

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Nebraska) Application No. C-4152
Public Service Commission, on)
its own motion, to adopt a) ORDER OPENING DOCKET AND
relief plan for the 402 area) SETTING WORKSHOP
code.)
) Entered: March 17, 2009

BY THE COMMISSION:

O P I N I O N A N D F I N D I N G S

The Nebraska Public Service Commission (Commission), on its own motion, opens this docket to adopt a relief plan for the 402 area code. On June 9, 1999, the Commission initiated a proceeding in Docket C-2057/PI-28 to investigate the potential exhaust of assignable numbers in the 402 area code. At that time, The North American Number Plan Administrator (NANPA) estimated the 402 area code would be exhausted within two years. To delay the necessity of a new area code, the Commission worked with the industry to implement number conservation measures including thousand-block number pooling¹ and rate center consolidation. On July 20, 2000, the Federal Communications Commission authorized the Commission to implement thousand-block pooling in the 402 Area Code.² Voluntary thousand-block number pooling began in the 402 area code on February 17, 2001. In Docket C-3049 opened on November 13, 2003, the Commission investigated and implemented number pooling to extend the life of the 402 and 308 area codes as long as possible. Subsequently, the Commission sought and received the authority from the Federal Communications Commission to require mandatory number pooling in the 402 area code.³

¹ Thousand-block number pooling is a number resource allocation method that divides a prefix or central office code (NXX) which normally consists of 10,000 telephone numbers into ten sequential blocks of 1,000 numbers. Thousand-block number pooling extends the life of an area code because it allows multiple service providers operating in the same rate area to share the ten thousand blocks in a prefix at the thousand-block level.

² See *In the Matter of Numbering Resource Optimization et al.*, CC Docket No. 99-200, DA 00-1616, ORDER (Rel. July 20, 2000)("CC Docket No. 99-200")(approving the petitions filed by a number of states to implement conservation measures.)

³ On February 24, 2006, in CC Docket No. 99-200, the Federal Communications Commission released its Numbering Resource Optimization Order and Fifth Notice of Proposed Rulemaking granting this Commission the authority to implement mandatory thousand-block pooling in the 402 NPA.

The Federal Communications Commission has imparted authority and guidance to the states for adopting area code relief plans. 47 C.F.R. § 52.19 provides in pertinent part that;

a) State commissions may resolve matters involving the introduction of new area codes within their states. Such matters may include, but are not limited to: Directing whether area code relief will take the form of a geographic split, an overlay area code, or a boundary realignment; establishing new area code boundaries; establishing necessary dates for the implementation of area code relief plans; and directing public education efforts regarding area code changes.

(b) State commissions may perform any or all functions related to initiation and development of area code relief plans, so long as they act consistently with the guidelines enumerated in this part, and subject to paragraph (b)(2) of this section. For the purposes of this paragraph, initiation and development of area code relief planning encompasses all functions related to the implementation of new area codes that were performed by central office code administrators prior to February 8, 1996. Such functions may include: declaring that the area code relief planning process should begin; convening and conducting meetings to which the telecommunications industry and the public are invited on area code relief for a particular area code; and developing the details of a proposed area code relief plan or plans.

Generally, area code relief plans consist of two alternatives. One alternative is a split of the area code, which if used in this case, would geographically split the current 402 area code into two area codes. In a split, one side of the geographic area keeps the existing area code while the other side acquires a new area code. In a split all customers in the new area code would be required to change the area code associated with their local telephone number. The second alternative is an all-services overlay. In an all-services overlay, the existing area code boundary remains the same and a second area code is introduced to the same area providing new numbering resources. An overlay would not require customers to

change their existing numbers however it would require 10-digit dialing for all calls.

On February 19, 2009, NeuStar, a neutral third party numbering administrator, notified the Commission that based upon the latest semi-annual forecast, the new forecasted exhaust date for the 402 area code was projected to be the third quarter of 2010. NeuStar also provided an updated assessment on the Commission's four NPA relief plans proposed in 1999 as well as updated forecasted exhaust information for the 308 and 402 area codes. Three of the four initial alternatives were geographic splits while the fourth alternative was an all-services overlay. Based upon recent information from NeuStar, the overlay method of providing relief is the most widely used method among states at the present time.

The Commission released four NPA relief plans proposed in 1999 for comment in Docket C-2057. The alternatives remain the same; however, the projected life information has been updated to reflect the effects of current data. The Commission will incorporate the record from the Docket C-2057 proceeding into this docket and requests interested parties to refresh the record on the four relief plans. For reference, the Commission has attached descriptions of the geographic split alternatives with projected lives of the new and old area codes received from NeuStar. The maps in the attachment mirror the proposed alternatives of 1999 with updated information from NeuStar. The fourth alternative is the overlay which would be an all-services overlay for the 402 area code. The Commission seeks comments from interested persons on the alternatives and the implementation of an area code relief plan.

The Commission is aware that the industry needs approximately 18 months to implement a relief plan. Accordingly, the Commission will use this proceeding to choose a relief plan and address all issues necessary to implement the relief plan chosen.

The Commission will hold a workshop on the proposed relief plans on **April 20, 2009** at 1:00 p.m. in the Commission Hearing Room, Lincoln, Nebraska. For those interested in filing written comments, comments must be submitted to the Commission on or before **April 17, 2009**. Persons filing comments should file five (5) paper copies and one electronic copy which can be electronically mailed to Deena.Ackerman@nebraska.gov

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the above-captioned docket be, and it is hereby open for public comment as prescribed above.

IT IS FURTHER ORDERED that the Commission will hold a workshop addressing the merits of each of proposed relief plans on **April 20, 2009**, at 1:00 p.m. in the Commission Hearing Room, Lincoln, Nebraska.

MADE AND ENTERED at Lincoln, Nebraska this 17th day of March, 2009.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Gerald Wap
Tim Schram
//s// Frank E. Landis

Steve Funder
Chairman

ATTEST:

Phil S/D
Executive Director