

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Request for review of
proposed numbering plan relief
for the 407 area code.

DOCKET NO. 980671-TL
ORDER NO. PSC-99-0679-FOF-TL
ISSUED: April 6, 1999

The following Commissioners participated in the disposition of this matter:

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

NOTICE OF PROPOSED AGENCY ACTION
ORDER MODIFYING 407 AREA CODE RELIEF PLAN

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

I. BACKGROUND

Pursuant to the NPA Code Relief Planning and Notification Guidelines (INC 97-0404-016), Mr. Wayne Milby, Senior NPA Relief Planner for the Eastern Region of the North American Numbering Plan (NANP), notified the code holders and other industry members on March 3, 1998, that the 407 area code was approaching exhaustion. The industry reached a consensus to recommend an overlay, as the method of relief for the 407 area code. We received several objections to the proposed plan from members of the public, asking that we review the proposed 407 relief plans. We determined that it was in the public interest to review not only the industry consensus plan, but also the other alternatives.

Before the public hearings took place, there were ten alternatives. Based on the testimony from the public hearings, we reviewed two additional alternatives. At the December 1, 1998, Agenda Conference, we approved Alternative #11, a split boundary

DOCUMENT NUMBER-DATE

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extension overlay in which (1) Brevard County is split from 407 and placed in a new area code, and (2) the same new area code is simultaneously used as an overlay in the remaining 407 area. See Order No. PSC-98-1761-FOF-TL, issued December 29, 1998. At the December 15, 1998, Agenda Conference, we approved an allocation of 381 of the 748 NXX codes to Brevard County, which would allow that area to last eight years. See Order No. PSC-99-0056-FOF-TL, issued January 6, 1999. Table 1 below summarizes the exhaust years based on two assumptions for Brevard County (Area A) and the remaining counties (Area B).

Alternative	Assumption #1 ¹		Assumption #2 ²	
	Area A (Brevard)	Area B (Orange, Osceola, and Seminole)	Area A (Brevard)	Area B (Orange, Osceola, and Seminole)
11	8 (2008)	4.1 (2004)	14.7 (2014)	6.9 (2007)

Table 1: The projected exhaust years for 407 area code relief plan (Alternative #11)

In Order No. PSC-98-1761-FOF-TL, we had approved the permissive dialing patterns to begin on April 1, 1999, and become mandatory on December 1, 1999, for the overlay areas. On December 22, 1998, BellSouth filed a motion for modification of the implementation schedule. On February 2, 1999, we on our own motion modified the implementation schedule for the 407 area code relief plan as shown in the following table:

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

²Assumption #2 is that the code growth will continue at approximately the same rate as the current assignments until the end of year 2000. Then, the growth rate is reduced by 50 percent to reflect an estimate of the potential impacts of any number conservation efforts.

County	Permissive Dialing Starts	Mandatory Dialing Starts
Orange, Osceola, and Seminole	April 1, 1999 (7 or 10-digit dialing with 407 NPA)	December 1, 1999 (10-digit dialing with 407 and 321 NPAs ³)
Brevard	November 1, 1999 (7 or 10-digit dialing with 407 and 321 NPAs)	October 1, 2000 (7 or 10-digit dialing with 321 NPA)

This modification was memorialized in Order No. PSC-99-0384-FOF-TL, issued February 23, 1999.

In addition, we opened Docket No. 981795-TP in an effort to address issues regarding the Deltona area which encompasses the Orange City, Sanford, and Debary exchanges. Staff conducted a workshop on January 28, 1999, in Deltona. Due to the pending implementation of relief for the 407 area code, we now believe that it is necessary to address this situation, in part, within the context of the 407 area code relief plan. Accordingly, this Order addresses the exclusion of the Debary exchange from the 407/321 overlay.

II. DISCUSSION

As discussed above, on December 29, 1998, we issued Order No. PSC-98-1761-FOF-TL approving Alternative #11, a split boundary extension overlay in which (1) Brevard County is split from 407 and placed in a new area code, and (2) the same new area code is simultaneously used as an overlay in the remaining 407 area. A schematic view of Alternative #11 is provided on the following page.

With the current implementation of the 407 area code relief plan, public representatives indicated that the overlay would cause Deltona residents to have three area codes in South Volusia County. As a result, we found it necessary to investigate this issue

³In the overlay area, the 321 NXX codes will be issued after December 1, 1999 when all the 407 NXX codes exhaust.

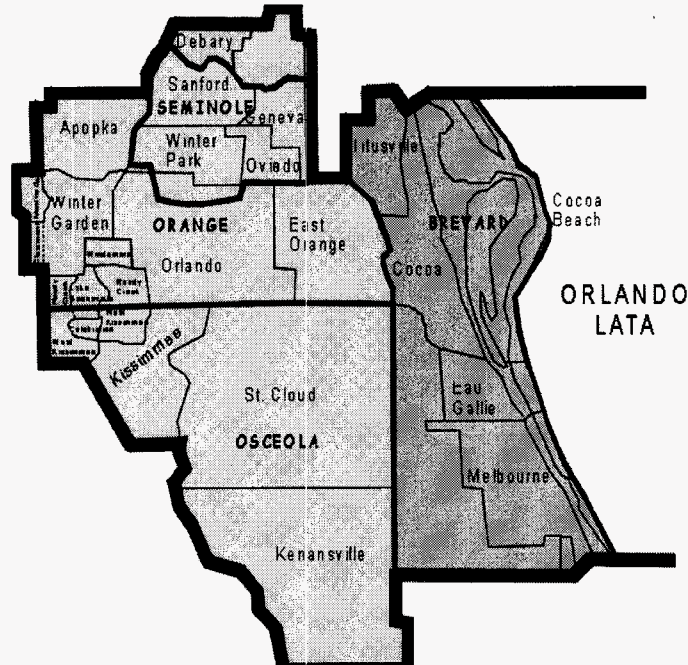
ORDER NO. PSC-99-0679-FOF-TL
DOCKET NO. 980671-TL
PAGE 4

further. Therefore, we opened Docket No. 981795-TP in an effort to address issues regarding the uniqueness of the Deltona area. Our staff conducted a workshop on January 28, 1999, in Deltona. Local representatives at the workshop emphasized their strong desire that the Deltona area not be subject to three area codes as a result of the 407 area code relief. We have received and continue to receive numerous complaints from customers in the South Deltona area who wish to be excluded from the overlay.

Our staff discussed a possible solution with NANP Administrator, Mr. Wayne Milby. Mr. Milby did not find any problem with reserving NXXs for the Debary exchange and excluding the Debary exchange from the overlay. This proposal would prevent the Deltona area from having three area codes as a result of the 407 area code relief. Therefore, due to the uniqueness of this situation, it appears appropriate to exclude the Debary exchange from the 407/321 overlay to avoid three area codes in South Volusia County. We note that the current exhaust date of the 407/321 overlay area would reduce insignificantly from 4.1 years to 4.05 years with this modification to the area code relief plan under Assumption #1.

Geographic split of Brevard County (Area A) from the current 407 area code and boundary extension overlay of this new area code into remaining counties in the current 407 area code (Area B)

Exhaust year for Area A: 2008⁴
Exhaust year for Area B: 2004



III. CONCLUSION

Upon consideration, we shall hereby exclude the DeBary exchange from the 407/321 overlay due to its unique situation. We shall also reserve one NXX code for the DeBary exchange from the current 407 area code to last until Brevard County releases its 407 NXXs codes on October 1, 2000. We shall reserve for DeBary four NXX codes from the released 407 NXX codes in Brevard County, which will accommodate four years of growth.

⁴Under Assumption #1 mentioned earlier.

ORDER NO. PSC-99-0679-FOF-TL
DOCKET NO. 980671-TL
PAGE 6

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that the Debary exchange is excluded from the 407/321 area code overlay in the 407 area code relief plan approved in Order No. PSC-98-1761-FOF-TL. It is further

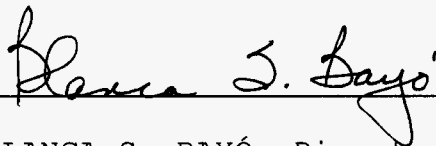
ORDERED that one NXX code is reserved for the Debary exchange from the current 407 area code. It is further

ORDERED that four NXX codes shall be reserved for Debary from the released 407 NXX codes in Brevard County. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 6th day of April, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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ORDER NO. PSC-99-0679-FOF-TL
DOCKET NO. 980671-TL
PAGE 7

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.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on April 27, 1999.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water 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 of the effective date 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.