire management. In addition, due to the EAS/ECS routes, many customers would be required to dial 10-digits, which was opposed by many customers. (4/8/99 TR 22, 31, 36, 38, 41, 45, 48, 52, 54, 59, 60, 65, 69, 86, 89, 93, 174, 291, 300, 313, 324, and 334)

Alternative #3:



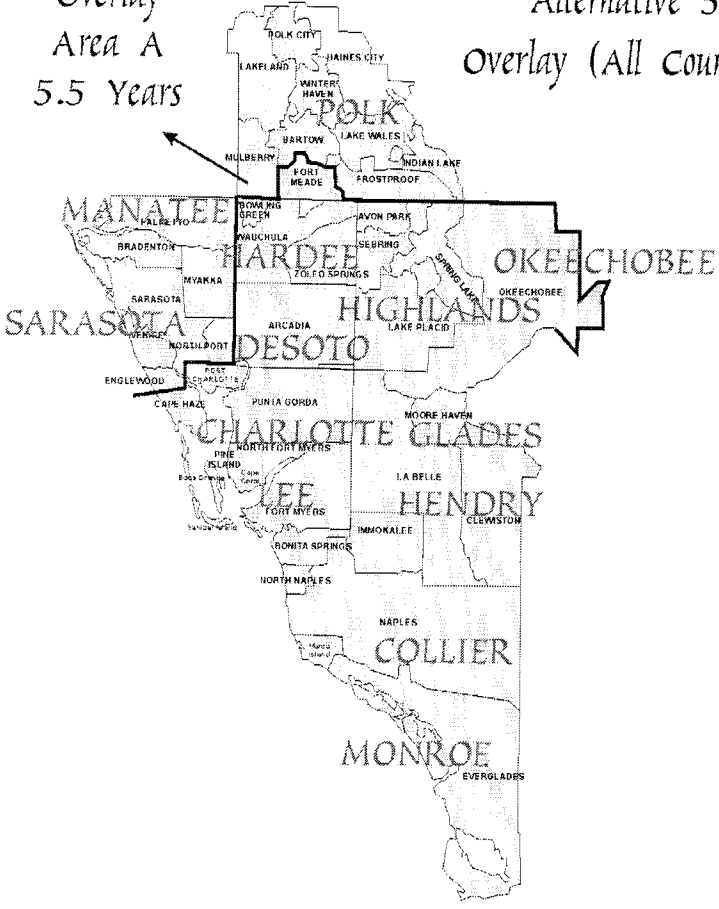
This alternative proposes a geographic split similar to Alternative #2, but includes Charlotte County. In this case, however, the life expectancy for Area A goes down to 4.1 years, which would necessitate another area code relief for this area. Customers from Manatee, Sarasota and Charlotte Counties indicated that they did not want to be included in the same area code with Polk County because there was no community of interest. (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334)

Alternative #4:

No	Description
4	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Overlay Area A & B 12 Years</p> <p>Polk, Manatee, Sarasota, and Charlotte Counties and Both Granite Exchange</p> </div> <div style="width: 45%;"> <p>941 Area Code Alternative 4 Split and Overlay</p> </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>Area C 7.2 Years</p> <p>Okeechobee, Highlands, Glades, Hendry, Collier, Monroe, Hardee, Desoto, and Lee Counties</p> </div> </div>

This alternative proposes the implementation of two area codes simultaneously. This is a modification of Alternative #3, which was a pure split plan. Alternative #4 divides the region in a similar fashion, but employs the use of an overlay and a split. One area code would be used as an overlay to the existing area code in Area A&B, and Area C would be assigned a new area code. As in Alternative #3, this relief plan was not favored due to the inclusion of Polk County and the 10-digit dialing requirement in the overlay area. (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334)

Alternative #5:

No	Description
5	<p style="text-align: right;">941 Area Code Alternative 5 Overlay (All Counties)</p> <p>Overlay Area A 5.5 Years</p> 

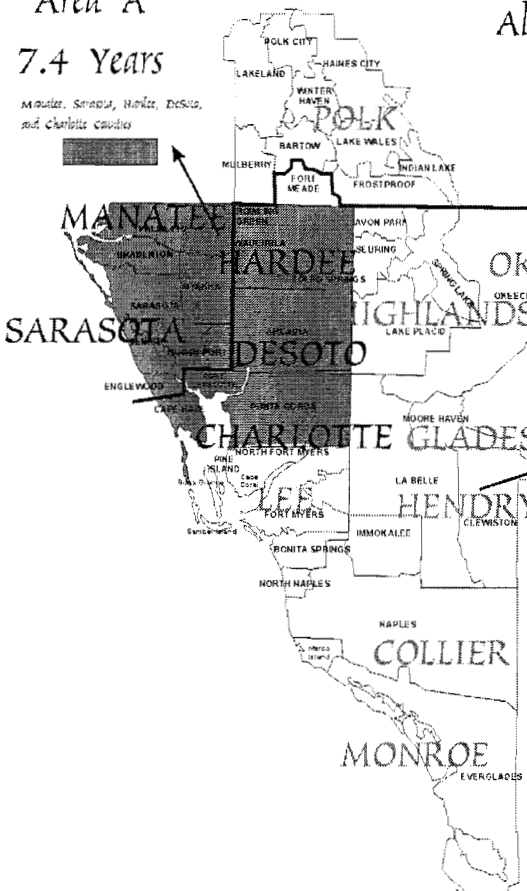
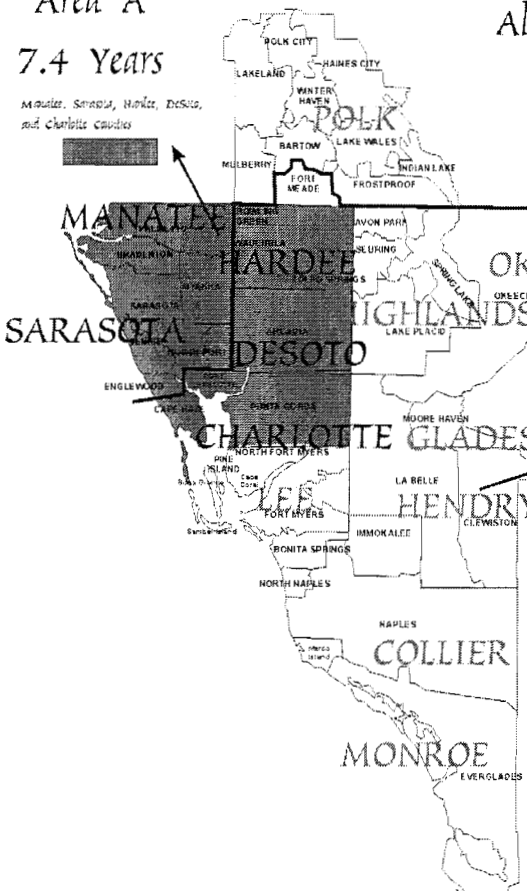
This overlay relief plan is the second alternative that NANPA proposed to be implemented. Although staff notes that the projected exhaust is 5.5 years, customers in Manatee, Sarasota, and Charlotte Counties opposed this alternative due to the 10-digit dialing requirement. (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334). On the other hand, many customers in Lee County favored this plan because they would retain the 941 area code. (4/9/99 TR 415, 432, 436, 458, 486, 547, 564, 572, and 573)

Alternative #6:

No	Description
6	<p style="text-align: right;">941 Area Code Alternative 6 Split</p> <p>Area A 9.3 Years Polk, Hardee, DeSoto, Highlands, and Okeechobee counties</p> <p>Area B 3.3 Years Manatee, Sarasota, Charlotte, Glades, Lee, Hendry, Collier, and Monroe counties</p>

This alternative proposes a single geographic split, dividing Polk, Hardee, Highlands, Okeechobee, and DeSoto Counties (Area A) from the rest of the 941 area code. However, in this alternative, Area B has a life expectancy of only 3.3 years, which is outside the current INC guidelines. (EXH. 3)

Alternative #7:

No	Description
7	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Area A 7.4 Years</p> <p><i>Manatee, Sarasota, Hardee, DeSoto, and Charlotte Counties</i></p>  </div> <div style="width: 45%;"> <p>941 Area Code Alternative 7 Split</p> <p>Area B 4.2 Years</p> <p><i>All Counties except Manatee, Sarasota, Hardee, DeSoto, and Charlotte</i></p>  </div> </div>

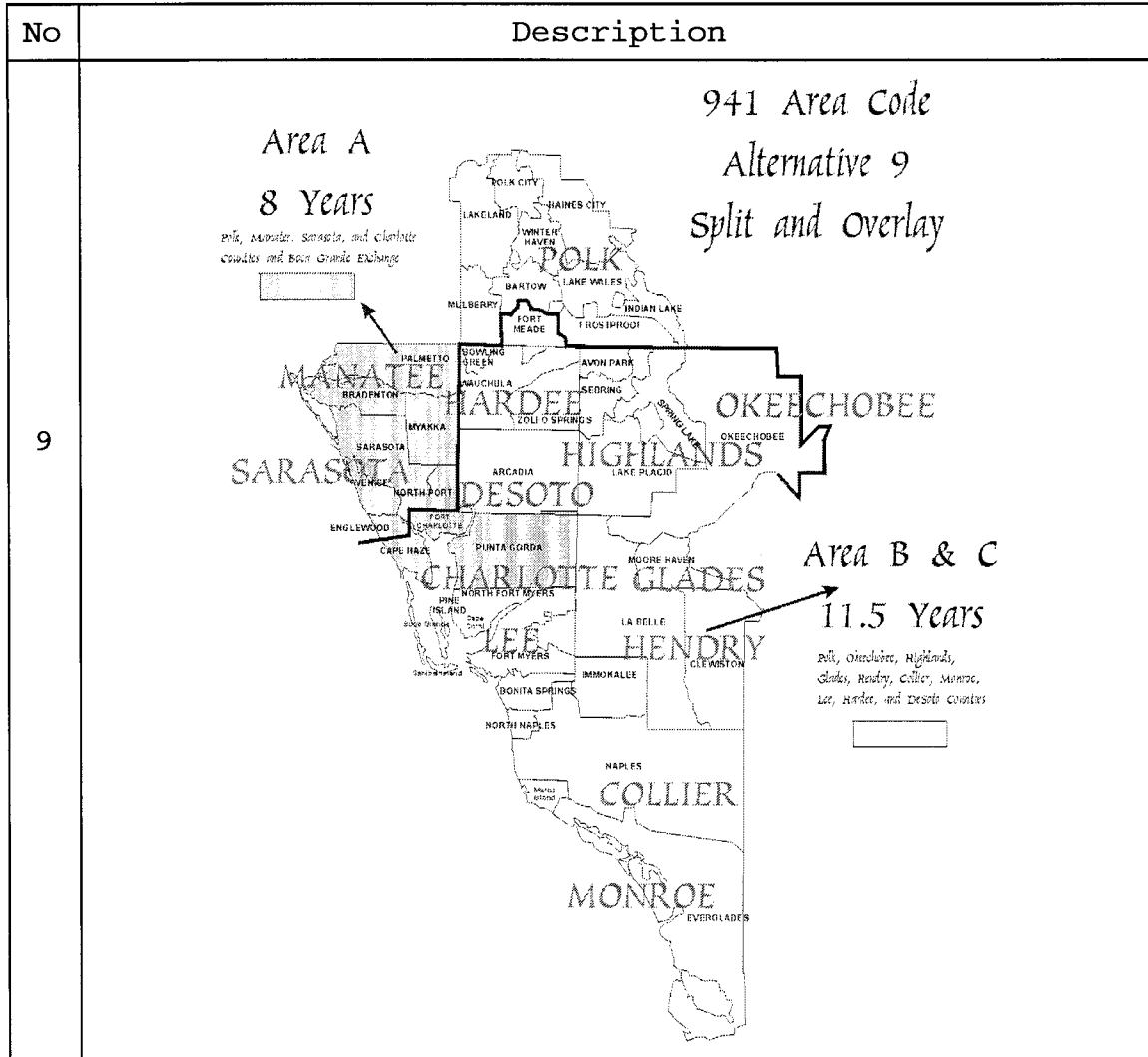
This alternative proposes a single geographic split which divides Manatee, Sarasota, Charlotte, Hardee, and DeSoto Counties from the 941 area code. In this alternative, the Boca Grande exchange is included but not the North Fort Myers exchange. Many citizens supported a split plan which would keep Manatee, Sarasota, and Charlotte Counties together, even if it meant an area code change. This alternative best meets the needs of the customers in Manatee, Sarasota, and Charlotte Counties. (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334, and 4/9/99 TR 431)

Alternative #8:

No	Description
8	<p style="text-align: right;">941 Area Code Alternative 8 Split</p> <p>Area A 8 Years Manatee, Sarasota, and Charlotte Counties and Boca Grande Exchange</p> <p>Area B 3.5 Years Polk, Okeechobee, Highlands, Glades, Hendry, Collier, Monroe, Lee, Hardee, and DeSoto counties</p>

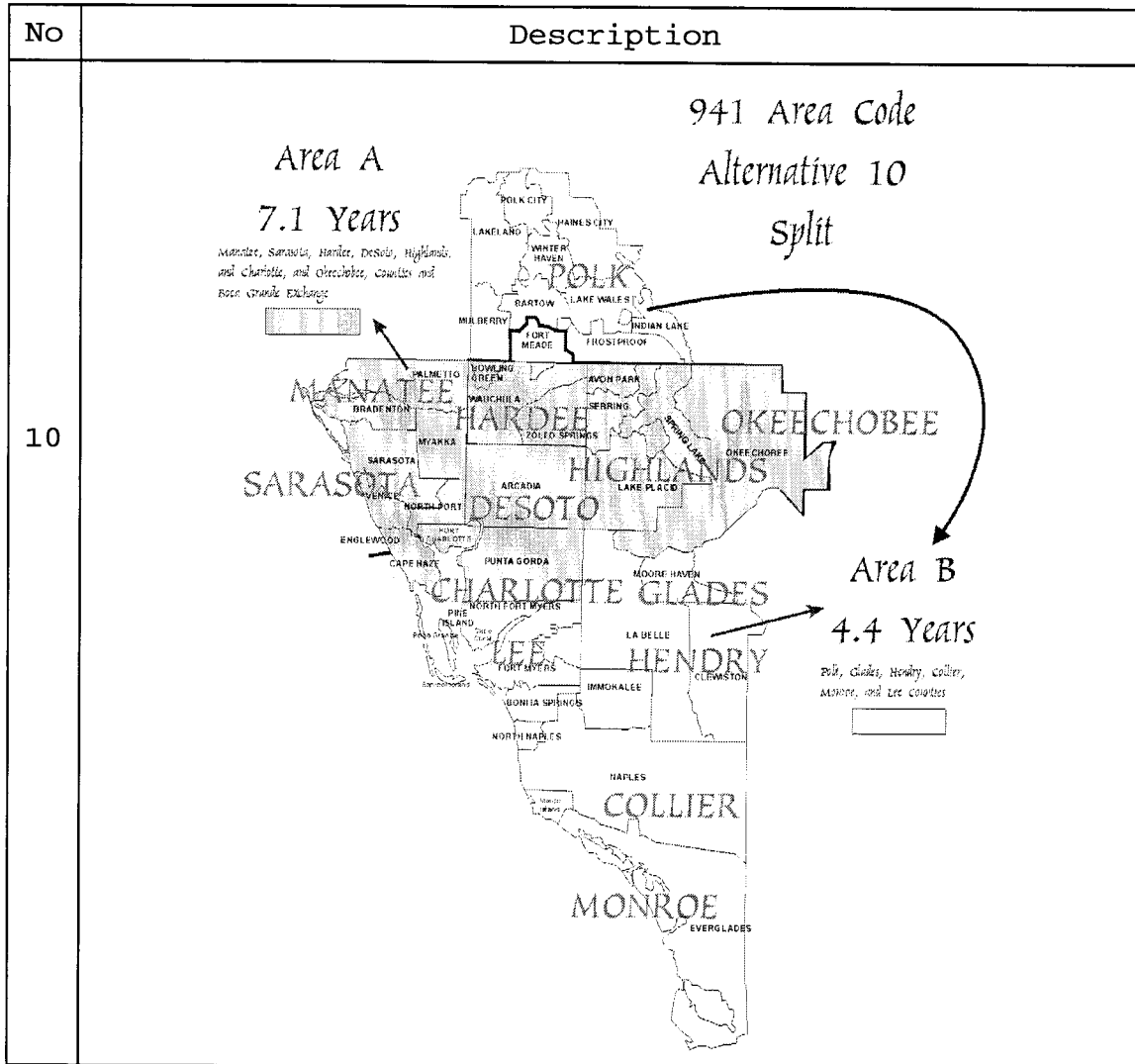
This alternative is another modification of Alternative #3. This option proposes a single geographic split which divides Manatee, Sarasota, and Charlotte Counties from the rest of the 941 area code. Manatee, Charlotte and Sarasota Counties have communities of interest with Hardee and DeSoto Counties. (4/8/99 TR 93) This alternative was, therefore, not favored. In this alternative, Area B has a projected life of 3.5 years which is below the standard guidelines. (4/8/99 TR 25 and 35)

Alternative #9:



This alternative proposes a geographic split and an overlay relief plan using two new area codes, implemented simultaneously. Manatee, Charlotte and Sarasota Counties have communities of interest with Hardee and DeSoto Counties. (4/8/99 TR 93) This alternative was, therefore, not favored. In addition, Polk County residents did not favor an overlay plan. (EXH. 8)

Alternative #10:




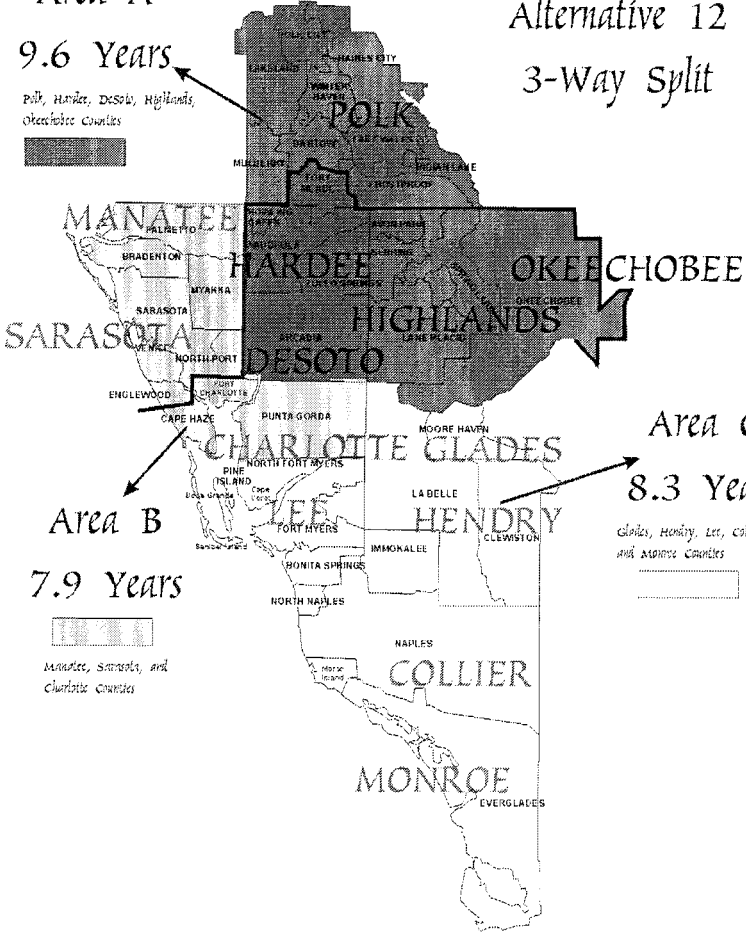

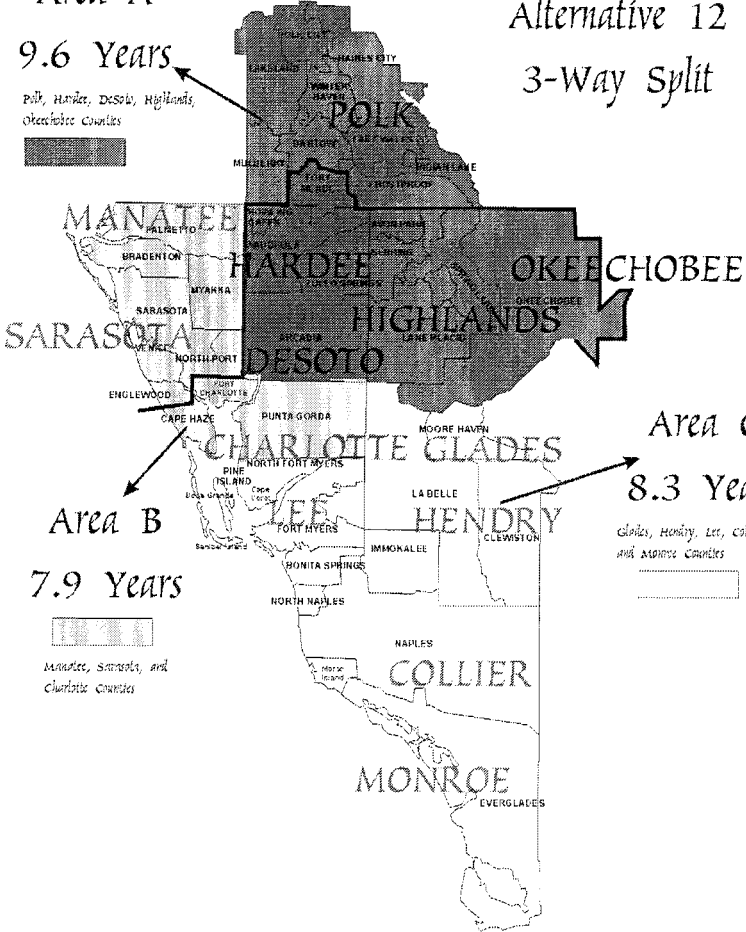

This alternative proposes a geographic split that divides the current 941 area into two sections. Although the projected exhaust years are reasonable, the discontinuity of Area B would cause customer confusion. (4/8/99 TR 54)

Alternative #11:

No	Description
11	<div style="text-align: right; margin-bottom: 10px;">941 Area Code Alternative 11 3-Way Split</div> <p>The map shows Florida divided into three geographic areas for a three-way split of area code 941. Area A (7.9 years) includes Manatee, Sarasota, DeSoto, and Charlotte counties. Area B (12.8 years) includes Lee county. Area C (6.6 years) includes all other counties. A legend indicates the projected exhaust years for each area.</p>

This alternative proposes a three-way geographic split plan using two new area codes implemented simultaneously, in which (1) Manatee, Sarasota, DeSoto, and Charlotte Counties (Area A) get one area code, (2) Lee County (Area B) gets one area code, and (3) the remaining counties in Area C get an area code, as well. (4/8/99 TR 283) This alternative would disrupt local calling in that 10-digit dialing would be required between the three areas. Although the projected exhaust years are reasonable, NANPA may be reluctant to issue two new area codes.

Alternative #12:

No	Description
12	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Area A 9.6 Years</p> <p>Polk, Hardee, DeSoto, Highlands, Okeechobee Counties</p>  </div> <div style="width: 40%; text-align: center;">  </div> <div style="width: 30%; text-align: right;"> <p>941 Area Code Alternative 12 3-Way Split</p> </div> </div> <div style="margin-top: 20px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Area B 7.9 Years</p> <p>Manatee, Sarasota, and Charlotte Counties</p>  </div> <div style="width: 40%; text-align: center;">  </div> <div style="width: 30%; text-align: right;"> <p>Area C 8.3 Years</p> <p>Glades, Hendry, Lee, Collier, and Monroe Counties</p>  </div> </div> </div>

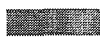
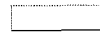
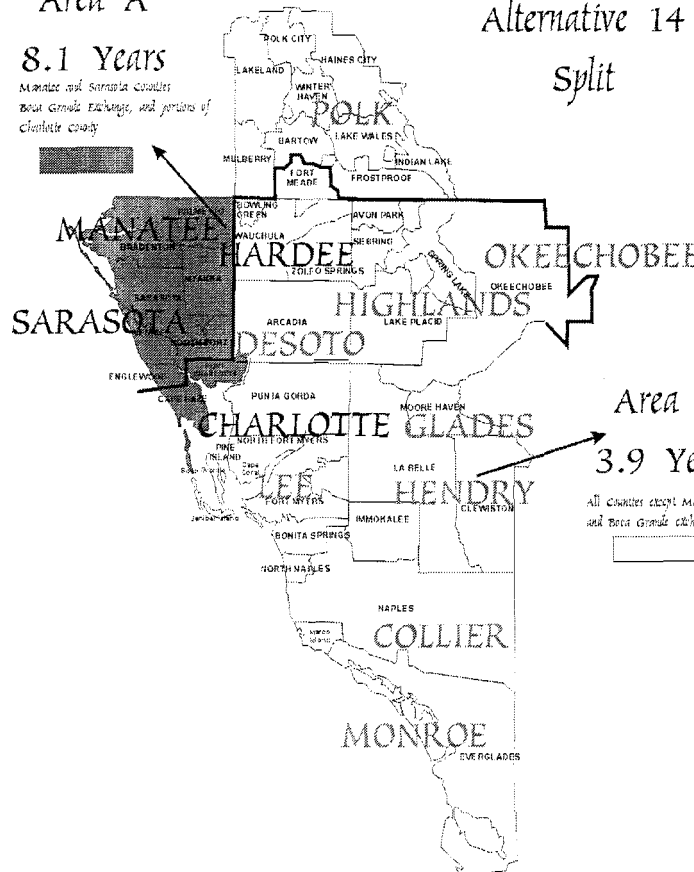
This alternative also proposes a three-way geographic split plan using two new area codes implemented simultaneously in which (1) Polk, Hardee, DeSoto, Highlands, and Okeechobee (Area A) get one area code, (2) Manatee, Sarasota, and Charlotte Counties (Area B) get one area code, (2) Lee, Glades, Hendry, Collier, and Monroe Counties (Area C) get one area code as well. (4/8/99 TR 283) This alternative would disrupt local calling in that 10-digit dialing would be required between the three areas. Although the projected exhaust years are reasonable, NANPA may not be willing to issue two new area codes.

Alternative #13:

No	Description
13	<p style="text-align: right;">941 Area Code Alternative 13 Overlay and Split</p> <p style="text-align: center;">Area A & B 10.7 Years Alachua, Sarasota, Citrus, Levy, Collier, and Monroe Counties</p> <p style="text-align: center;">Area C 8.9 Years Polk, Hardee, DeSoto, Okeechobee, Highlands, Glades, and Hendry Counties</p>


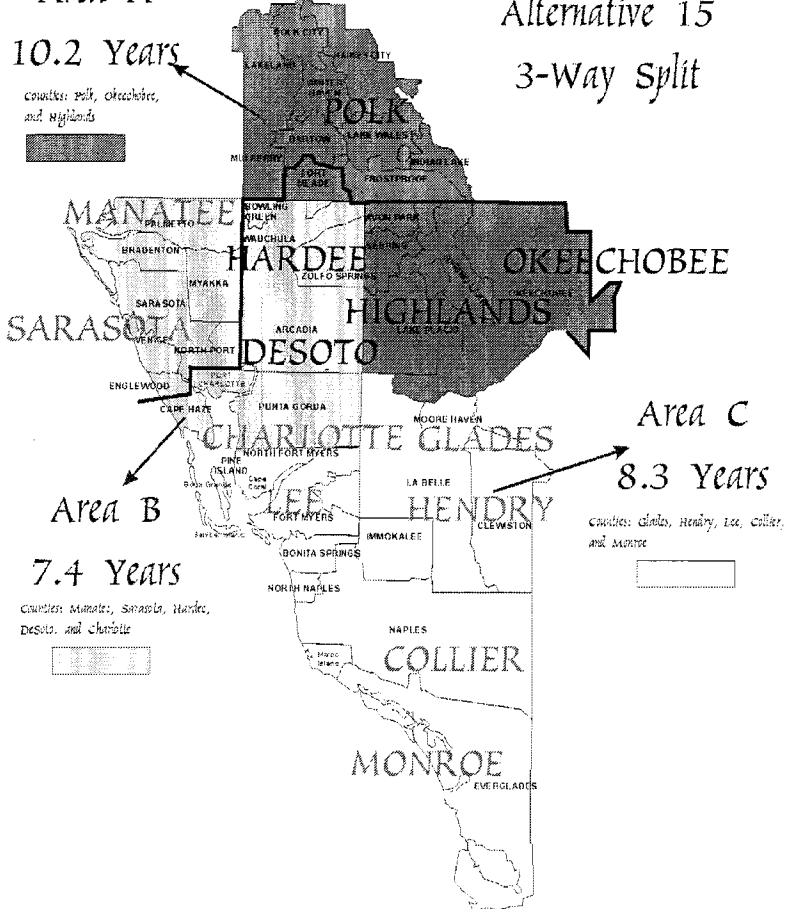


This alternative proposes a geographic split and an overlay relief plan using two new area codes implemented simultaneously. Area A&B consists of Manatee, Sarasota, Charlotte, Lee, Collier, and Monroe Counties. Due to the 10-digit dialing requirement, residents of Manatee, Charlotte and Sarasota did not favor an overlay plan; however, the customers of Lee County favored an overlay plan, simply because they could retain the 941 area code. (4/9/99 TR 458, 494, and 499) In addition, Polk County residents did not favor an overlay plan, either. (EXH. 8)

Alternative #14:

No	Description
14	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Area A</p> <p>8.1 Years</p> <p><i>Manatee and Sarasota Counties Boca Grande Exchange, and portions of Charlotte County</i></p>  </div> <div style="width: 35%; text-align: center;"> <p>941 Area Code Alternative 14 Split</p> </div> <div style="width: 30%;"> <p>Area B</p> <p>3.9 Years</p> <p><i>All counties except Manatee and Sarasota and Boca Grande exchange</i></p>  </div> </div> 

This relief plan proposes a geographic split in which Manatee and Sarasota Counties, along with the Cape Haze and Port Charlotte exchanges retain one area code, and the remaining counties get one area code. (4/8/99 TR 22 and 69) However, due to the unbalanced life expectancy projections and community of interest considerations, this alternative does not seem to solve the 941 area code relief issue at this time.

Alternative #15:

No	Description
15	<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p>Area A 10.2 Years</p> <p>Counties: Polk, Okeechobee, and Highlands</p>  </div> <div style="width: 35%; text-align: center;">  <p>941 Area Code Alternative 15 3-Way Split</p> </div> <div style="width: 30%;"> <p>Area C 8.3 Years</p> <p>Counties: Glades, Hendry, Lee, Collier, and Monroe</p>  </div> </div> <div style="margin-top: 20px;"> <p>Area B 7.4 Years</p> <p>Counties: Manatee, Sarasota, Hardee, DeSoto, and Charlotte</p>  </div>

Using Alternative #7 as a starting point, this alternative proposes a three-way geographic split, but employs two new area codes to be implemented simultaneously. The 941 area is divided in three sections where the projected exhaust of each area code is about the same. Alternative #15 keeps Hardee and DeSoto Counties with Manatee, Sarasota, and Charlotte Counties which apparently is important based on community of interest. (4/8/99 41, 48 and 60) This alternative would disrupt local calling in that 10-digit dialing would be required between the three areas. Although the projected life of this relief plan is one of the best of all, due to the dialing requirements and the necessity of requiring two new area codes, this alternative should be eliminated.

Facts and Concerns during Public Hearings:

1) Table 1 summarizes each of the preceding 15 alternative relief plans. All calculations of exhaust in areas A, B, and C are based on the assumption that the area code growth will continue at approximately the same rate as current demand for central office codes. (EXH. 3)

Alternatives	Type	Number of Area Codes Needed	Areas		
			A	B	C
1	Split	1	5.2	5.9	N/A
2	Split	1	4.6	6.7	N/A
3	Split	1	4.1	7.3	N/A
4	Split/Overlay	2	12		7.2
5	Overlay	1	5.5		
6	Split	1	9.3	3.3	N/A
7	Split	1	7.4	4.2	N/A
8	Split	1	8	3.5	N/A
9	Split/Overlay	2	8	11.5	
10	Split	1	7.1	4.4	N/A
11	3-Way-Split	2	7.9	12.8	6.6
12	3-Way-Split	2	9.6	7.9	8.3

13	Split/Overlay	2	10.7		8.9
14	Split	1	8.1	3.9	N/A
15	3-Way-Split	2	10.2	7.4	8.3

Table 1: The projected exhaust years for all 941 area code relief plans

2) The guidelines⁷ established by the Industry Numbering Committees⁸ require that the new relief plan should last a minimum of five years. As Table 1 indicates, alternatives #2, #3, #6, #7, #8, #10, and #14 do not meet this criterion, however, projections do not factor into consideration any number conservation measures, presently being evaluated in Docket No. 981444-TP (Number Utilization Study: Investigation into Number Conservation Measures). Staff believes alternatives #2, #3, #7, and #14 warrant consideration because staff believes that number conservation measure efforts would extend the projections.

3) According to the guidelines, alternatives #6, #8, and #14 do not meet the requirements due to the imbalances in the projected lives. (EXH. 3)

4) The INC guidelines (INC 97-0404-016, Section 7) clearly state that it is not possible to identify every potential issue which may arise when planning relief for specific NPAs; each state, each metropolitan area and each industry segment will have unique characteristics which could introduce concerns. The INC guidelines also state in Section 6.4 that a combination of the different relief plans may be used. The FCC emphasized in its Order, FCC 96-333, that all state commissions would continue to be responsible for making the final decision on how new area codes will be implemented, subject to the FCC's guidelines. (EXH. 3)

⁷ INC 96-0308-011 Section 9.2.2.2 (h) states that in the long term, the plan shall result in the most effective use of all possible codes serving a given area. Ideally, all of the codes in a given area shall exhaust about the same time in the case of splits. In practice, this may not be possible, but severe imbalances, for example, a difference in NPA lifetime more than 15 years, shall be avoided.

⁸ The Industry Numbering Committee (INC) is a subcommittee under the Carrier Liaison Committee (CLC), a committee under the Alliance for Telecommunications Industry Solutions (ATIS). INC provides reports to the North American Numbering Council (NANC), a committee formed by the FCC.

5) Another issue that was brought up during public hearings was the question of who keeps the current 941 area code. Traditionally, the larger metropolitan area retains the area code in a geographic split. Because the metro areas usually have the most numbers, there would be less customer impact if the metropolitan area retained the existing area code.

In addition to the advantages and disadvantages listed above, four other criteria are relevant to the issue in this proceeding: 1) Competitive Concerns; 2) Impacts to Customers; 3) Impacts to Carriers; and 4) Length of Relief.

Competitive Concerns

The Commission explained in its prior orders that neither the split relief plans nor the overlay relief plans would cause any anti-competitive problems since all carriers would be treated the same. (EXH. 1) Witnesses from the industry indicated that they are all aware of the advantages and the disadvantages of split and overlay relief plans. They also indicated that with an overlay relief plan, 10-digit dialing would be required for all local calls. (EXH. 8 and 9, 4/8/99 TR 359, 4/9/99 TR 416) Therefore, based on the record, staff recommends that there are not any major competitive concerns for any of the proposed relief options.

Impacts to Customers

Any geographic split plan would require some existing customers to change their area code to the new area code. With a split plan, customers keep using 7-digit dialing for all local calling within the area code. With an overlay, however, 10-digit dialing is necessary.

Witnesses indicated that the main advantage for customers with the split plan is that 7-digit local dialing can be maintained within each area code, and 10-digit dialing would only be required for local calling between the area codes.

The main advantage of providing relief with one of the overlay options is that no number changes are required, so that customer inconvenience and cost are minimized. However, the major disadvantage for customers is that 10-digit dialing is required by the FCC for all local calls, and customer confusion may be increased by having two area codes serving the same area. Under an overlay plan, it is possible that businesses or neighbors next door or across the street from each other could have different area codes.

The Commission held two service hearings, in Sarasota and Ft. Myers, to receive input from customers in the affected areas. The

DATE: MAY 6, 1999

presentations and discussions were helpful in explaining the relief options being considered and the advantages and disadvantages of the split and overlay plans. Based on customer input from the public hearings, it appears that Alternative #7 best reflects the interests of the customers. Staff would note that almost all of the customer input from public hearings came from Polk, Manatee, Sarasota, Charlotte, and Lee County residents. Many clear references support that communities of interest would not be divided with the split plan proposed in Alternative #7. (4/8/99 TR 22, 25, 31, 36, 38, 41, 45, 46, 48, 52, 54, 59, 60, 65, 69, 74, 75, 79, 81, 83, 86, 89, 93, 174, 276, 291, 300, 313, 324, and 334, and 4/9/99 TR 431)

The witnesses objected to an overlay plan because they did not want two different area codes serving Polk, Manatee, Sarasota, and Charlotte Counties. Customers in Manatee, Sarasota, and Charlotte Counties stated that they did not want to be placed with Polk County and that they should not be punished because of the growth in the North and the South. The majority said they would accept a new area code rather than having two. Thus, staff believes that Alternative #7, a geographic split plan, from the customer perspective, would provide a solution that would best satisfy the collective desires of the customers.

Alternative #7 would affect certain calling along the split line boundary, but only ECS routes. No EAS routes would be affected. Table 2 lists the ECS routes which would become interNPA along the split line boundary. All of the routes here are Sprint to Sprint. Dialing patterns for these routes will be addressed in Issue 2.

TYPE OF ROUTE	ROUTE (Source: 1999 Comparative Cost Statistics)
TWO-WAY EAS	NONE
ONE-WAY ECS	SEBRING/WAUCHULA
TWO-WAY ECS	BOWLING GREEN/FT. MEADE
	WAUCHULA/AVON PARK
	PUNTA GORDA/FT. MYERS
	PUNTA GORDA/N. FT. MYERS
	PUNTA GORDA/CAPE CORAL
	PUNTA GORDA/N. CAPE CORAL

Table 2: IntraNPA routes which would become InterNPA

Impacts on Carriers

The record shows that with the implementation of a geographic split, the biggest identified impact to carriers is that the cellular carriers have to reprogram all cellular telephones in the new area code. In an overlay area, there are no number changes, hence no reprogramming of cellular phones. However, some modifications to operational support systems would be necessary in order to handle 10-digit dialing for all local calls. Alarm monitoring companies would be required to reprogram their equipment to comply with the 10-digit dialing requirement.

Length of Area Code Relief

The projected exhaust dates for 941 and the new area code under Alternative #7 (a single geographic split), are 4.2 and 7.4 years, respectively.

Conclusion

Staff realizes that Alternatives #5, #7, #12, and #15 are the only reasonable relief plans at this moment; however, staff does not support a relief plan that would utilize two new area codes. The area codes in the nation are exhausting very rapidly, and considering the fact that Florida does not have a unique situation in which two new codes could be granted from the NANPA, staff does not think that the Commission should pursue Alternatives #4, #9, #11, #12, #13, and #15.

Staff believes Alternative #7 is the preferable relief plan for Manatee, Sarasota, Charlotte, DeSoto, and Hardee County customers. Lee County customers preferred to retain the 941 area code and to accommodate this request, they were even willing to have an overlay plan, which was opposed by the northern counties in the 941 area. Due to the differing requests from the customers, staff finds it difficult to make a recommendation as to which relief plan should be implemented.

Considering all the facts, staff believes that Alternative #7 would best meet the needs of the northern counties as well as the southern counties. Traditionally, the larger metropolitan area retains the area code in a geographic split. Because the metro areas usually have the most numbers, there would be less customer impact if the metropolitan area retained the existing area code. On this basis, Polk, Okeechobee, Highlands, Glades, Lee, Hendry, Collier, and Monroe Counties could retain the 941 area code.

DOCKET NOS. 990223-TP, 990184-TL, 981941-TL
DATE: MAY 6, 1999

Alternative #7 would serve two needs at the same time, in that Manatee, Sarasota, Charlotte, Hardee, and DeSoto Counties would stay together and get a new area code, and Lee and Polk County customers would retain the 941 area code. The split plan meets both needs and has a life span of 7.4 years (Area A) and 4.2 years (Area B), assuming no number conservation. Staff is currently working on a utilization study of all area codes in Docket No. 981444-TP (Number Utilization Study: Investigation into Number Conservation Measures), which may impact the projected lives. In addition, in Docket No. 990373-TP (Establishment of a Statewide Emergency Area Code Relief Plan), the Commission will be holding hearings on consecutive telephone number assignment, beginning with the lowest assignable number.

ISSUE 2: What implementation issues, if any, should be addressed by the Commission?

RECOMMENDATION: Upon approval of staff's recommendation in Issue 1, the Commission should order that permissive dialing begin on Monday, July 5, 1999, and mandatory dialing begin on April 3, 2000. Local/EAS and ECS calling which is not subject to Interexchange Carrier (IXC) competition should be dialed on a 7-digit basis within a geographic area code, a 10-digit basis within the overlay area, if any, and 10-digit basis between area codes and outside the overlay area, if any. Toll and ECS calling which is subject to IXC competition should be on a 1+10-digit basis. A summary is given in Table 3 below. The Commission should order the implementation of a new area code which bears no resemblance to the current NPA of 941. (ILERI, BARRETT)

Type of Calls	Type of Plans		
	Within Geographic Area Code	Within Overlay	Between Area Codes, Outside Overlay
Local/EAS	7	10	10
ECS without IXC Competition	7	10	10
ECS with IXC Competition	1 +10	1 +10	1 +10
Toll	1 +10	1 +10	1 +10

Table 3: Dialing patterns for area code reliefs

POSITIONS OF THE PARTIES:

NANPA:

No position.

SPRINT:

The Commission should consider changes in dialing patterns associated with the various options and it should avoid designating a new area code that is confusingly similar to the existing one. The 241 code, for instance, would lead to an unusually high number of misdialed calls and customer confusion. In addition, a permissive dialing period of six months will be necessary. A longer period may be desirable, but under the time constraints of the extraordinary jeopardy, not possible.

GTE:

The Commission should order the permissive dialing period to begin on a Monday, in order to allow for weekend billing system modifications. In addition, the Commission should avoid designating a new area code that is confusingly similar to the existing 941 code.

CHARLOTTE:

The Commission should consider current and planned population centers, demographics, and calling patterns of 941 NPA communities. The Commission should also continue its number conservation efforts to lengthen exhaust periods, its "establishment of a statewide emergency area code relief plan" requiring the sequential distribution of telephone numbers by code holders.

SARASOTA:

In implementing the 3-way split (Alternative 11), the Commission should avoid splitting exchanges so as not to cause existing customers to obtain an entirely new phone number. In addition, pursuant to section 6.1 of the NPA Code Relief Planning and Notification Guidelines (the "Guidelines"), EXH 3, the current 941 area code should remain with the Sarasota/Manatee/Charlotte split on the ground that it has the shortest exhaust period.

Finally, the Commission should avoid assigning new area codes to the splits that are so similar to 941 as to cause additional confusion, i.e. 241.

MANATEE:

Manatee County strongly opposes the use of an overlay system that would require ten-digit dialing.

CELLULAR-ONE:

The public requires repetitive notice of the prospective implementation of mandatory ten digit dialing throughout a year long conversion process. Instructions should emphasize: the need for reprogramming all automatic dialers programmed for seven, toll calls require eleven digits, that 941 numbers will generally remain available, and the overlaid Area Code.

BELLSOUTH MOBILITY:

The relief plan must be capable of immediate activation in order to address the current exhaust emergency and minimize code rationing. An overlay is the only plan capable of immediate activation. If a geographic split is ordered, the Commission must provide for an adequate permissive dialing period.

STAFF ANALYSIS: On the basis of the immediate need for NPA relief in the 941 area, the implementation of the relief plan approved in Issue 1 should be accelerated. Staff recommends a nine-month permissive dialing period, beginning on Monday, July 5, 1999. Sprint argued in its brief that a six-month permissive dialing period is adequate, but that a longer one would have been preferable. (BR 3) GTE offered a similar acknowledgment. (EXH. 9) BellSouth Mobility supported a full overlay, on the basis that the NPA relief is immediate and no permissive dialing period is necessary. (4/8/99 TR 376, 4/9/99 TR 415) Although staff agrees with these assertions, staff does not support the full overlay, Alternative #5. Staff does, however, support that the nine-month permissive dialing period - while shorter than the permissive dialing period in the most recent 407 NPA relief docket - is workable and reasonable.

Staff recommends that mandatory dialing should begin on April 3, 2000. GTE argued that implementations for permissive and mandatory dialing periods begin on Mondays, citing operational efficiencies from other NPA relief implementations. (EXH 9) No other parties offered any other position relative to mandatory dialing. Staff accepts GTE assertion that permissive and mandatory dialing periods should begin on Mondays.

Staff offers that individual dialing patterns will be route specific, as shown in Table 3. Sprint witness Foley discusses the relationship of dialing patterns relative to NPA boundaries, discussing whether or not codes in use near an NPA boundary should remain 'protected,' or withheld from use in those interNPA situations. (4/8/99 TR 215-217) Staff support that all interNPA calls should be dialed on a 10 or 1+10-digit basis in order to avoid protecting codes and to improve number utilization. 10-digit dialing should only be used on those routes which are not subject to competition from IXCs. Within a geographic area code, calls which are not subject to competition from IXCs should be dialed on a 7-digit basis, and calls which are subject to competition from IXCs should be dialed on a 1+10-digit basis. (See Table 3)

Based on the above, staff recommends that the Commission should order that permissive dialing should begin on Monday, July 5, 1999, and mandatory dialing should begin on April 3, 2000.

Finally, the record supports that citizens and telecommunications companies alike do not want a new area code which closely resembles the current 941 NPA. (EXH 8, 9; 4/9/99 TR 425, 539) During the process leading up to this recommendation, certain print media sources published that the Commission had made a request to reserve the 241 area code to be used for this relief plan. The sources named above predict the use of the 241 NPA could result in confusion for telephone subscribers, perhaps leading to misdialed calls. Staff agrees. Staff, therefore, recommends that the 241 NPA code not be implemented in this relief proceeding, and further, that the new NPA code implemented bear no resemblance to the current 941 area code.

DOCKET NOS. 990223-TP, 990184-TL, 981941-TL
DATE: MAY 6, 1999

ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, with the adoption of staff's recommendation in Issues 1 and 2, this docket should be closed. (COX, WATTS, ILERI, BARRETT)

STAFF ANALYSIS: Assuming staff's recommendations in Issues 1 and 2 are approved, staff does not believe there is any need to keep this docket open. Therefore, staff recommends the Commission close this docket.