

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of  
proposed numbering plan relief  
for 305 area code.

DOCKET NO. 971058-TL  
ORDER NO. PSC-98-0812-FOF-TL  
ISSUED: June 19, 1998

The following Commissioners participated in the disposition of  
this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

IMMEDIATE FINAL ORDER  
EXTENDING PERMISSIVE DIALING PERIOD  
FOR ALARM COMPANIES ONLY

BY THE COMMISSION:

BACKGROUND

On July 15, 1997, BellSouth Telecommunications, Inc. (BellSouth), the numbering administrator for the 305 area code at that time, notified the Commission that the 305 area code would exhaust its remaining available NXXs sooner than expected. We conducted service hearings in Miami and Key West on October 1 and 3, 1997, and a technical hearing in Tallahassee on October 13, 1997, to discuss the relief plan for the 305 area code. On January 6, 1998, we issued Order No. PSC-98-0040-FOF-TL approving a concentrated growth overlay to provide numbering plan relief for the 305 area code. The new area code selected to relieve 305 is 786 (SUN). We established a permissive dialing period beginning on March 1, 1998 and ending on July 1, 1998, in which customers could dial either 7- or 10-digits to make local calls in the overlay area. The order contemplated that mandatory 10-digit dialing on all local calls between and within the two area codes would begin on July 1, 1998.

On May 29, 1998, BellSouth filed a motion for extension of permissive dialing period for the 305 area code. In its motion, BellSouth stated that while considerable testimony was provided at

DOCUMENT NUMBER-DATE

06517 JUN 19 98

REGISTRATION REPORTING

the hearing concerning the appropriate relief method for the 305 area code, little if any, testimony was provided regarding the problems the alarm industry incurs when it is required to convert to 10-digit dialing. BellSouth stated that no special considerations were established for the alarm industry at the hearing. According to BellSouth, after we voted on the 305 relief mechanism, various alarm companies expressed concern regarding the short permissive dialing period. BellSouth explained that alarm companies are required to reprogram a customer's alarm equipment in their home to dial 10 digits rather than seven digits in order to reach the monitoring location of the alarm company. If the reprogramming is not completed, alarm companies' monitoring stations will not be able to receive signals from the customer's premises.

BellSouth explained that in an effort to minimize the alarm industries' problems, most of BellSouth's offices were converted by the end of December of 1997. BellSouth stated that these efforts provided additional time for the alarm companies to complete the reprogramming necessary to recognize 10-digit dialing. Some alarm companies, however, have not been able to complete the conversion by the July 1, 1998, deadline. BellSouth stated it is concerned about the potential adverse effect to customers if the alarm industry has not completed the reprogramming of the customers' security equipment.

While BellSouth's original concern with extending the permissive dialing period was due to the projected lack of NXX codes, BellSouth stated that the projected code demand has not been as high as expected. As a result, BellSouth stated, there appear to be approximately 100 NXX codes available to be used to extend the permissive dialing period. BellSouth explained that the industry has currently adopted jeopardy measures that provide for the assignment of 10 codes a month. Under the measures adopted by the industry, the permissive dialing period could be extended for 10 months. Due to the potential increase in code usage for this area, however, and the need to reserve at least one NXX in the existing area code to every telecommunications carrier authorized to provide telephone exchange service, BellSouth requested that we extend the permissive dialing period for three months, until October 1, 1998.

DECISION

Pursuant to Section 120.569(2)(1), Florida Statutes, if an agency finds that an immediate danger to the public health, safety, or welfare requires an immediate final order, the agency shall recite with particularity the facts underlying such finding in the final order. We find that a danger to the public health, safety, and welfare exists here, if alarm companies are unable to reprogram their customers' alarm systems by the July 1, 1998, deadline. As BellSouth stated in its motion, alarm companies must reprogram customers' alarm equipment in their homes to dial 10 digits rather than seven digits in order to reach the monitoring locations of the alarm companies. If the reprogramming is not completed, the monitoring locations will not be able to receive signals from the customers' homes. We believe that customers could be harmed if alarm companies are not able to reprogram their alarm systems in time. We do not believe that customers should be placed at risk because alarm companies are unable to complete their reprogramming. Therefore, we find it appropriate to issue an immediate final order approving an extension of the permissive dialing period for alarm companies for three months. We limit this extension to alarm company monitoring systems, because we are not aware of any other similarly serious risks for customers due to reprogramming or conversion problems.

Thus, we will grant an extension of the 305 area code permissive dialing period until October 1, 1998, for alarm companies monitoring systems only. This order shall be appealable or enjoinable from the date of issuance.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the 305 area code permissive dialing period is extended until October 1, 1998, for alarm companies only. It is further

ORDERED that this order is an immediate final order, appealable and enjoinable from the date of issuance, pursuant to Section 120.569(2)(1), Florida Statutes. It is further

ORDER NO. PSC-98-0812-FOF-TL  
DOCKET NO. 971058-TL  
PAGE 4

ORDERED that this docket shall be closed.

By ORDER of the Florida Public Service Commission this 19th  
day of June, 1998.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

MCB

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought. Pursuant to Section 120.569(2)(1), Florida Statutes, an immediate final order shall be appealable or enjoinable from the date of the issuance of this order.

Any party adversely affected by the Commission's final action in this matter may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.