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March 26, 1998

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

FROM: DIVISION OF COMMUNICATIONS (GREEN) *btb*
DIVISION OF LEGAL SERVICES (BROWN, BOYD) *me*

RE: DOCKET NO. 980048-TL - REQUEST FOR REVIEW OF PROPOSED
NUMBERING PLAN RELIEF FOR THE 813 AREA CODE.

AGENDA: APRIL 7, 1998 - REGULAR AGENDA - POST HEARING DECISION -
PARTICIPATION IS LIMITED TO COMMISSIONERS AND STAFF

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\980048TL.RCM

CASE BACKGROUND

The North American Numbering Plan (NANP) was introduced in 1947 by AT&T. The NANP governs the assignment and use of telephone numbers in North America and other World Zone 1¹ Countries. The plan is based on a destination code in which each main telephone number in the NANP is assigned a specific address or destination code. The destination codes are commonly referred to as telephone numbers. NANP telephone numbers are in a 10-digit format, consisting of a 3-digit Numbering Plan Area (NPA) code, a 3-digit Central Office code, and a 4-digit station address code. The NPA code is commonly known as the area code, and the Central Office Code is commonly referred to as an NXX code. Prior to this year, BellCore was the code administrator with the responsibility of assigning area codes within the NANP. This responsibility has been transferred to Lockheed Martin. Generally, the Regional Bell Operating Company (RBOC) or large independent in a specific area code is responsible for the assignment of central offices codes

World Zone 1 Countries consist of Anguilla, Antigua and Barbuda, Commonwealth of the Bahamas, Barbados, Bermuda, British Virgin Islands, Cayman Islands, Canada, Dominican Republic, Grenada, Jamaica, Montserrat, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Turks and Caicos Islands, Trinidad and Tobago, and the United States of America, including Puerto Rico and the Virgin Islands.

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within that NPA. This responsibility will also be transferred to Lockheed Martin in the near future. These entities are required to follow guidelines approved by Bellcore and the telecommunications industry when assigning either NPAs or Central Office Codes.

In the late 1950s it became apparent that NPAs were being assigned at a rate significantly higher than originally anticipated. Out of that early concern came a plan to expand the supply of numbers through the introduction of interchangeable codes. The introduction of interchangeable codes modifies the format previously used for the area codes and the central office codes. The previous format of the area codes was N,0/1,X while the central office code format was N,N,X.² Currently, the interchangeable area codes and central office codes take the format of N,X,X. The industry began the implementation of interchangeable Central Office codes in 1974. In January 1992, Bellcore notified the telecommunications industry that interchangeable NPAs would be introduced in early 1995. Prior to the introduction of interchangeable NPAs, the NAMP had 160 NPAs which provided a total of 1.28 billion available telephone numbers for assignment. The introduction of the interchangeable NPA codes provided an additional 640 NPAs, which provide a total of 6.4 billion telephone numbers available for assignment. (Order No. PSC-95-1048-POP-TL)

The Industry Carriers Compatibility Forum Guidelines identify three possible alternatives to provide relief to an area code: a geographic split; a boundary realignment; or several variations of an overlay. The guidelines state that a geographic split by definition is when the exhausting NPA is split into two geographic areas, leaving the existing NPA code to serve, for example, an area with the highest customer density. This method divides areas by jurisdictional, natural, or physical boundaries between the old and new NPAs. A geographic split has been the relief plan of choice for virtually 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 have been made easier because of the numerous NPA splits that have occurred. (EXH 7, p. 54-56)

For a boundary realignment, the guidelines require that the NPA requiring relief is adjacent to an NPA within the same state or province, which has spare Central Office code capacity. A boundary shift occurs so that spare codes in the adjacent NPA can be used in

² N is defined as any number from 2 through 9 and X is defined as any number from 0 through 9.

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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 is viewed as an interim measure because it tends to provide shorter term relief than providing a new NPA code. (EXH 7, p. 54-56)

An 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) that requires relief. Numbers from this new NPA are assigned to new growth on a carrier neutral basis, i.e., first come first served. Mandatory customer number changes within the affected overlay relief area are eliminated. (EXH 7, p. 54-56) With the overlay relief method, the FCC 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. (FCC 96-333 §286) The overlay method eliminates the need for customer number changes like those required under the split and realignment methods. It also allows the option to eliminate or shorten the permissive dialing period as a part of implementation. (EXH 7, p. 54-56) 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. (FCC 96-333 §286)

On November 21, 1997, GTE Florida Incorporated (GTEFL), the numbering administrator for the 813 area code, notified the Commission that the 813 area code would exhaust its remaining available NXXs sooner than expected. GTEFL reported that representatives of West Florida's telecommunications service providers had agreed that relief from the imminent exhaustion should be accomplished through an overlay relief plan. The overlay relief plan would encompass the same geographic area as the current 813 area code. All new NXXs issued after October 1, 1998, would receive the new area code (727). Old NXXs would retain 813. Under the overlay plan, current customers would not be required to change their area code, but all customers would be required to dial all local calls as ten digits, within and between area codes as FCC Order No. 96-333 requires.

Usually, the Commission does not formally review area code relief plans unless a specific dispute over what plan should be implemented arises between affected members of the industry. The

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Commission will defer to the industry consensus. However, the Commission received several objections to the proposed plan from members of the public and an official petition from Senator Jack Latvala requesting that the Commission review the 813 relief plan. Because the overlay will require ten digit dialing of all local calls, which may be confusing to customers, the Commission determined that it was in the public interest to review this particular plan. The Commission conducted informational workshops in St. Petersburg and Tampa on January 8, 1998 and a technical hearing in Tampa on February 24, 1998.

Essentially, four different options for relief were discussed in this proceeding:

- Option 1: Overlay the current 813 area code
- Option 2: Geographic Split - Pinellas in an area code and Pasco and Hillsborough in an area code
- Option 3: Geographic Split - Pinellas and the West Part of Pasco in an area code and the East Part of Pasco and Hillsborough in an area code
- Option 4: Geographic Split - Pinellas and Pasco in an area code and Hillsborough in an area code

(Gancarz TR 280)

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

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DISCUSSION OF ISSUES

ISSUE 1: Should the Commission approve GTEFL'S proposed overlay plan for the 813 area code relief, and if not, what relief plan should the Commission approve?

RECOMMENDATION: Staff believes the Commission should not approve GTEFL's overlay plan. The Commission should adopt Option 3 as the area code relief for the 813 area code. This option is the least disruptive based on the record in this proceeding. The permissive dialing should begin May 1, 1998 with mandatory dialing to begin January 1, 1999. In addition to the implementation of Option 3, the Commission should include in its order that if an overlay is implemented when the next 813 area code (Hillsborough and East Pasco) relief is needed, Lockheed Martin, as the new numbering administrator, must ensure the timeline for the relief includes a 12 month 7 and 10 digit permissive dialing period.

POSITIONS OF THE PARTIES

NPA: NPA relief should be administered in a competitively-neutral manner so that no particular service provider is unduly favored or adversely affected. The impact of area code relief on customers should be minimized while promoting local competition. The plan that best accomplishes these goals is a geographic split.

GTEFL: Yes. The overlay was unanimously chosen by current code holders. It is the least disruptive and longest-lasting solution. The split will not avoid substantial 10-digit dialing, which was customers' chief complaint. Also, even the customers in favor of the split did not agree on the appropriate geographical division.

MCI: The Commission should not approve the overlay plan for the 813 area code relief. The Commission should approve a geographic split. MCI recommends geographic split Options 3 or 4. If the Commission nevertheless determines, due to the unique circumstances in the 813 area code, that an overlay is in the public interest, it should impose conditions to mitigate the adverse impacts on competition.

OPC: The Commission should implement a geographic split instead of an overlay plan.

SENATOR LATVALA: The Commission should implement a geographic split instead of an overlay plan as proposed by GTEFL.

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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 fourth in which we have been faced with making a determination as to which relief plan should be implemented in Florida to relieve an area code from impending exhaust. (Docket Nos. 941272-TL, 961153-TL, 971058-TL and 980048-TL)

During this proceeding four specific area code relief options were discussed:

- Option 1: Overlay the current 813 area code (Attachment 1)
- Option 2: Geographic Split - Pinellas in an area code and Pasco and Hillsborough in an area code (Attachment 2)
- Option 3: Geographic Split - Pinellas and the West Part of Pasco in an area code and the East Part of Pasco and Hillsborough in an area code (Attachment 3)
- Option 4: Geographic Split - Pinellas and Pasco in an area code and Hillsborough in an area code (Attachment 4)

(Gancars TR 280)

As various witnesses explained in their testimony, each type of 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. (GTEFL Gancars TR 281; MCI Faul TR 310-311; AT&T Smith TR 335-338. See also Order Nos. PSC-95-1048-POF-TL, Docket No. 941272-TL, issued August 23, 1995, PSC-97-0138-POF-TL, issued February 10, 1997, and PSC-97-0637-TL, issued June 3, 1997)

Advantages of Overlay Plan

1. Customers in the overlay area can retain their 10 digit telephone numbers.
2. Customers are not required to change advertisements containing 813 area code.
3. Cellular carriers are not required to reprogram their customers' cellular telephones.

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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 the entire 10-digit telephone number.
3. All advertisements that contain 7-digit telephone numbers must be changed to 10-digit numbers.

Advantages of Geographic Split

1. 7-digit dialing would remain for intra-NPA local calls.

Disadvantages of Geographic Split

1. Customers in an area with a new area code must change the area code portion of their telephone numbers.
2. Customers in an area with a new area code must change advertisements which included the 3-digit area code.
3. A short permissive dialing period.

In addition to the advantages and disadvantages listed above, the Commission considered four criteria in its previous area code relief proceedings that are relevant to the issue in this proceeding: 1) Competitive Concerns; 2) Impacts to Customers; 3) Impacts to Carriers; and 4) Length of Relief. (Order Nos. PSC-95-1048, PSC-97-0637, and PSC-97-0138)

Competitive Concerns

The Commission in its previous orders has determined that a geographic split does not present any anti-competitive concerns since all carriers will be assigned NXXs from the same area code for a given geographic area. (Order Nos. PSC-95-1048, PSC-97-0637, and PSC-97-0138) MCI's witness Paul concurs with the Commission's previous interpretations. She indicates that if a geographic split were selected for the 813 area, all carriers would be issued 813 numbers in the remaining 813 area, and all carriers would be issued numbers with the new area code in the new area. (TR 313) Therefore, based on the record, staff believes if the Commission implements a geographic split there do not appear to be any anti-competitive concerns.

As for an overlay, various witnesses have raised some competitive concerns. MCI's witness Paul and AT&T's witness Smith believe that implementation of an overlay is anti-competitive and

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will give GTEFL a significant competitive advantage. (Paul TR 312; Smith TR 337-338) The first concern is associated with the customers' perception of the new and the old area codes. They believe that callers are more accustomed to the 813 area code and recognize it as being the Tampa area. Further, they believe the overlay area code would not be familiar and would thus be considered less desirable than the existing code. Thus, they believe the customer would be more likely to select a carrier that could give them a number in the more desirable area code. (Paul TR 312; Smith TR 337-338) Witness Paul believes the potential effect for competition in Tampa will be that CLECs will be unable to compete effectively in the growth market of additional lines for fax machines, modems, and the like. (TR 313)

Witness Paul goes on to state that the FCC noted in its Second Report and Order and Memorandum Opinion and Order issued August 8, 1996 that the incumbent LECs have an advantage over new entrants when a new code is about to be introduced, because they can warehouse NXXs in the old NPA. (TR 312) In addition, she points out that incumbents also have an advantage when telephone numbers are returned to them as their customers move or change carriers. (TR 312)

MCI's witness Paul and AT&T's witness Smith identify several conditions the Commission should consider if it decides to implement an overlay instead of a geographic split in order to minimize the anti-competitive concerns.

1. Maintain the current schedule for implementation of permanent local number portability.
2. Require 10-digit dialing within and between the old and new area codes.
3. Require GTEFL to analyze and report on the feasibility of a revenue-neutral Rate Center Consolidation plan for the 813 area.
4. Establish a workshop or other appropriate process to consider number conservation mechanisms, such as Rate Center Consolidation for the Tampa LNP area.
5. Allocate all remaining NXXs in the old area code to all competing carriers, excluding the incumbent LEC.
6. Require the overlay to apply to all telecommunications carriers. (Paul TR 314; Smith TR 340)

In response to the proposed conditions listed above, GTEFL's witness Menard believes it will comply with most of the conditions to the extent it is within their control. (EXH 7, p. 36-38)

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As witness Menard points out, some of the conditions (2 and 6) are FCC requirements when implementing an overlay. Other conditions such as 1, implementation of permanent number portability, are dependant on the development of a number portability database, which has been delayed from the original FCC schedule due to the vendor's (Perot Systems) inability to get the database up and running. Therefore, witness Menard states that they will comply with this condition as soon as they can. (EXH 7, p. 36-38; TR 236-239)

Conditions 3 and 4, as well as number pooling, are currently under consideration at this time by the Commission. Witness Menard correctly points out that GTEFL is unable to implement any Rate Center Consolidation proposal that raises customers' rates due to a conflict with the current Florida Statutes. (EXH 7, p. 37-38; TR 239; TR 240-249)

Staff does not believe implementation of an overlay will create a competitive advantage for GTEFL as long as GTEFL implements 10 digit dialing for all local calls, and permanent number portability as soon as possible once the database is up and running. Although MCI and AT&T attempt to cite various paragraphs in the FCC's dialing parity order to support their claim of potential anti-competitive concerns, they both fail to identify that the FCC orders required various conditions when implementing an overlay to protect against the anti-competitive problems discussed above. In its order, the FCC required 10 digit dialing for all local calls so as to avoid the dialing disparity customers may incur when using a different carrier with an NXX from the new area code. Further, the FCC determined that in order to minimize the potential anti-competitive concern of only incumbent LECs having NXXs in the old area code, it required that under an overlay that each provider of telephone exchange service, exchange access, and paging service must be assigned at least one NXX in the old area code. (FCC 96-333, ¶287,289) Witnesses Faul and Smith both recognized that their companies currently were assigned NXXs in the 813 area code (16 and 5, respectively). (TR 324, 326)

In addition to the two conditions the FCC required to minimize any anti-competitive concerns associated with an overlay, the FCC also has adopted a permanent number portability mechanism that will minimize the competitive concerns even further in the future. In addition, although not helpful in the near term, the North American Numbering Council, as well as this Commission, are looking at the issues of rate center consolidation and number pooling. Both of these mechanisms may provide additional access to telephone numbers and better utilization of a carrier's currently assigned NXXs in

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the future. Even MCI witness Faul recognized that these issues are industry-wide issues and not GTEFL specific. (TR 326)

The remaining issue that was discussed in this proceeding dealt with AT&T's proposal to allocate all remaining NXXs in the old area code to all competing carriers, excluding the incumbent LEC. Staff believes this is inconsistent with the intent of the FCC's order, which states that the federal numbering guidelines were designed to ensure the fair and timely availability of numbering resources to all telecommunications carriers. (FCC 96-333, ¶291; FCC 95-19, ¶35) Excluding GTEFL from the assignment of NXXs in the old area code appears to be in direct conflict with the underlying premise of the FCC's orders referenced above.

Based on the record in this proceeding, staff does not believe that a geographic split or an overlay will cause a severe impediment to the development of local exchange competition as long as GTEFL implements 10 digit dialing for all local calls and permanent number portability when available in the case of the overlay.

Impacts to Customers

The record support in this proceeding for this criteria is twofold: 1) the direct testimony at the informational workshops and the technical hearings. (St. Petersburg and Tampa Informational Workshop Transcripts), and 2) the survey conducted by an independent consultant at the request of GTEFL. (EXH 10)

It was apparent from the customers' testimony at the informational workshops and the technical hearing that the vast majority of the customers testifying supported the implementation of a geographic split for the 813 area code instead of the proposed overlay. (Ogden St. Pete TR 34; Shearer St. Pete TR 38, TR 139; Lyon St. Pete TR 44, TR 56; Manes St. Pete TR 51; Bone Steel St. Pete TR 67, Tampa TR 56, TR 54; Webber St. Pete TR 71, TR 82; Zinzow St. Pete TR 73; Rehmer St. Pete TR 75; Campbell St. Pete TR 77, TR 104; Edwards St. Pete TR 96; Arvanitas St. Pete TR 96, TR 131; Klein St. Pete TR 104; Richter St. Pete TR 106; Latvala Tampa TR 29; Howell Tampa TR 43; Holt Tampa TR 52; Phagan Tampa TR 52; Baker Tampa TR 62, TR 67; Ciccarello Tampa TR 67; Morris Tampa TR 72; Sempert TR 52; Cochran TR 72; Shann TR 84; Tompkins TR 86; New TR 93; Moessner TR 97; Kramer TR 100; Evans TR 102; Martin TR 128; Belote TR 145; Blaber TR 145; Horton TR 147; White TR 162; Whitney TR 167) Only two customers supported the proposed overlay. (Roberts TR 76; Robel TR 62)

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The main reason the customers supported the geographic split instead of the overlay appeared to be the requirement to implement 10 digit dialing for all local calls under an overlay. (Latvala TR 34; Sempert TR 52-54; Baker 67-72; Webber TR 82-84; Shann TR 84-86; New TR 93-97; Moessner TR 97-100; Blaber TR 145-147) In addition to the 10 digit dialing concern, various customers raised other concerns that they believed supported the implementation of a geographic split instead of the proposed overlay. Listed below are some of the other concerns raised:

1. Alarm companies will have to reprogram the customers' monitoring equipment to dial 10 digits instead of 7 digits if an overlay is implemented. (Howell St. Pete TR 43-48; Baker TR 62-67; Morris Tampa TR 72-76)
2. Dialing 10 digits is difficult for older customers. (Latvala TR 34)
3. The overlay may require different area codes in the same household, next door neighbors, and in the same business. (Latvala Tampa TR 31)
4. The overlay would confuse which calls were ECS. (Campbell St. Pete TR 77)
5. The geographic split would be less confusing than the overlay. (AT&T Smith TR 341)

The other information associated with customers' preference as to which relief mechanism should be implemented is from the survey conducted by an independent consultant at the request of GTEFL. The survey was a statistically-drawn sample which solicited the response of 2000 customers in the 813 area code. The study showed that the majority of the 2000 customers surveyed supported the implementation of the overlay instead of the geographic split. (GTEFL Harehberger Tampa TR 25-34) Several customers expressed concern with the survey and how it was conducted. The main focus of the customers appeared to be that the survey was skewed to favor the overlay. (Shearer St. Pete TR 39; Lyons St. Pete TR 46; Edwards Tampa TR 93-94) Even Senator Latvala, who indicated that he has been conducting political public opinion surveys for 25 years considered the survey to be badly biased toward the overlay. (Latvala TR 38)

It is clear from the testimony of the customers at the informational workshops and the technical hearing that their preference is for the Commission to implement a geographic split instead of the proposed overlay. Some of the witnesses would

suggest that the Commission not even consider the survey conducted by the consultant due to the potential that the results of the survey may be skewed. Although staff is concerned with the difference between the survey and the direct testimony received during this proceeding, staff is reluctant to totally disregard the survey results due to the fact that some of the results of the survey concur with testimony received in this proceeding. The survey identifies some of the advantages and disadvantages expressed in this proceeding and even some of the specific findings, such as retirees supporting a geographic split instead of the overlay, are consistent with the evidence in this record. (EXH 10, p. 31-132) Staff has reviewed the questionnaire used in the survey and, although staff believes some of the results of the survey are useful in the Commission's decision making, staff is somewhat concerned with the final percentage results of the survey. Staff's main concern is that the survey doesn't appear to lay out all of the details associated with each option. For example, when discussing the geographic split the survey states that "your telephone number would be changed to a new area code." (EXH 10, p. 123) The fact of the matter is that only the telephone number of customers in the new area code will change. When discussing the overlay, GTEFL does not identify all of the disadvantages, such as the need to change all advertisements that use 7 digits to 10 digits. (EXH 10, p. 124)

Therefore, based on the discussion above, staff believes the Commission should give more weight to the direct testimony of the witnesses in this case. Staff believes the survey could have been a very useful tool in assisting the Commission in determining the appropriate relief for the 813 area code. However, due to what staff perceives as the shortcomings of the questionnaire, staff believes the final percentage of customers identified in the survey as favoring an overlay is questionable.

Impacts on Carriers

The obvious impact to most carriers is the need to modify the translations in their switching equipment in order to recognize the new area code. (Order No. PBC-95-1048, p. 22) However, the only impact to the carriers that has been identified in this proceeding is associated with the implementation of a geographic split. If the Commission implements a split, all cellular carriers providing service in the new area code will need to reprogram their customers' cellular telephones to recognize the new area code instead of the old area code. (AT&T Smith TR 339) Witness Smith believes the Commission should order the grandfathering of wireless and cellular subscribers' phone numbers in order to avoid the need to reprogram the cellular phones with the new area code. (TR 339)

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Although staff believes the Commission should do everything possible to minimize the adverse effects of any area code relief, AT&T's proposal would essentially exempt a specific industry segment (wireless) from any impact whatsoever. Staff does not believe that approach is consistent with the intent of the FCC's dialing parity order or the industry guidelines which require that any relief plan should not favor a particular industry or consumer group. (EXH 7, p. 45; FCC 95-19 ¶35) In addition, staff does not believe it is appropriate to exempt an industry segment from any impact of the area code relief when the industry segment is one of the reasons consumers are having to endure the current relief mechanism.

Length of Area Code Relief

There has been some concern with whether the 813 area code is currently in jeopardy of exhausting. (Latvala TR 30) GTEFL's witness Gancarz, as the numbering administrator for the 813 area code, has projected the 813 area code to exhaust in late 1998. In determining the 813 exhaust date, witness Gancarz used the most recent calendar year NXX usage data as the basis for his projection. For 1997, the NXX usage was 120 codes. Once he determined the actual usage, he added a total growth factor of 10% that gave him 132 codes for the next year. In addition to the 10%, witness Gancarz included an additional 8 codes for new competitors. This brought the total projected NXX code usage per year for the entire 813 area code to 140. (TR 288-289)

The confusion associated with whether or not a new area code is needed at this time has been the that there are 8 million telephone numbers available in the 813 area code, and there are not 8 million customers in the 813 area code. (Latvala TR 30) However, as explained by witness Gancarz, NXXs are assigned on a 10,000 block basis; and therefore, there are only 784 available NXXs for assignment, excluding codes that could cause some confusion such as N11 and N00 codes. (EXH 14, p. 33; TR 295) As of February 24, 1998, there were only 125 NXX codes available for assignment. (Gancarz TR 283; EXH 15)

The NXX assignment schedule supports GTEFL's contention that the 813 area code is currently in jeopardy of exhaust. (EXH 15) Although some customers have expressed some concern to the contrary, staff believes that it is just a lack of understanding of the technical aspects of numbering in the telecommunications networks.

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Listed below is a table that shows the Options and the exhaust dates for each proposal.

Plan	NPA	County	Number Exch.	Existing NXXs	Exhaust (years)
1 Overlay	813 & 727	Hillsborough Pasco Pinellas	8	657	6 to 8
2 Geographic Split	813	Hillsborough Pasco	5	401	3 to 5
	727	Pinellas	3*	256	7 to 9
3 Geographic Split	813	Hillsborough East Pasco	3*	371	4 to 6
	727	West Pasco Pinellas	5*	286	6 to 8
4 Geographic Split	813	Hillsborough	3*	333	5 to 7
	727	Pasco Pinellas	5*	324	6 to 8

* Exchange(s) is located in 2 counties (EXH 7, p.68-70; EXH 14, p.128-144)

Conclusion

As discussed above, there are many aspects that the Commission must consider when determining the appropriate relief mechanism for the 813 area code. As shown previously, either type of relief mechanism, overlay or geographic split has advantages and disadvantages. Unlike the latest 305 area code relief, there does not appear to be an option that will satisfy everyone. Therefore, staff believes, based on the record, that Option 3 is the lesser of evils.

It was apparent that the customers at the hearing were against having to dial 10 digits for all local calls, as required by the FCC when a Commission implements an overlay. Although there does not appear to be a good geographic boundary for Option 3, or any other option, due to various exchanges overlapping county boundaries, staff is reluctant to recommend the imposition of 10 digit dialing on customers in these counties at this time without a stronger showing in support of the overlay. As

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discussed earlier, staff believes the survey conducted for GTEFL provides useful information that should be used in the Commission determination of an appropriate area code relief; however, the questions raised about the survey cast justifiable doubt in staff's opinion on the validity of the final percentages within the study. Therefore, the survey should not be used as the main support for the implementation of an overlay.

Staff is a little concerned with splitting Pasco County which will result in Pasco County having three different area codes, but various witnesses indicated that this option would be preferable since it would not divide communities of interest unlike the other split plans. Staff also believes that Option 3 will provide a good relief life for the current 813 area code.

Although most customers didn't care whether they received the new area code or not, as long as an overlay was not implemented, a few customers expressed an interest in retaining the 813 area code for the Pinellas area. However, the Commission has traditionally retained the old NPA for the area where the largest number of NXXs are assigned in order to minimize any confusion that may be associated with the relief. In all proposed geographic splits, the area that would retain the 813 would be the Hillsborough area. Therefore, staff would recommend the Commission allow the customers in the Hillsborough and East Pasco Counties to retain the 813 area code while Pinellas and West Pasco would get the new 727 area code.

The remaining issue that must be addressed is when will the Commission implement permissive and mandatory dialing for the new area code. Usually in a geographic split relief mechanism, the Commission attempts to give at least nine to twelve months for customers to become accustomed to the area code change. However, in this case staff does not believe the Commission will be able to provide a permissive dialing period for that length of time. As of February, there were approximately 125 813 NXXs available for assignment. Since the industry has implemented jeopardy measures and only 10 NXXs are assigned a month, staff believes the Commission should require permissive dialing to begin May 1, 1998, and mandatory to begin January 1, 1999.

Some of the alarm witness stated that if an overlay is implemented their companies would need some time to reprogram the customers' equipment to recognize the need to dial 10 digits for the overlay. (Howell Tampa TR 43-48; Baker Tampa TR 62-67) Although staff is not recommending the overlay for this relief, there is a good chance an overlay may be proposed for the new 813 area code (Hillsborough and East Pasco). If that is the case,

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staff believes the Commission should highly recommend to Lockheed Martin, as the new numbering administrator, that any proposed overlay for the next 813 relief should have built into it a 12 month 7 and 10 digit permissive dialing period, if possible. Staff believes it is imperative the Commission do everything possible to protect against any problems that could jeopardize the security of customers.

Staff believes the Commission should not approve GTEFL's overlay plan. The Commission should adopt Option 3 as the area code relief for the 813 area code. This option is the least disruptive based on the record in this proceeding. The permissive dialing should begin May 1, 1998 with mandatory dialing to begin January 1, 1999. In addition to the implementation of Option 3, the Commission should include in its order that if an overlay is implemented when the next 813 area code (Hillsborough and East Pasco) relief is needed, Lockheed Martin, as the new numbering administrator, must ensure the timeline for the relief includes a 12 month 7 and 10 digit permissive dialing period.

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ISSUE 2: What should the dialing patterns be for the following types of calls?

- a. Local
- b. Toll
- c. EAS
- d. ECS

RECOMMENDATION: The Commission should implement the following dialing patterns:

- a. Intra NPA local - 7 digit dialing
Inter NPA local - 10 digit dialing
- b. toll - 1+10 digit dialing
- c. Intra NPA EAS - 7 digit dialing
Inter NPA EAS - 10 digit dialing
- d. Intra NPA ECS - 7 digit dialing
Inter NPA ECS - 10 digit dialing

POSITIONS OF THE PARTIES

AT&T: For a geographic split, 10-digit dialing should be required between the new and old area codes for all calls. Local, ECS, and EAS calls should be 7-digit. For an overlay, 10-digit dialing should be required for all calls within and between the two codes. In either case, toll calls should be on a 1+10 digit basis.

GTEFL: If the overlay is implemented, all local calls (including EAS and ECS) will be 10-digit dialed. If a split is ordered, many local calls will still need to be 10-digit dialed. Toll will remain on a 1+10 digit basis under either the overlay or split.

MCI: If the Commission approves an overlay, 10 digit dialing should be required within and between the new and old area codes for all types of calls. In addition, toll calls should be made on a 1+10-digit basis. If the Commission approves a geographic split, 10 digit dialing should be required between the new and old area codes for all types of calls. In addition, toll calls should be made on a 1+10-digit basis. Local, ECS, and EAS calls within an area code may be on a seven digit basis.

QEC: No position.

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SENATOR LATVALA: No position.

STAFF ANALYSIS: GTEFL and MCI are the only parties that filed testimony in this proceeding addressing the dialing patterns for the various types of calls listed above. Both parties agree to the following dialing patterns:

- a. Intra NPA local - 7 digit dialing
Inter NPA local - 10 digit dialing
- b. toll - 1+10 digit dialing
- c. Intra NPA EAS - 7 digit dialing
Inter NPA EAS - 10 digit dialing
- d. Intra NPA ECS - 7 digit dialing
Inter NPA ECS - 10 digit dialing

(Faul TR 310-320; Menard TR 186-189)

The only other testimony that could be associated with the issue of what is the appropriate dialing patterns was the concern raised about how do customers know when they are dialing an ECS call. (Campbell TR 104-127) Based on the record, staff believes the implementation of Option 3 does help to some extent clarify which routes are ECS, but no option will eliminate this problem unless the Commission requires all ECS calls to be dialed on a 1+10 digit basis. GTEFL is opposed to dialing ECS calls on a 1+10 digit basis for two main reasons. First, ECS has been deemed local by this Commission and upheld by the Supreme Court; and therefore, no toll competition is allowed on these routes. GTEFL believes requiring ECS calls to be dialed on a 1+10 digit basis would also create customer confusion as to why GTEFL was handling the calls instead of their presubscribed carrier. Second, GTEFL's billing system will not recognize a 1+ call as local ECS, thus the company is unable to bill the call. (EXH 7, p. 27-32; Menard TR 187-189)

As pointed out by GTEFL's witness Menard, there are various ways to know which routes are ECS and which are not. The easiest way to determine if a call is an ECS call is to check the telephone directory; however, the directories are not always up to date due to the issuances of new NXNs after the directory has been published. Witness Menard also pointed out that another option would be for the customer to call a service representative or an operator to help determine if a call is an ECS call. Yet another option that appears to be the best, is for a customer to dial the call as a 1+ call and if it was an ECS call the customer

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would get a recording stating, "It is not necessary to dial a 1 when calling this number. Extended calling service rates apply for this call. Please hang up and try your call again." (EXH 7, p. 31; Menard TR 215-227)

Staff believes the Commission should implement the dialing patterns listed above. Although there has been some concern associated with knowing when ECS calls are being dialed, staff does not believe there is sufficient evidence to justify what appear to be some major modifications to GTEFL's billing system or switches in order to use dialing patterns to identify ECS calls.

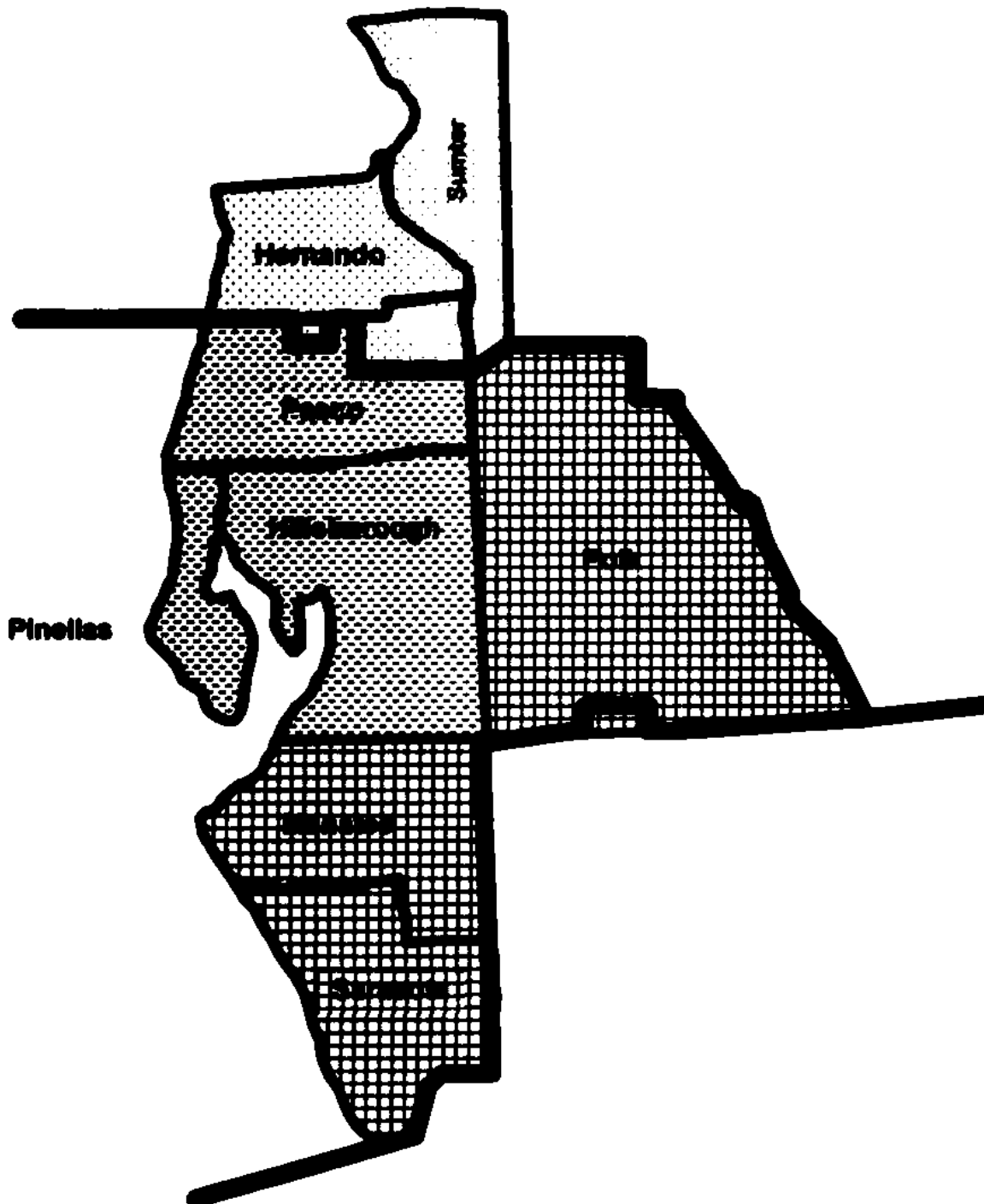
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ISSUE 3: Should this docket be closed?

RECOMMENDATION: Yes, with the adoption of staff's recommendation in Issues 1 and 2, this docket should be closed.

STAFF ANALYSIS: Assuming 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.

OPTION 1 - OVERLAY OF EXISTING 813 AREA CODE

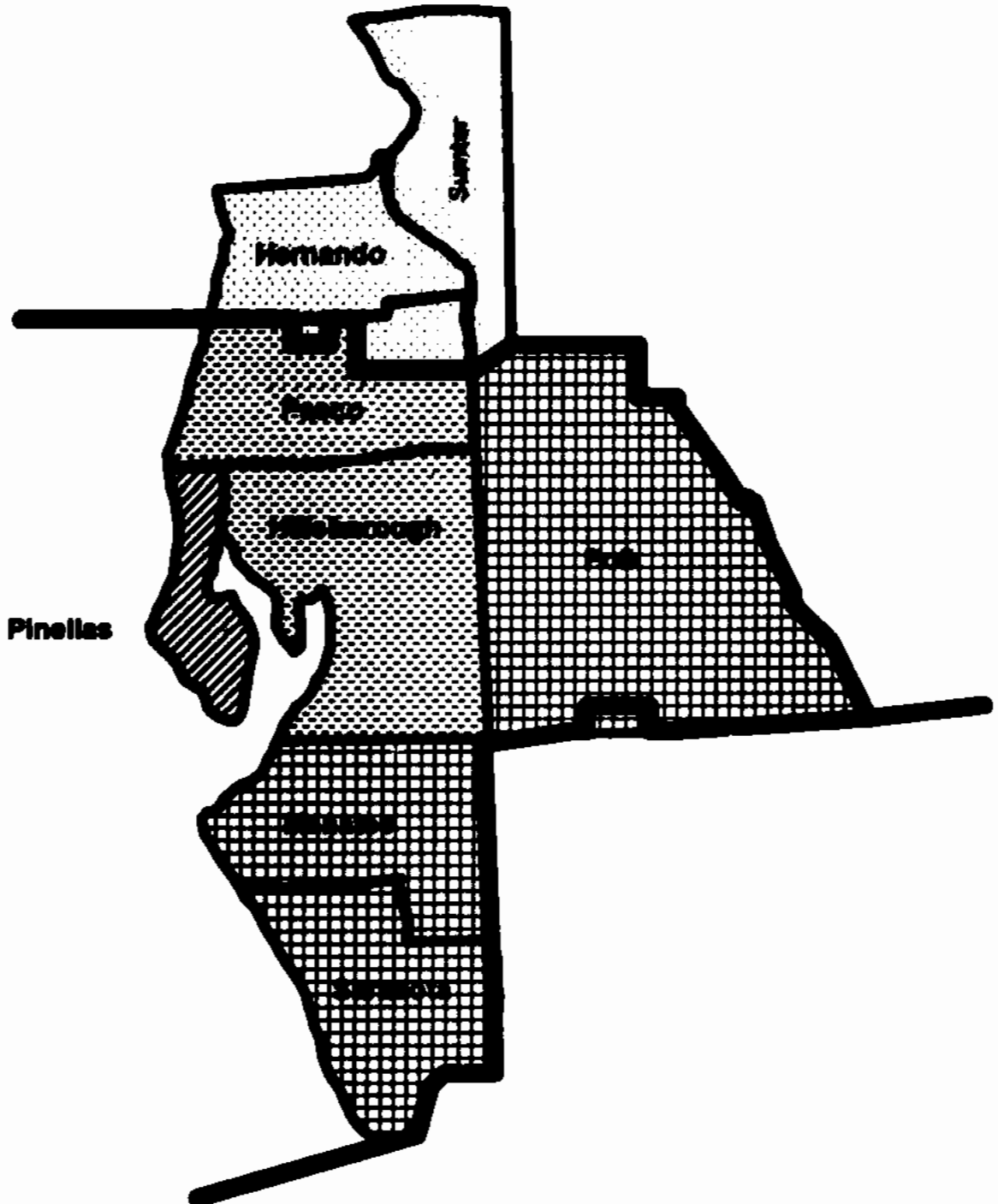


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**OPTION 2 - PUT PINELLAS COUNTY IN A DIFFERENT AREA CODE
THAN HILLSBOROUGH AND PASCO COUNTIES**



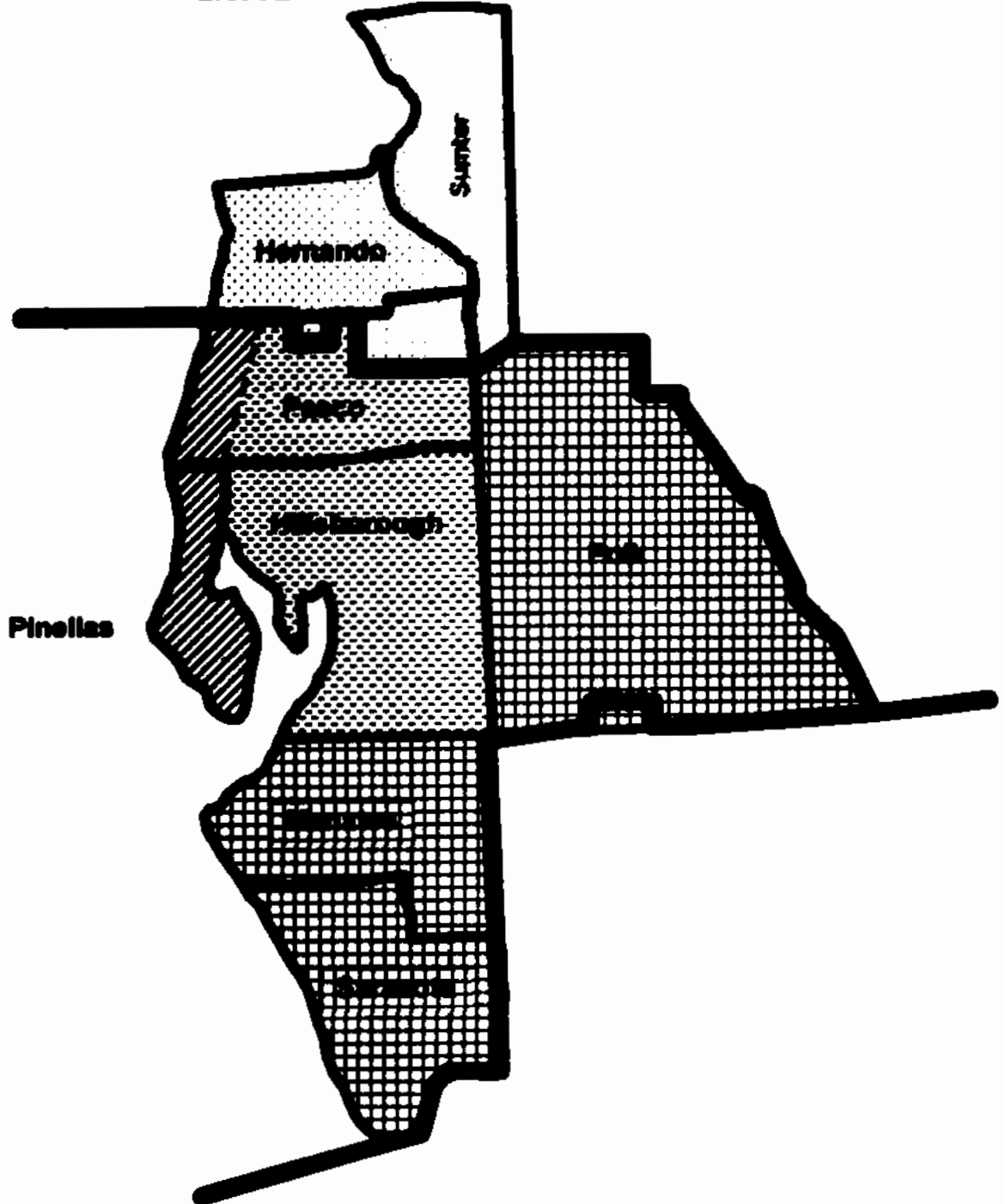
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**OPTION 3 - PUT PINELLAS AND THE WESTERN PORTION OF PASCO
COUNTIES IN A DIFFERENT AREA CODE THAN HILLSBOROUGH
AND EASTERN PORTION OF PASCO COUNTIES**



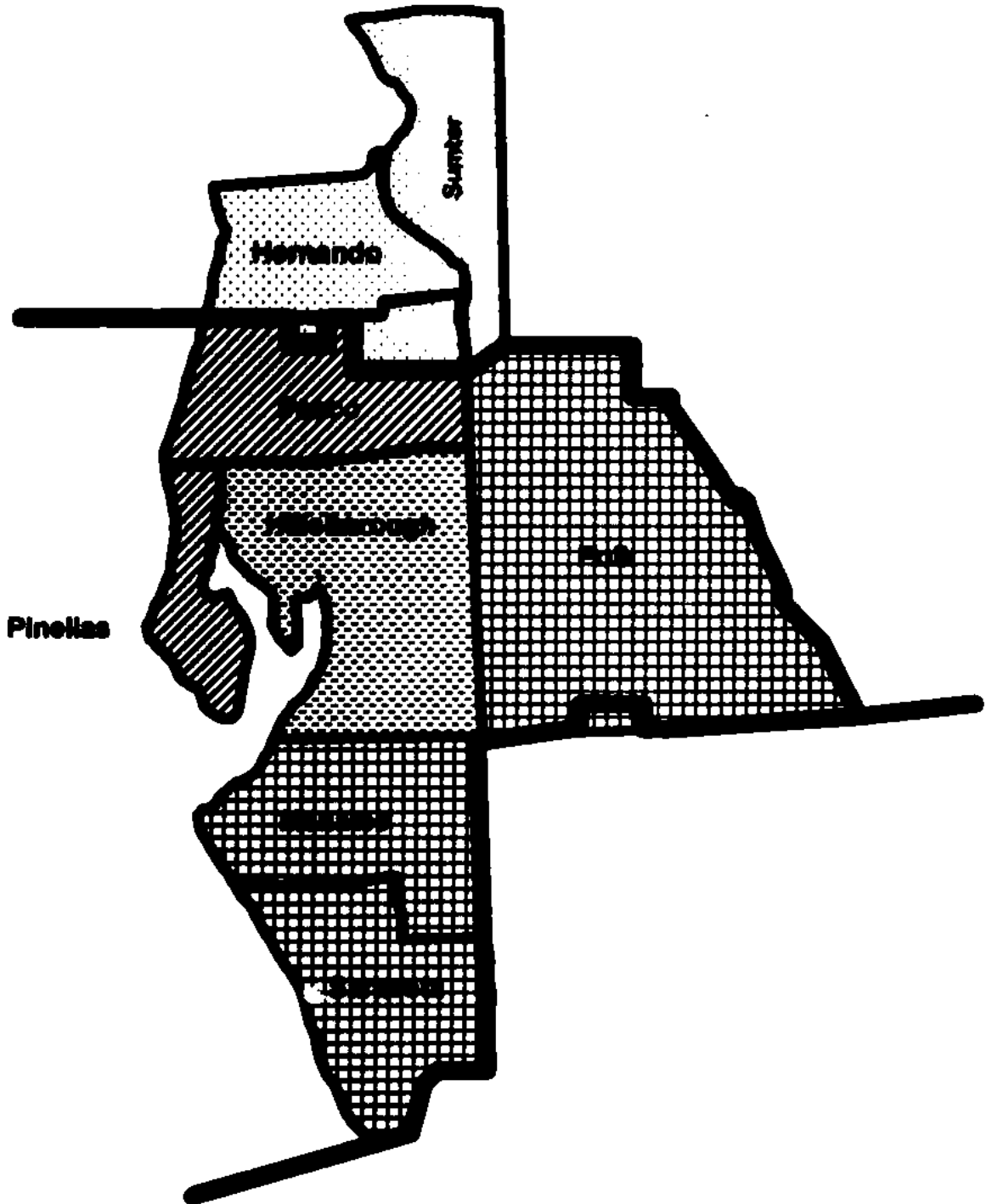
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**OPTION 4 - PUT PINELLAS AND PASCO COUNTIES IN A DIFFERENT
AREA CODE THAN HILLSBOROUGH**



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