

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-98-1761-FOF-TL
ISSUED: December 29, 1998

The following Commissioners participated in the disposition of
this matter:

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SUSAN F. CLARK
JOE GARCIA
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FINAL ORDER APPROVING
NUMBERING PLAN RELIEF FOR THE 407 AREA CODE

BY THE COMMISSION:

I. 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 One 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. Lockheed Martin IMS (LM) is currently the North American Numbering Plan Administrator (NANPA) with the responsibility of assigning area codes within the NANP.

LM is also responsible for assignment of central office codes within NPAs. LM is required to follow guidelines approved by the Industry Numbering Committee (INC) when assigning either NPAs or central office codes. 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), an advisory committee formed by the Federal Communications Commission (FCC).

On March 3, 1998, pursuant to the NPA Code Relief Planning and Notification Guidelines (INC 97-0404-016), the NANP Senior Planner notified the code holders and other industry members that the 407 area code was approaching exhaustion. The NANP Administrator hosted an industry meeting in Orlando on March 31, 1998, to discuss alternative relief plans. NANPA, at that time, had six plans. During the meeting, an additional four alternatives were discussed. The industry reached a consensus to recommend Alternative Relief Plan #1, an overlay, as the method of relief for the 407 area code. On April 22, 1998, the NANPA Senior Planner notified this Commission of the industry's consensus.

In most cases, we do not formally review area code relief plans unless a specific dispute over what plan should be implemented arises between affected members of the industry. We will defer to the industry consensus. In this case, however, we received several objections to the proposed plan from members of the public, asking that we review the proposed 407 relief plans. As a result, we scheduled several public hearings and a full evidentiary hearing in this docket. The industry's consensus plan drew a great deal of public interest. Because the proposed overlay would require 10-digit dialing for all local calls, which may be confusing to customers, we determined that it was in the public interest to review not only the industry consensus plan, but also the other alternatives. We conducted hearings in Orlando and Melbourne on August 6 and 7, 1998, respectively, and on September 24 and 25, 1998, in Orlando and Melbourne, respectively. We also conducted an evidentiary hearing in Orlando on August 7, 1998. During and after the public hearings, we received 12,111 customer comments by mail, telephone, facsimiles, and electronic mail. The majority of the customers were from Brevard County and strongly opposed the industry's consensus overlay plan.

AT&T Telecommunications of the Southern States, Inc. (AT&T), BellSouth Telecommunications, Inc. (BST), BellSouth Mobility Inc. (BMI), Sprint-Florida, Incorporated (Sprint), MCI Telecommunications Corporation and MCImetro Access Transmission Services, Inc. (MCI), and Vista-United Telecommunications (Vista) intervened in this proceeding. With the exception of MCI, all of the parties supported the industry's consensus overlay plan in their testimony and briefs.

Before the public hearings took place, there were ten alternatives proposed by the industry members. As a result of the testimony from the public hearings, we have considered two additional alternatives. Alternatives #11, and #12 are based on the testimony received at the Melbourne public hearing on September 25, 1998.

This Order sets forth our decision on the appropriate relief plan for the 407 area code.

II. 407 AREA CODE RELIEF PLAN

A. TYPES OF AREA CODE RELIEF

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 most complex to date in Florida given the number of alternatives considered.

The NANP and the industry utilize the NPA Code Relief Planning and Notification Guidelines to identify relief alternatives for area codes nearing exhaustion. On July 13, 1998, the INC reissued the NPA Code Relief Planning and Notification Guidelines (INC97-0404-016). 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 most NPA relief plans prior to 1995. NPA splits have occurred with sufficient frequency that the technical aspects and established implementation procedures are generally understood. Likewise, 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 NXX 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 is applicable only to states that have more than one NPA. 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 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 FCC¹ 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. The FCC also 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. This method, however, 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:

¹Implementation 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 (1996)

1) Distributed Overlay - The distributed overlay strategy may be considered 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.

2) 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.

3) 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.

4) 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 Methods

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.

B. COMPARISON OF TYPES OF RELIEF

As many witnesses explained in their testimonies, each type of relief plan has inherent advantages and disadvantages. Listed below are some of the advantages and disadvantages that were identified for each type of plan.

Overlay Plan

An overlay has several advantages. First, customers in the overlay area can retain their telephone numbers. Secondly, customers are not required to change advertisements containing 407 area code telephone numbers. In addition, cellular carriers are not required to reprogram their customers' cellular telephones. Overall, costs to customers and carriers are minimized. Furthermore, this method is the best and simplest migration path to future NPA relief by assuring the elimination of number changes and confusion. Finally, this method is easy to implement from the telecommunications network perspective.

In contrast, there are several disadvantages to an overlay relief plan. First and foremost, 10-digit dialing is required for all local calls within the overlay area. Directories and Directory Assistance will be required to provide 10-digit numbers. All advertisements that contain 7-digit telephone numbers must be changed to 10-digit numbers. Alarm monitoring companies will be required to reprogram their equipment to comply with the 10-digit dialing requirement.

Geographic Split

Several advantages exist for a geographic split plan. As mentioned above, geographic split plans are now fairly commonplace and easy to implement. Most importantly for customers, 7-digit dialing remains for intra-NPA local calls. (This may or may not include Extended Calling Service (ECS) calls depending on whether there is Interexchange Carrier (IXC) competition.)

There are several customer inconveniences associated with a geographic split. Customers in the area assigned the new area code must change the area code portion of their telephone numbers. Likewise, customers in an area with a new area code must change advertisements which included the 3-digit area code. Also, interNPA Extended Area Service (EAS)/ECS routes will require 10-digit dialing. Moreover, there is a short permissive dialing period.

C. SPECIFIC ALTERNATIVES CONSIDERED FOR 407 AREA CODE RELIEF

As previously stated, before the public hearings took place, there were ten proposed alternatives. Based on the testimony from the public hearings, we have considered two additional alternatives. Public witness George Mitchell testified that Brevard County has a very well-defined border, the St. John's River. The populated and developed area, however, is situated far from that border, along the East coast. He stated that since Brevard County is geographically separate, it would make sense to establish an overlay for Orange County, but not for Brevard County. Public witness Robert Osband also preferred a split that would keep Brevard County as a whole mainly because of the Kennedy Space Center. Of 27 witnesses from Brevard County, 24 expressed the desire to implement a relief plan that would keep Brevard County as a whole, with only one area code. Proposed Alternative #11 addresses the witnesses' concerns.

Alternative #12 is also based on testimonies received at the Melbourne public hearing on September 25, 1998. Public witness Patrick Utecht testified that all the recommended alternatives exhaust in less than four to six years; therefore, rather than dealing with another area code relief plan, we should implement two new area codes now. Alternative #12 addresses the witness' suggestion.

Each alternative is explained below with a brief description and the exhaust years based on Assumption #1².

DESCRIPTION OF ALTERNATIVES³

Alternative #1:

This alternative proposes a single overlay in the 407 area code, where a new area code would be placed in the same area and coexist with the present 407 area code. The projected exhaust year for this plan is 2005. This is the industry consensus plan. Many witnesses from Brevard County have opposed the idea of an overlay. At the September 25, 1998, public hearing, 24 of the 27 witnesses opposed the overlay plan. Most of the witnesses stated that they would prefer a split and would not care if they received a new area code. This alternative is one of the best options available in terms of the projected life. We note that Alternative #11 has the same projected life and allows Brevard County to keep using 7-digit dialing.

Alternative #2:

This alternative proposes a geographic split with Orange and Seminole Counties in area A and Osceola and Brevard Counties in area B. Under this alternative, Area A would exhaust in 2002, and Area B would exhaust in 2013. This alternative results in an extreme imbalance of projected lives of the two NPAs. This will necessitate another relief plan within 1.9 years. In addition, the EAS/ECS routes between the Orlando and Kissimmee exchanges will require 10-digit dialing, which was opposed by many customers.

Alternative #3:

This alternative proposes a geographic split with Orange and Osceola Counties less the East Orange exchange (rate center) in area A and Brevard and Seminole Counties, and the East Orange exchange in area B. The exhaust year for Area A would be 2004,

²Assumption #1 is that the area code growth will continue at approximately the same rate as current demand for central office codes.

³Appendix A contains maps of the twelve alternative relief plans considered by the Commission.

while the exhaust year for Area B would be 2006. This alternative would disrupt local calling areas and was not supported by the industry. In addition, the area code boundary would split the EAS/ECS routes between Area A and the Winter Park, Oviedo, and Geneva exchanges, which would divide the community of interest and require 10-digit dialing.

Alternative #4:

This alternative proposes a geographic split with the Orlando, Winter Garden, Clermont, Celebration, Kissimmee, Montverde, Windermere, Reedy Creek, Lake Buena Vista, and West Kissimmee exchanges in area A and the remaining geography in area B. The exhaust year for Area A is 2004, and the exhaust year for Area B is 2005. This alternative elicited complaints from the customers in the Winter Park, Apopka, Sanford, and the East Orange exchanges. The customers preferred to be connected to the same area code as the Orlando exchange because of the strong community of interest. Local calling between Area A and Area B would require 10-digit dialing.

Alternative #5:

This alternative proposes a geographic split with the Orlando and Winter Park exchanges comprising area A and all of the remaining geography in area B. The projected exhaust year for Area A is 2003, while the projected exhaust year for Area B is 2007. This alternative elicited customer complaints from the Apopka, Sanford, Windermere, Lake Buena Vista, and East Orange exchanges. Customers preferred to be connected to the same area code as the Orlando exchange. This alternative was also not favored since it would split the community of interest.

Alternative #6:

This alternative proposes a geographic split with the Orlando exchange in area A and the remaining geographic area comprising area B. The exhaust year for Area A is 2006, and the exhaust year of Area B is 2003. This alternative elicited customer complaints from the Winter Park, Apopka, Sanford, and East Orange exchanges. This alternative was not favored at all since it would split the community of interest. Customers located in exchanges near Orlando preferred to be connected to the same area code as the Orlando exchange.

Alternative #7:

This alternative proposes a geographic split with Seminole and Orange Counties less the Windermere, Reedy Creek, and Lake Buena Vista exchanges in area A and the remaining geography in area B. Area A will exhaust in 2002, and Area B will exhaust in 2012. The projected life of this relief plan is short, requiring additional relief within 2.1 years. Thus, this alternative does not comply with the INC guidelines.

Alternative #8:

This alternative proposes a single overlay combined with a boundary realignment to include the Orange City exchange that is currently in the 904 area code. The projected exhaust year for this plan is 2004. The Commission has received many complaints from Orange City customers because they already have two area codes, 904 and 407. Therefore, they oppose being included in this overlay. The customers from Brevard County have also opposed a possible overlay plan as in Alternative #1. According to NANPA witness Milby, if this alternative were chosen, there would be duplicate central office codes, NXXs, which would require changing the NXXs of Orange City customers. He added that it is possible to keep the last four digits of the telephone number. Sprint witness Thomas Foley indicated that there are six NXX codes where customers would have to make a full number change. Since full number changes are disruptive to customers, many people opposed this alternative.

Alternative #9:

This alternative proposes a geographic split with the Orlando, Winter Park, Winter Garden, Montverde, Windermere, Reedy Creek, Lake Buena Vista, West Kissimmee, Celebration, and Kissimmee exchanges in area A and the remaining geographic area in area B. The exhaust year for Area A is 2002, and the exhaust year for Area B is 2011. This alternative elicited not only customer complaints from the Apopka, Sanford, and East Orange exchanges, but also this plan has a projected life of 2.2 years. In addition, the calls between close neighborhoods would require 10-digit local dialing, which was unacceptable to many people. The customers in the northern Orlando suburbs preferred to be connected to the same area code as the Orlando exchange.

Alternative #10:

This alternative proposes a geographic split with the Orlando and East Orange exchanges in area A and all of the remaining geography in area B. The projected exhaust year for Area A is 2006, while the projected exhaust year for Area B is 2003. Customers located in exchanges near Orlando preferred to be connected to the same area code as the Orlando exchange and did not want 10-digit local calling between close neighborhoods.

Alternative #11:

This alternative proposes a geographic split of Brevard County (Area A) from the current 407 area code and boundary extension overlay of this new area code into Seminole, Orange, and Osceola Counties (Area B). The projected lives for both Area A and Area B are 2005.

Public witness George Mitchell testified that Brevard County has a very well-defined border, the St. John's River. The populated and developed area, however, is situated far from that border, along the East coast. He stated that since Brevard County is geographically separate, it would make sense to establish an overlay for Orange County, but not for Brevard County. Public witness Robert Osband also preferred a split that would keep Brevard County as a whole mainly because of the Kennedy Space Center. Of 27 witnesses from Brevard County, 24 expressed the desire to implement a relief plan that would keep Brevard County as a whole, with only one area code. Alternative #11 addresses the witnesses' suggestions.

Alternative #11 is a split boundary extension overlay method. This alternative is one of the best options available in terms of the projected life, and will last as long as Alternative #1, an overlay relief plan. This option, however, allows customers in Brevard County to have a geographic split and dial 7-digits on all local calls, which is in the best interest of the customers. Brevard County also had the greatest customer turnout in favor of a geographic split. Customers in Seminole, Orange, and Osceola Counties would be required to dial 10-digits due to the FCC's dialing requirements for overlays.

Alternative #12:

This alternative proposes a geographic three-way split with the Orlando exchange in Area A, Brevard County, Winter Park, East Orange, Oviedo, Geneva, Sanford, and Debary exchanges in Area B, and Apopka, Winter Garden, Kissimmee, West Kissimmee, Celebration, Clermont, Lake Buena Vista, St. Cloud, and Kenansville exchanges in Area C. Under this plan, Area A would exhaust in 2006, Area B would exhaust in 2013, and Area C would exhaust in 2011. Witness Patrick Utecht testified that all the recommended alternatives exhaust in less than four to six years; therefore, rather than dealing with another area code relief plan, this Commission should implement two new area codes now. Alternative #12 addresses the witness' suggestion.

This alternative would disrupt local calls because 10-digit dialing would be required between the three areas. This alternative requires an addition of two new area codes. Although the projected life of this relief plan is the best of all, due to the dialing requirements, this alternative should be eliminated. In addition, NANPA witness Milby stated that the whole NANP would exhaust prematurely if codes are implemented sooner than absolutely necessary. The NANP has been projected to last until 2030 assuming codes are consumed at the current rate of 30-40 per year. This plan would appear to prematurely utilize NPAs contrary to the INC guidelines.

D. ANALYSIS OF ALTERNATIVES

Projected Lives of Alternatives and INC Guidelines

The first area to examine is the projected lives of the relief alternatives. The projected lives in years of the relief alternatives are shown below in Table 1 based on two different assumptions.

Alternative	Assumption #1 ⁴			Assumption #2 ⁵		
	Area A	Area B	Area C	Area A	Area B	Area C
1	4.8		N/A	8.3		N/A
2	1.9	13.1	N/A	2.5	24.9	N/A
3	3.9	5.9	N/A	6.6	10.5	N/A
4	4.4	5.3	N/A	7.5	9.3	N/A
5	3.5	6.9	N/A	5.7	12.6	N/A
6	6.7	3.3	N/A	12.1	5.3	N/A
7	2.1	11.8	N/A	3.0	22.4	N/A
8	4.7		N/A	8.2		N/A
9	2.2	11.4	N/A	3.1	21.6	N/A
10	6.5	3.4	N/A	11.8	5.5	N/A
11	4.8		N/A	8.3		N/A
12	6.7	10.9	13.4	12.1	20.5	25.6

Table 1: The projected exhaust years for all possible 407 area code relief plans.

The guidelines established by the INC require that the new relief plan should last a minimum of five years. As Table 1 indicates, Alternatives #2, #3, #5, #6, #7, #9, and #10 do not meet this criterion. Due to the population density and the EAS/ECS routes, any split near the Orlando exchange would require 10-digit

⁴Assumption #1 is that the area code growth will continue at approximately the same rate as current demand for central office codes.

⁵Assumption #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.

local dialing. Such a situation is not desired by most of the customers. Also, according to the guidelines⁶, alternatives #2, #7, and #9 do not meet the requirements due to the imbalances in the projected lives for the two areas based on assumption #2.

Section 7 of the INC guidelines states 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 also states in Section 6.4 that a combination of the different relief plans may be used. The FCC emphasized 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.

DIALING PATTERN CONCERNS

We have also taken into account the dialing patterns that would result from the various area code relief alternatives. With Alternative #11, none of the ECS/EAS routes in Brevard County would require 10-digit local dialing. All dialing patterns stay the same for Brevard County. The ECS/EAS routes for Brevard County are given in Table 2 below:

Exchange	Non-optional Extended Area Service Areas (Exchanges available through optional calling plans enclosed in [], and \$0.20, \$0.25 and ECS plans are underlined)
Cocoa	Cocoa Beach, Eau Gallie, Melbourne, Titusville, [All exchanges in LATA]
Cocoa Beach	Cocoa, Eau Gallie, Melbourne, Titusville, [All exchanges in LATA]

⁶INC 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.

Exchange	Non-optional Extended Area Service Areas (Exchanges available through optional calling plans enclosed in [], and \$0.20, \$0.25 and ECS plans are underlined)
Eau Gallie	Cocoa, Cocoa Beach, Melbourne, <u>Titusville</u> , [All exchanges in LATA]
Melbourne	Cocoa, Cocoa Beach, Eau Gallie, Sebastian, [<u>Titusville</u>][All exchanges in LATA]
Titusville	Cocoa, Cocoa Beach, <u>Eau Gallie</u> , <u>Melbourne</u> , [All exchanges in LATA]

Table 2: ECS/EAS routes for exchanges in Brevard County

Another dialing pattern concern was raised by public witness Helen Voltz, a Brevard County Commissioner, in the August 6, 1998, Melbourne public hearing and by public witness Nancy Higgs, a Brevard County Commissioner, and public witnesses, E.M. Cunningham and Bruce Bolon, in the September 25, 1998, Melbourne public hearing. Their concern was that people in South Brevard County are presently included in the 561 Area Code served by the Sebastian exchange, while the remainder of Brevard County is included in the 407 area code. We believe that it is necessary to investigate this issue further in a separate docket. On October 14, 1998, we opened Docket No. 981345-TL to investigate the boundary issues regarding South Brevard County. Docket No. 981345-TL will address the possibility of a LATA or exchange boundary change, a new calling scope, an exchange with two area codes, and interLATA calling issues. In their testimonies, BST witnesses Stan Greer and Allen Benson stated that the switch in the Sebastian exchange can handle NXXs for two area codes. In order to determine what the customers want, the economic impact to the customers and the local exchange company (LEC), and the engineering requirements, we believe further investigation is necessary.

Witnesses in Brevard County supported a single area code for the entire county, regardless of which area code they get. This was also supported by the 12,092 Brevard County customers who have contacted us and indicated that they oppose an overlay relief plan and prefer a split.

Customer Concerns

Customer concerns also are extremely important to our decision. In his testimony, public witness Robert Osband suggested that we implement a split using a new area code. He had searched the database of the NANPA for all the available area codes, and he recommended that we implement the "321" area code to signify the countdown, fitting for Brevard County, where the Kennedy Space Center is located and commonly known as "the Space Coast." However, this particular number, 321, is reserved as a Geographic Relief Code.⁷ Currently, the only numbers available from the NANPA are General Purpose Codes. In the Telecommunications Act of 1996, Congress provided that the FCC has exclusive jurisdiction over those portions of the NANP that pertain to the United States. The NANPA assigns specific area code numbers on a first-come, first-serve basis, unless a jeopardy condition exists.

Public witness Wayne Gardner raised the possibility of transferring the present 407 portion of Volusia County to 904. Although technically possible, this would reduce the projected life of the 904 area code. All EAS/ECS routes would be affected, and this would result in 10-digit calling. Thus, we believe that we should keep the portion of Volusia County in any 407 area code relief plan since this will not harm the calling scopes or the 904 area code in any way.

Another issue that was brought up during public hearings was who keeps the current area code, 407, referring to areas A, B, and C in the 12 alternatives. Traditionally, the larger metropolitan area retains the area code in a geographic split. Because the metropolitan areas usually have the most numbers, there would be less customer impact if the metropolitan area retained the existing area code. On this basis, the areas where Seminole, Orange, and Osceola Counties are found would likely retain the 407 area code.

⁷INC 96-0308-011 Section 9.1.3 states that a new geographic NPA that will exhaust and no NPA has been reserved for its relief, a specific geographic NPA relief code will be selected by the NANPA and reserved from the "General Purpose" partition. When the existing geographic NPA with a reserved relief code is projected to exhaust outside of 20 years, the reserved relief code will be released and included in the "General Purpose NPA Codes" partition.

Finally, we have considered the great amount of customer correspondence or contacts that we have received. The distribution of customer contacts by county in the affected areas can be tabulated as: 12,092 from Brevard County, 13 from Orange County, and six from Seminole County. As indicated by these statistics, the strong community of interest in Brevard County indicates that Alternative #11 would serve as the best plan for them.

Commission's Criteria For Area Code Relief Plan Decisions

In addition to the advantages and disadvantages listed above, in our prior area code relief plan proceedings, we have considered four criteria that are relevant to the issues in this proceeding: 1) Competitive Concerns; 2) Impacts to Customers; 3) Impacts to Carriers; and 4) Length of Relief.

1) Competitive Concerns

Neither the split relief plans nor the overlay relief plans will cause any anti-competitive problems since all carriers will be treated the same. Industry witnesses 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 will be required for all local calls. Therefore, we find that there are not any major competitive concerns for any of the proposed relief options.

2) Impacts to Customers

Any geographic split plan would require the existing customers to change their area code to the new area code. Following implementation of a split plan, customers continue 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.

On the other hand, 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. The major disadvantage for customers, however, 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. These disadvantages would be limited to Seminole, Orange, and Osceola County subscribers under the split boundary extension overlay relief plan. Brevard County would use NXXs exclusively from the new area code, with the advantage of retaining 7-digit dialing.

Based on customer input from the public hearings, it appears that Alternative #11 best reflects the interests of the customers. We note that a majority of the customer input from public hearings came from Brevard County residents. In Melbourne, 24 of the 27 public witnesses preferred a split plan as long as they could keep 7-digit local dialing. The witnesses represented various chambers of commerce and citizen groups. The witnesses objected to an overlay plan because they did not want two different area codes serving Brevard County. They stated that they did not want to be a part of the Orlando metropolitan area and that they should not be punished because of the growth in the West. The majority said they would accept a new area code rather than having two. Accordingly, we find that from the customer perspective the split boundary extension overlay, splitting the Brevard County subscriber group from the Seminole, Orange, and Osceola Counties subscriber groups, would provide a solution that would best satisfy the collective desires of the customers.

3) Impacts on Carriers

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 will be required to reprogram their equipment to comply with the 10-digit dialing requirement.

4) Length of Area Code Relief

The projected exhaust dates for 407 and the new area code under Alternative #1 (a single overlay), Alternative #8 (a single overlay with Orange City exchange), and Alternative #11 (a split boundary extension overlay) are essentially the same, 2005.

Therefore, for the basic decision of overlay versus split boundary extension overlay, the length of relief is not a factor.

E. CONCLUSION

Upon consideration, we hereby select as the appropriate relief plan for the 407 area code 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) this same new area code is simultaneously used as an overlay in the remaining 407 area. (Appendix A) We believe that this split boundary extension overlay will best meet the customers' interests as expressed at the hearings in Orlando and Melbourne. Likewise, we reject the industry consensus' overlay plan, Alternative #1.

We recognize that Alternatives #1 and #11 are very similar; we believe, however, that Alternative #11 is preferable for Brevard County customers. Foremost, customers in Brevard County would be able to keep their telephone numbers, except for the fact that they must use the new area code. We do realize that changing an area code will be a serious concern for some businesses. However, having been to the public hearings and having read the correspondence from the Brevard County customers, we believe that Alternative #11 will be the optimal plan for Brevard County by maintaining 7-digit dialing. Due to the high population density in the metropolitan areas, we find that the best solution is an overlay plan for Seminole, Orange, and Osceola Counties. The split boundary extension overlay meets both needs and has a life span of 4.8 years, assuming no number conservation.

All alarm monitoring companies will need to reprogram their equipment so that no customers are left without any monitoring services. Accordingly, we hereby order BST, Sprint, and Vista to send a letter to alarm monitoring companies advising them of the need to reprogram their equipment for 10-digit dialing in the overlay area by December 1, 1999. The letter should be submitted to our staff for review by January 13, 1999. Upon our staff's approval, this notice should be mailed by LECs to all alarm monitoring companies by January 27, 1999. In addition, we believe that it is appropriate to reserve a specific number of NXX codes in the new area code for Brevard County. This allocation of NXX codes should give the new area code a longer life for Brevard County. We will address this allocation at a subsequent Agenda Conference. With regard to this new area code, we hereby direct our staff to

prepare a letter to the North American Numbering Council requesting 321 as the new area code for Brevard County and the overlaid area.

III. 407 AREA CODE RELIEF PLAN IMPLEMENTATION REQUIREMENTS

In the implementation of Alternative #11, we must follow the implementation requirements established by the FCC. On August 8, 1996, the Federal Communications Commission (FCC) issued its Second Report and Order, CC Docket No. 96-98, FCC 96-333. With regard to the area code implementation guidelines for the overlay of area codes, Section V, Paragraph 281, of this FCC Order states that the INC guidelines prohibit all service-specific or technology-specific overlays and imposes conditions on the adoption of an all-services overlay. In addition, the FCC Order states that the numbering administration should: 1) seek to facilitate entry into the communications marketplace by making numbering resources available on an efficient and timely basis; 2) not unduly favor or disadvantage any particular industry segment or group of consumers; and 3) not unduly favor one technology over another. Paragraph 286 of the FCC Order further states that if a state commission chooses to implement an all-services overlay plan, it may do so only if the plan includes: 1) mandatory 10-digit local dialing by all customers between and within area codes in the area covered by the new code; and 2) at least one NXX is made available in the existing area code to every telecommunications carrier, including Commercial Mobile Radio Service (CMRS) providers, authorized to provide telephone exchange service, exchange access, or paging service in the affected area code 90 days before the introduction of a new overlay area code. The NXXs should be assigned during the 90-day period preceding the introduction of the overlay.

Accordingly, we hereby require 10-digit permissive dialing to begin April 1, 1999, and end on December 1, 1999, for the area overlaid as a result of the relief plan. We believe that this schedule will allow carriers ample time to make the necessary modifications to implement 10-digit local dialing and provide their customers with sufficient notification of the dialing requirements that will affect their calls. In the overlaid area, 10-digit dialing shall be implemented for all local calls placed between and within the area codes in the overlaid area. ECS calls which are not subject to competition from IXC's shall be handled in the same way as local calls. Any routes within the overlaid area which are subject to competition from IXC's must be dialed on a 1+10-digit basis.

Dialing patterns for the split boundary extension overlay relief plan have been difficult to decide. Outside the overlaid area, dialing patterns depend on whether the call is interNPA and whether IXCs may carry the traffic. All interNPA calls are to be dialed on a 10 or 1+10-digit basis in order to improve the efficient use of numbers. Ten-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.

The effective date for issuing new Central Office NXX Codes in Brevard County will be April 1, 1999. Mandatory utilization of the new area code in Brevard County will be December 1, 1999. Local/EAS and ECS calling which is not subject to IXC competition should be on a 7-digit basis within a geographic area code, a 10-digit basis within the overlaid area, and 10-digit basis between area codes and outside the overlaid area. 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:

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 407 Area Code Relief

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Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Alternative #11, as described in the body of this Order, is the appropriate relief plan for the 407 area code. It is further

ORDERED that the permissive dialing patterns specified in the body of this Order shall begin on April 1, 1999, and become mandatory on December 1, 1999. It is further

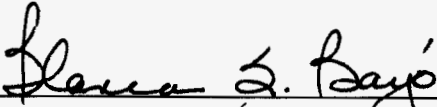
ORDERED that the effective date for issuing new Central Office NXX Codes in Brevard County shall be April 1, 1999 with a mandatory date for using the new area code in Brevard County of December 1, 1999. It is further

ORDERED that BellSouth Telecommunications, Inc., Sprint-Florida, Incorporated, and Vista-United Telecommunications must send a letter to alarm monitoring companies advising them of the need to reprogram their equipment for 10-digit dialing in the overlay area by December 1, 1999, as specified in the body of this order. It is further

ORDERED that affected companies shall implement the dialing patterns specified in Table 3 of this Order. It is further

ORDERED that this docket shall remain open to address the allocation of NXX codes for the new area code.

By ORDER of the Florida Public Service Commission this 29th day of December, 1998.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

(S E A L)

WPC

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DISSENT

Commissioner J. Terry Deason dissented on this Order.

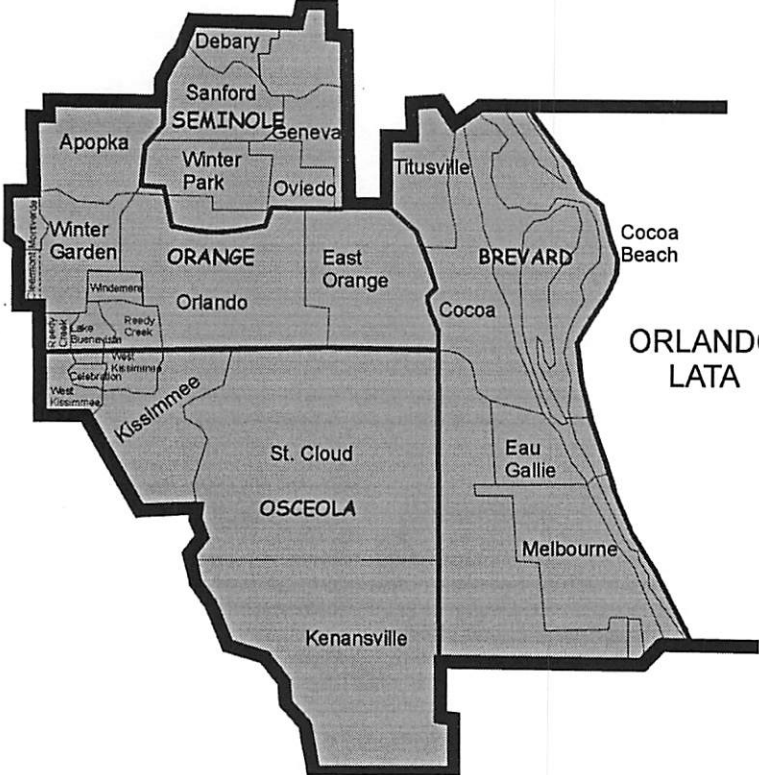
NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

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.

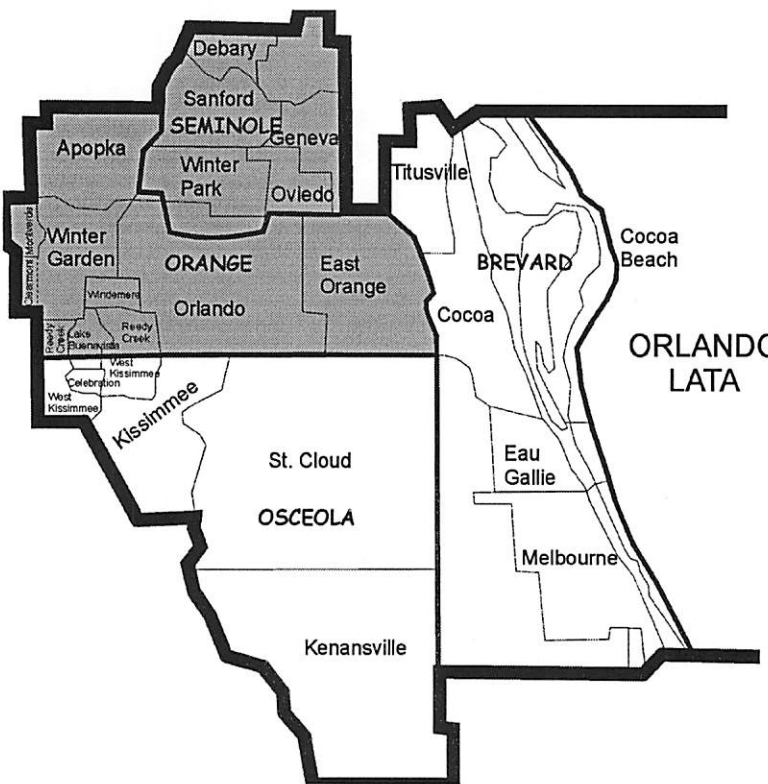
Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) 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.

APPENDIX A:

Alternative #1:

No	Description
1	<p>Single overlay over the entire present 407 area code Exhaust year: 2005</p> 

Alternative #2:

No	Description
2	<p>Geographic split with Orange and Seminole Counties in area A and Osceola and Brevard Counties in area B</p> <p>Exhaust year for Area A: 2002 Exhaust year for Area B: 2013</p> 

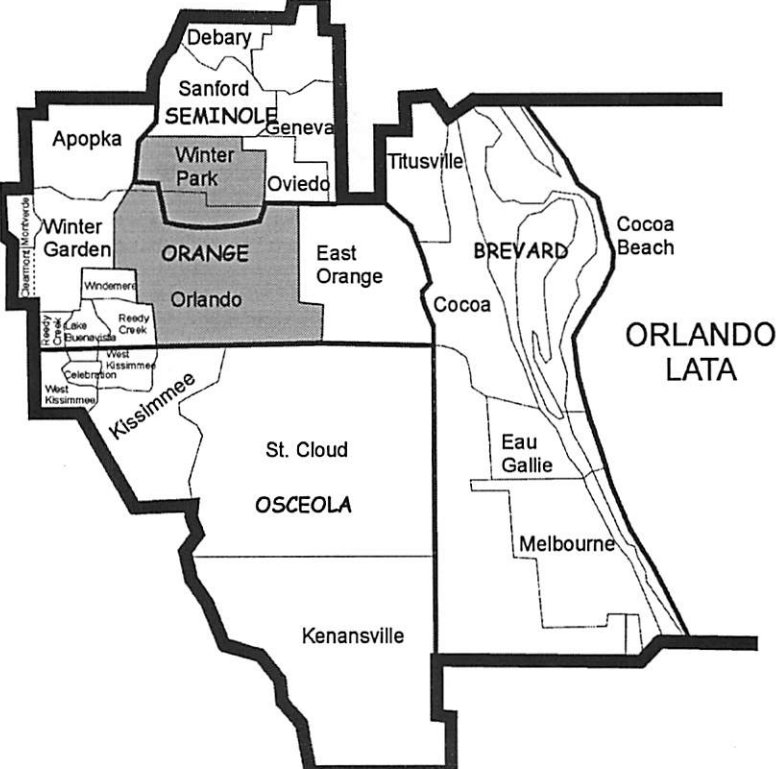
Alternative #3:

No	Description
3	<p>Geographic split with Orange and Osceola Counties less the East Orange exchange (rate center) in area A and Brevard and Seminole Counties, and the East Orange exchange in area B</p> <p>Exhaust year for Area A: 2004 Exhaust year for Area B: 2006</p>

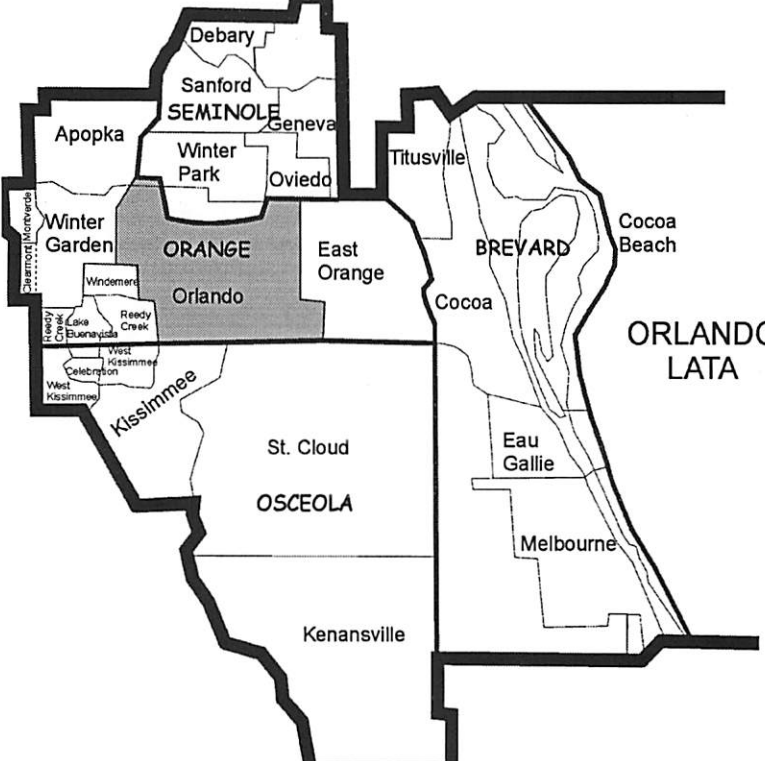
Alternative #4:

No	Description
4	<p>Geographic split with the Orlando, Winter Garden, Montverde, Windermere, Reedy Creek, Lake Buena Vista, and West Kissimmee exchanges in area A and the remaining geography in area B</p> <p>Exhaust year for Area A: 2004 Exhaust year for Area B: 2005</p>

Alternative #5:

No	Description
5	<p>Geographic split with the Orlando and Winter Park exchanges comprising area A and all of the remaining geography in area B</p> <p>Exhaust year for Area A: 2003 Exhaust year for Area B: 2007</p> 

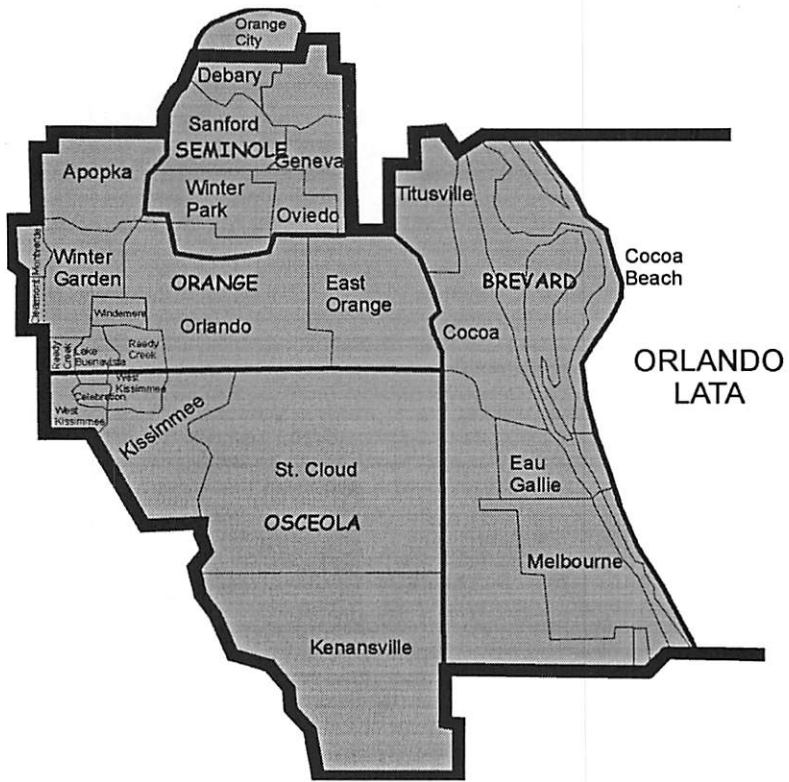
Alternative #6:

No	Description
6	<p>Geographic split with the Orlando exchange in area A and the remaining geographic area comprising area B</p> <p>Exhaust year for Area A: 2006 Exhaust year for Area B: 2003</p> 

Alternative #7:

No	Description
7	<p>Geographic split with Seminole and Orange Counties less the Windermere, Reedy Creek, and Lake Buena Vista exchanges in area A and the remaining geography in area B</p> <p>Exhaust year for Area A: 2002 Exhaust year for Area B: 2012</p>

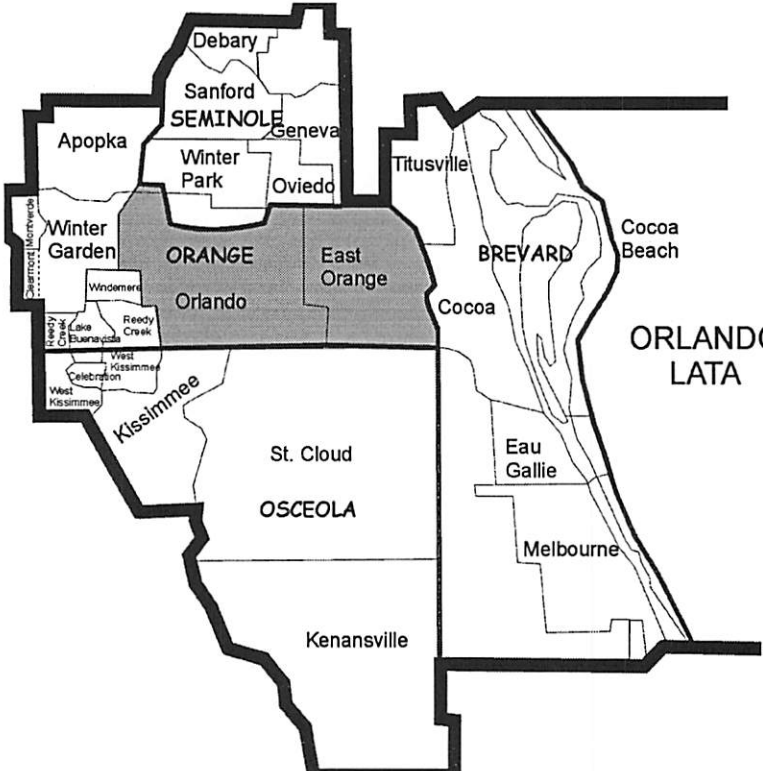
Alternative #8:

No	Description
8	<p>Single overlay combined with a boundary realignment to include the Orange City exchange that's currently in the 904 area code</p> <p>Exhaust year: 2004</p> 

Alternative #9:

No	Description
9	<p>Geographic split with the Orlando, Winter Park, Winter Garden, Montverde, Windermere, Reedy Creek, Lake Buena Vista, West Kissimmee, Celebration, and Kissimmee exchanges in area A and the remaining geographic area in area B</p> <p>Exhaust year for Area A: 2002 Exhaust year for Area B: 2011</p>

Alternative #10:

No	Description
10	<p>Geographic split with the Orlando and East Orange exchanges in area A and all of the remaining geography in area B</p> <p>Exhaust year for Area A: 2006 Exhaust year for Area B: 2003</p> 

Alternative #11:

No	Description
11	<p>Geographic split of Brevard County (Area A) from the current 407 area code and boundary extension overlay of this new area code into Seminole, Orange, and Osceola Counties (Area B)</p> <p>Exhaust year for Area A: 2005 Exhaust year for Area B: 2005</p>

Alternative #12:

No	Description
12	<p>Geographic three-way split with the Orlando exchange in Area A, Brevard County, Winter Park, East Orange, Oviedo, Geneva, Sanford, and Debarry exchanges in Area B, and Apopka, Winter Garden, Kissimmee, West Kissimmee, Celebration, Lake Buena Vista, St. Cloud, and Kenansville exchanges in Area C</p> <p>Exhaust year for Area A: 2006 Exhaust year for Area B: 2013 Exhaust year for Area C: 2011</p> 