BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the North American Numbering Plan Administrator, on behalf of the California Telecommunications Industry, for Relief of the 323 Numbering Plan Area.	Application 15-11-017 (Filed November 24, 2015)

DECISION GRANTING REQUEST FOR THE NUMBERING PLAN AREA BOUNDARY ELIMINATION OVERLAY IN THE 323 AND 213 AREA CODES

Summary

By this decision we grant the application, filed by the North American Numbering Plan Administrator (NANPA) on behalf of the telecommunications industry (industry), requesting approval of a numbering plan area boundary elimination overlay for the 323 numbering plan area (NPA) with a ~~10~~13-month implementation schedule.[1] A boundary elimination overlay will provide additional numbering resources to meet the demand for telephone numbers. We also adopt the recommended implementation plan and schedule included in NANPA's Application, with modifications to set a July 2016 start date for customer education and network preparation. In addition, we adopt a public

[1] As a neutral-third party administrator, NANPA has no independent view regarding the relief option proposed in the application made on behalf of the industry. The "industry" is composed of current and prospective telecommunications carriers operating in, or considering operations with the 213 and 323 area codes. The 323 NPA is the geographic area served by the 323 area code, and the 213 NPA is the geographic area served by the 213 area code. For convenience and because it is common practice, we refer to both the area code and the NPA in the same way as either the "323 area code," or "213 area code."

education program, as modified based on comments received to facilitate implementation of the boundary elimination overlay area code relief.

After the implementation period, the boundary between the existing 213 and 323 NPAs will be eliminated and the 213 and 323 NPAs would be assigned to the same geographic areas occupied by the existing 213 and 323 NPAs. All 213 NPA and 323 NPA customers would retain their current telephone numbers; however, customers must dial 1 plus the three-digit area code for all calls to and from telephone numbers with the 213 and 323 area codes.[2] Customers may begin using this new dialing procedure in ~~October 2016~~January 2017 and continue to do so for six months through ~~April~~July 2017, i.e., during the permissive dialing period. However, customers must use the new dialing procedure, 1+10 digit dialing as described herein, at the start of the mandatory dialing period in ~~April~~July 2017, ~~9~~12 months after the start of the implementation schedule (July 2016).

No customers will be required to change their telephone number. New telephone numbers with the 213 area code will be issued to customers within the current 323 area code boundary, as required by demand, beginning ~~one~~in the month after the start of the mandatory dialing period.[3] Central office codes from the 213 overlay NPA will be assigned upon request within the 323 NPA area

[2] In its *Second Report and Order and Memorandum Opinion and Order* (*Second R&O*), FCC 96-333, the Federal Communications Commission (FCC) adopted a rule for overlays that required "mandatory 10-digit dialing by all customers between and within area codes in the area covered by the new area code." (*Second R&O*, at ¶ 286; *see also*, 47 C.F.R. § 52.19(c)(3)(ii).) The California Public Utilities Commission adopted an identical requirement in Decision (D.) 96-12-086.

[3] Service Providers that have been allocated blocks of 323 NXX numbers will continue to assign 323 area code sequentially, that is, on a first-come, first-served basis, to new customers until their blocks are exhausted as required by Federal Communications Commission (FCC) regulation.

upon the effective date of the boundary elimination, and conversely, 323 NPA central office codes may be assigned upon request in the 213 NPA area upon the effective date of the boundary elimination.

This proceeding is closed.

1. Background

The 213 area code is one of California's original three area codes as it was created with the implementation of area codes nationwide in 1947. It originally covered the southern third of California. As California has increased in population over the past 70 years we have added millions of telephone numbers through the addition of 18 new area codes to cover the region that comprised the original 213 area code.[4] The result of the splits from the 213 area code, or splits and overlays of an area code that was split from the 213 area code has resulted in the 213 becoming one of the smallest area codes in the nation, comprised of only three rate centers and covering only a few square miles in the downtown region of the City of Los Angeles.

The 323 area code was created when it was split off of the 213 area code in June 1998. The area served by the 323 area code surrounds the region covered by the 213 area code and is largely made up of the City of Los Angeles as well as neighboring cities and unincorporated portions of Los Angeles County. The 213 area code is located in the center of the region covered by the 323 area code much like a hole in the center of a donut. Currently, the 323 area code consists of 12 rate centers. The City of Los Angeles is not only in all of 213 numbering plan area (NPA) NPA but also in eleven of the twelve rate centers of the 323 NPA.

[4] The following area codes are now in use in the southern third of California that was originally covered by the 213 area code (with year of implementation in parentheses): 714 (1951); 805 (1957); 619 (1982); 818 (1984); 310 (1991); 909 (1992); 562 (1997); 626 (1997); 760 (1997); 323 (1998); 949 (1998); 661 (1999); 858 (1999); 951 (2004); 310/424 (2006); 714/657 (2008); 818/747 (2009); 760/442 (2009).

From 1947 to January 1997, the number of area codes in this state increased gradually from 3 to 13. During the next three years, however, the number of area codes in California nearly doubled. By the end of 1999, California had 25 area codes. As a result of the dramatic increase in the use of telephone numbers, the California Public Utilities Commission (Commission) implemented several measures intended to ensure efficient use of telephone numbers. Without the implementation of major number conservation measures, the telecommunications industry had plans underway to add 22 more area codes in California by the end of 2003, resulting in a statewide total of 47 area codes. However, as a result of the number conservation measures instituted by the Commission, California has only added 7 new area codes since 1999 and now has 32 active area codes in the state.

With the implementation of thousand-block number pooling[5] and other conservation measures, the life of the 213 and 323 area codes have been extended, thus delaying for many years the need for a new area code or other Commission intervention in those area codes. Conservation measures implemented beginning in 1999 have now run their course, and the remaining supply of telephone numbers (known as central office codes or prefixes) in the 323 area code have dwindled to the point that some relief is needed.[6] In February 2015, The North American Numbering Plan Administrator (NANPA) estimated that the 323 area

[5] Originally, telephone numbers were assigned to service providers in 10,000 block groups. Thousand-block number pooling implemented a new resource allocation system to divide a prefix or central office code (NXX code), which is a group of 10,000 telephone numbers, into ten sequential blocks or groups of 1,000 telephone numbers allowing the allocation of telephone numbers in blocks of 1,000. This system allows multiple service providers operating in the same rate area to share the ten thousand-blocks in a prefix at the thousand-block level.

[6] Other area codes in California now nearing exhaust include the 805, 916, and 619 area codes.

code would exhaust (run out of assignable numbers) in the first quarter of 2018. At that point, given the lengthy planning process for and implementation of area code changes, as mandated by Public Utilities Code §§ 7931 and 7932,[7] NANPA initiated the planning process with the Commission and industry that resulted in this application. By the time this application was filed in November 2015, NANPA had revised its estimate that the 323 area code will exhaust in the third quarter of 2017. A review of the most recent number exhaust report from NANPA[8] shows that the 323 area code is now projected to run out of telephone numbers in the second quarter of 2017.

The application presents one solution, a boundary elimination overlay. The NANPA presented this single approach because of the unique geography of the 323 area code. The 213 and 323 area codes are concentric with the City of Los Angeles at their core and the City of Los Angeles is in 14 of the 15 rate centers that make up both area codes. Alternatives such as an overlay for just the 323 or a further split of the 323 area code were not considered as both would require the introduction of a third area code in Los Angeles. In a split, one side of the split retains the existing area code, while the other side acquires the new area code. In a split or an overlay, the projected life for the new area code is typically approximately 30 years before additional relief would be required. Currently, the 213 area code has a forecasted exhaust of more than 30 years; eliminating the boundary to include the 323 NPA would result in a projected life of approximately 15 years for the newly combined 213 and 323 areas before additional relief would be required.

[7] All citations are to the California Public Utilities Code, unless otherwise indicated.
[8] Available at https://www.nationalnanpa.com/reports/reports_nruf.html.

The Commission's Communication Division (CD) Staff presented the boundary elimination overlay for the 323 and 213 area codes at two Local Jurisdiction meetings on September 8, 2015 in the City of South Gate and the City of Los Angeles and at the four public meetings held on September 9 and 10, 2015, in South Pasadena and the City of Los Angeles.

2. Need for a New Area Code

Pursuant to Pub. Util. Code §§ 7936 and 7943(c), before approving any new area code, the Commission must obtain utilization data from NANPA for any area code for which a change is proposed. The Commission must then perform a telephone utilization study and implement all reasonable telephone number conservation measures. Where there is no reasonable alternative other than to create a new area code, the Commission must do so in a way that creates the least inconvenience for customers.[9]

As set out above, the Commission adopted number conservation measures that extended the life of the 323 area code. Despite these measures, NANPA now projects the 323 area code will exhaust in the second quarter of 2017. NANPA fully supported the projection for the 323 area code by providing utilization data and performing a utilization study on the 323 area code.[10] The Commission's CD reviewed the utilization data and study and agrees that the 323 area code will exhaust in the second quarter of 2017, though steps can be taken by the

[9] Cal. Pub. Util. Code § 7943(a).

[10] The initial utilization data and study consists of NANPA's February 13, 2015 update to its October 2014 Number Resource and Utilization Forecast and NPA Exhaust Analysis, which form the basis for NANPA's exhaust forecast. Subsequent updates are available at https://www.nationalnanpa.com/reports/reports_nruf.html.

Commission to extend the 323 area code to the third quarter of 2017.[11] The Commission's CD should take those actions to ensure the 323 area code does not exhaust prior to August 2017. Thus, the statutory requirements of §§ 7936 and 7943(c) have been satisfied. However, the Application proposes that the boundary elimination overlay is a reasonable alternative to creating a new area code and further it creates the least inconvenience for customers, and is thus preferable to creating a new area code.

3. Split Versus Overlay Versus Boundary Elimination Overlay

A split allows some existing customers to retain their current area code, in addition to retaining their 7-digit line number, while others will not. Those customers whose area code changes would incur the inconvenience of having to notify family, friends, and those they do business with of the change. In the case of some businesses, they will also incur costs for new business cards, stationary, signage, advertising, etc., and may lose business because existing or potential customers are not made aware of the change. All customers will have to dial 1 plus the area code and the new phone number (1+10 digit dialing) to reach customers who are on the opposite side of the geographic demarcation between the 323 area code and the new area code.

An overlay requires no customers to change area codes or their current 7-digit line number. However, they will have to use 1+10 digit dialing for all calls, including those dialed within the same 323 area code that currently only requires 7-digit dialing. When an area code splits, carriers can obtain additional numbers in either the new or the old area code, as the split doubled the quantity

[11] *See* 47 C.F.R. § 52.19 (granting the California Public Utilities Commission authority to perform any and all functions related to the initiation and development of area code relief plans, and resolve matters involving the introduction of new area codes in California).

of numbers available, but "splits" them between two area codes separated by an invisible geographic boundary. In contrast, when an area code overlay is introduced, the new area code is introduced over the same geographic area as the old area code, but the new area code contains a full complement of new prefixes and line numbers. In an overlay, carriers assign numbers in the new, overlaid, area code, but also may continue to assign to customers unassigned numbers in the old area code if available. After all old area code numbers are assigned, a carrier can only obtain numbers in the new area code. An overlay requires no customers to change their numbers. Pursuant to Public Utilities Code § 7933, creation of a new area code does not affect what is charged for the call. However, all customers with a 323 area code would have to use the 1+10 digit dialing for all calls.

As with the introduction of a new area code overlay, a boundary elimination overlay does not require customers to change area codes or their current 7-digit line number. Customers will have to use 1+10 digit dialing for all calls, including those dialed within the same 213 or 323 area codes that currently only requires 7-digit dialing. A boundary elimination overlay effectively undoes a previous area code split to combine the areas previously served by two area codes into a single geographic area served by both area codes like a traditional overlay. When a boundary elimination overlay is introduced, both area codes are available to be used over the same geographic area that each individually served before the change. In a boundary elimination overlay, carriers may assign any unassigned number to customers from either area code if available. As one of the area codes in a boundary elimination overlay will be nearing exhaust, carriers will eventually only obtain new numbers from the other area code. In this case, the boundary between the 213 and 323 area codes will be eliminated, thereby

blending the two area codes together. The 213 area code would serve the 323 area code region in addition to the existing 213 area code region. The 323 area code would likewise serve both the current 213 and the current 323 area code regions. A boundary elimination overlay requires no customers to change their numbers. Pursuant to Pub. Util. Code § 7933, a boundary elimination overlay does not affect what is charged for the call. However, all customers with a 213 or 323 area code would have to use the 1+10 digit dialing for all calls.

4. Public Meeting and Comments

Section 7931(e)(2) of the Public Utilities Code requires NANPA and Commission staff to conduct at least one meeting for representatives of local jurisdictions and three public meetings within nine months from when NANPA informs the Commission of the need for an area code change. The purpose of the meetings is to inform the local representatives and the public about the area code change options and provide a forum for them to voice their opinions concerning the proposed options.

With CD's participation, the NANPA held relief planning meetings with the industry on March 19, 2015, and on April 22, 2015.

Meetings with representatives for local jurisdictions were held in the City of South Gate and the City of Los Angeles on September 8, 2015. Four public meetings were held on September 9 and 10, 2015 in the City of Los Angeles, and the City of South Pasadena. Meeting notices for those September public meetings were inserted in telecommunications service providers' customer bills in the month of August, 2015. Individual letters of invitation were sent to 269 local jurisdiction entities, including the local, state and federal elected and appointed officials and the California Highway Patrol offices in the 213 and 323 areas on August 10, 2015.

At the meetings, attendees were given the option to provide feedback about the area code change by commenting orally or in writing using comment forms. In addition, the Commission received input via e-mail and the Commission's web site. Overall 66 people attended the local jurisdiction and public meetings. Commenters at the public meeting expressed a concern that their 323 area code would be changed to the 213, and others that had 213 area codes when the 323 split occurred expressed a similar concern that their telephone number would be changed back to a 213 area code number. One commenter questioned why a brand new area code is not being introduced so that the entire 213/323 area would have a projected life of longer than 15 years. NANPA staff explained that the proposed boundary elimination overlay is in line with the FCC's number conservation policies, and is beneficial to customers as they keep their existing phone number and area code. No commenters at the public meetings objected to the boundary elimination overlay on the grounds that 1+10 digit dialing was over burdensome and inconvenient.

5. Discussion

No customer responded opposing the boundary elimination overlay. The most common issue raised was the concern that an area code change would require a customer to change their existing phone number. As customers only have to change their telephone numbers when an area code split is ordered, Commission staff and NANPA officials at the public meetings explained that with a boundary elimination overlay all customers will keep their current phone numbers, including their current area code. One commenter expressed concern that it has been only 17 years after the 323 was created by splitting it from the 213 and that steps should be taken to make this area code relief last longer. The proposed boundary elimination overlay of 213 over the 323 area code will have a projected life of only 15 years. A projected life of 15 years is on the shorter end of acceptable ranges for area code relief, however, as the other options available would require the immediate use of a new area code, and would likely result in an area code overlay for the 323 and/or 213/323 area codes, forestalling the need for a third area code is in the public interest.[~~11~~12] A lot can happen in 15 years. Industry projections 15 years ago were that we would have 47 area codes in California instead of the 32 we have today. By taking action today to implement the boundary elimination overlay for the 213 and 323 area codes we will delay the consumption of finite numbering resources. It is not in the public interest to use up a resource today that we may not need for a number of years.

Currently the City of Los Angeles is covered by multiple area codes in addition to the 213 and 323 area codes. Attachment B provides a map showing

[~~11~~12] Each area code has 7,920,000 different usable phone numbers. (Although there are technically 10 million seven-digit phone number combinations available in each area code, some numbers aren't available, such as 911, 411, and numbers starting with 0 or 1.)

the rate center and cities contained within the 213/323 overlay. Given the significant number of area codes already in use in the region, delaying the introduction of a new third area code to the 323 region is in the public interest. Further, the 213 area code, at just over 17 square miles in area, is the smallest geographic region in the nation that has only a single area code.[12][13] This is the result of the policies we adopted nearly twenty years ago when the communication market was in the throes of dramatic changes following the enactment of the federal Telecommunications Act of 1996.

In D.96-12-086, in response to public comments, we adopted a policy calling for the use of geographic splits for all area code relief plans in California through the year 2000. This policy favoring area code splits was adopted as overlays were initially met with resistance in California and across the nation.[13][14] Eventually overlay plans were used much more widely in some areas than others. For example, the northern third of Ohio is covered by two large overlay complexes, as is northern Georgia. Connecticut, Illinois, Oregon, New Jersey, Massachusetts, Maryland, and Texas have also used many overlays. Similarly, California has implemented overlays in the last six area code exhaust situations such that now six of 27 areas have overlays. The first overlay in California was implemented in July 2006 (424 overlay of the 310). Nationally, there has been no area code splits since 2007 (with area code 575 splitting off 505 in New Mexico),

[12][13] Other small single area code regions include the District of Columbia (202) (68 square miles), the Commonwealth of the Northern Mariana Islands (670) (179 square miles), Guam (671) (210 square miles), Seattle (206) (239 square miles), Detroit (313) (242 square miles), Milwaukee (414) (271 square miles), and St. Louis (314) (403 square miles).

[13][14] For example, in the implementation of the 847 area code overlay of the 224 area code in northwestern Chicago and the 646 overlay of the 212 in New York City, an overlay was an additional disruption to a community which had already been subject to one or multiple code splits.

and there are no splits currently proposed. As with the current case, customers in California have come to favor overlay plans as it causes the least inconvenience for consumers.

This is the first area code change where no customer opposed the implementation of an overlay because of the inconvenience of 1+10-digit dialing.[14][15] The most common concern expressed by consumers in this case was whether telephone subscribers would be able to retain their current telephone number after the area code change occurred. The use of the boundary elimination overlay means that all current telephone subscribers will retain their current telephone numbers after the area code change is implemented.

At the public meetings some members of the public expressed an opposition to any change. While we are sympathetic to the concerns expressed, some level of inconvenience and change is inevitable to expand the supply of telephone numbers available in this region. Ceasing to issue new telephone numbers is not a viable option. Overall we conclude that the boundary elimination overlay will cause the least inconvenience for consumers and is the option preferred by customers and the industry.

6. Public Education Program (PEP)

6.1. Background

[14][15] In ordering paragraph 5 of D.96-12-086, the Commission ordered that mandatory 1+10-digit dialing "be implemented as a condition of approving any overlay, but only in the NPA regions covered by the overlay" to alleviate any anticompetitive consequences of an area code overlay. *See also*, FCC 00-429, *Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200*, ¶ 70 (rel. December 29, 2000).

In D.96-12-086, in Rulemaking (R.) 95-04-043 and Investigation (I.) 95-04-044, we decided that an appropriate customer education program was necessary when instituting overlays to explain the concept of an overlay, the fact that the new dialing procedure will not affect the distinction between local and toll calls or the rates charged for the calls, and the mandatory 1+10-digit dialing procedure. We also required the industry to correct signage for dialing instructions on payphones and in directories.

In D.98-05-021, in R.95-04-043 and I.95-04-044, we:

- Required service providers to institute an instructional announcement directing callers to dial 1+10-digits indefinitely after implementing the overlay;
- Required the PEP to communicate changes associated with the overlay to children, the elderly, the disabled community, and the various ethnic groups in the region;
- Prioritized the education of those entities that will need to reprogram equipment due to the new dialing procedure, such as alarm companies;
- Required the PEP to inform customers how to dial directory assistance to locate numbers applicable to different area codes within the overlay region;
- Required the use of press releases, television and radio announcements, billing inserts and the updating of telephone directories; and
- Extended the coverage of the PEP to include not only the region in which the overlay will be implemented, which should be the first priority, but also the adjacent area codes and, to a lesser extent, the whole state.

In D.98-12-081, in R.95-04-043 and I.95-04-044, we set four major objectives for the PEP:

- Public awareness of the change in dialing patterns and area code identification resulting from implementation of the overlay;
- Public understanding of how they will be affected by the change and the rationale behind the change;
- Public assurance that the cost and quality of service will not be adversely affected; and
- Promotion of positive acceptance by customers of the change.

In D.98-12-081, we required:

- The operation of a call center for consumers to obtain information regarding the overlay;
- Targeted paid advertising in the relevant zoned editions of major newspapers as well as newspapers targeted to ethnic communities;
- Bill insert notices to the adjacent area codes;
- Limited use of billboard and radio advertising; and
- Mailing of letters, brochures, and collateral materials to local government officials in the overlay and adjacent area codes.

In D.05-08-040, in R.95-04-043 and I.95-04-044, we required:

- The activities and standards previously required for the 310 and 408 overlay PEPs to achieve at least a 70% public awareness level;
- PEP outreach efforts to specifically target key governmental agencies, community leaders, chambers of commerce, major airports, hospitals, alarm providers, pay telephone providers and the state coordinator for E-911; and

- Special outreach to senior citizens, children, the disabled, and ethnic minorities including targeted newspaper, billboard, radio, and television advertising.

In D. 08-04-059, we ordered a PEP to facilitate implementation of an overlay for the 818 area code. Specifically, we ordered the PEP to be implemented through the creation of an industry task force responsible for funding the PEP and managing the PEP fund.[15][16]

Similarly, in D.11-10-031 on October 20, 2011, we ordered a PEP for the 408 area code overlay, and in D.03-05-013 on December 19, 2013, we ordered a PEP for the 415 area code overlay. The PEP ordered in both of those decisions was consistent with the PEP in D.08-04-059 and D.08-10-038.038, which included removing the specific outreach to children as the prior awareness surveys showed that had not impacted consumer awareness.

NANPA's application included a consensus statement from the industry regarding a PEP asking the Commission to refrain from ordering a PEP in favor of allowing the Industry to work as a committee to develop customer education materials and methods. Specifically, the consensus statement stated:

> The industry has successfully educated the public in more than 30 other overlay implementations within the United States over the last 10 years, including 6 overlays already implemented in California. Based on that experience and the effective education model that the industry has developed over the years in other states, the industry has concluded that an ordered and funded Public Education Plan (PEP) in California is no longer necessary. The industry will work together as a committee to develop joint customer education materials and methods, and individual carriers will continue to be ultimately responsible for educating their own customers. The industry intends to fully educate and prepare

[15][16] D.08-04-079, Findings of Fact, 6 through 22 at 17-19.

> the public regarding the dialing change and the boundary elimination, by utilizing carrier notices, "special letters" to alarm associations, PSAPs and other customers that need to reprogram equipment, and press releases. Carriers may use other methods to educate customers as they deem fit, including social media. The Commission can also sponsor TV and Radio Public Service Announcements if it so chooses.

6.2. Discussion

We adopt a PEP for implementation of the 213/323 boundary elimination overlay in compliance with Pub. Util. Code § 7931. Specifically, we adopt a PEP/implementation plan based on the minimum requirements authorized in previous decisions, the common industry practices included in the PEPs ultimately implemented pursuant to those decisions, primarily the methodology used for the 408 area code implementation. We also considered the industry consensus statement in developing the PEP/implementation plan adopted in this decision and included as Attachment A. However, the industry consensus statement is not persuasive in showing that the industry's education model will ensure a successful relief implementation without the specific oversight and rigor of a funded PEP.

Previously, we have authorized our staff to oversee the finalization and implementation of the PEP.[~~16~~17] Accordingly, we direct the CD Director to perform this function. In doing so, the CD Director may designate CD staff to carry out these tasks.

In previous decisions, we have specified a budget for the PEP.[~~17~~18] We see no need to specify a specific budget here, because the industry should have sufficient experience with previous PEPs to determine the specifics of the budget.

[~~16~~17] D.98-12-081, Ordering Paragraph 7.
[~~17~~18] D.98-12-081, Ordering Paragraph 1.

We require the industry to fund the PEP as necessary to achieve at least a 70% customer awareness and understanding of the change in dialing patterns and area code identification resulting from implementation of the overlay, how they will be affected by the change and the rationale behind the change. The 70% awareness requirement shall be across all major customer groups.

In previous decisions, we have utilized an industry task force to implement the PEP and manage the PEP fund. We do so here, and require this Task Force to include Commission staff and representatives from the service providers holding numbering resources in the 213 and 323 area codes as of the effective date of this decision. We require the Task Force to develop a reasonable means of delineating the division of responsibility for the PEP activities so that adequate tracking and compliance can be assured. The Task Force will be responsible for developing the materials and content of the PEP, maximizing the use of prior PEP efforts, and conforming to the requirements of this order.

We authorize the CD Director to require sufficient industry contributions to the PEP budget fund to achieve the 70% customer awareness requirement. As the content of the PEP will contain the same activities used in prior PEPs that have achieved the 70% customer awareness requirement, we will not require a statistically significant survey of customers to determine whether the 70% requirement has been met. As long as a similar level of effort and resources are put forth by the members of the Task Force, there is little chance that the 70% requirement will not be met, and the cost of designing and conducting a well-balanced and statistically significant survey of customers exceeds the benefits of that survey. The Task Force will ensure that their efforts target not only the general public, but specifically ensure that at least 70% of senior citizens, the disabled, and ethnic minorities are aware of the 213/323 boundary elimination overlay.[~~18~~19]

If necessary to ensure the success of the PEP, the CD Director may require the Task Force to employ outside professional assistance in PEP implementation.

PEP educational, outreach, and advertising materials shall explain the type of area code change being implemented and the new dialing procedure, identify the region covered by the overlay, and explain that the cost and quality of telephone service will not be adversely affected by the change. The materials should also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation of the overlay, and the reasons for adding a new area code. The Task Force shall submit all PEP educational, outreach, and advertising materials to the CD Director for review and approval.

6.3. Public Notifications Requirements and Schedule

[~~18~~19] Senior citizens are defined as those 65 and older.

Sections 7931(f)(2) and (g) require written notices to be included with affected customer bills outlining the transition dates, the date the new area code is effective and descriptions of the geography and prefixes to be included in the new area code. This requirement does not adequately contemplate the introduction of a boundary elimination overlay area code where the geography and eventually, the prefixes, of the new area code will be identical to the old area code. We conclude, therefore that notices that discuss the impacted geography as the entire area code without discussion of the prefixes, and discuss transition and final dates will be sufficient to meet these statutory requirements. As the date of exhaust for the 323 area code has changed since the application was filed on November 24 of last year, we find the first notice, as outlined in Attachment A, Item 8, meets the requirement of discussed in subsection (f)(2). The second notice, as outlined in Attachment A, Item 17, responds to the requirement of being sent within three months of the adopted date of the new area code as required in subsection (g).

6.4. Potential for Continuation of the PEP Beyond the Overlay Opening Date

In D.99-06-087, we determined that a second-phase PEP extending beyond the opening of the overlay area code might be necessary to promote necessary public awareness regarding the overlay. Therefore, the CD Director shall monitor the effectiveness of the PEP and, if sufficient actions have not been taken to achieve the 70% customer awareness requirement by the end of the ~~10~~13-month implementation period, shall require the task force to continue the PEP to achieve the requirement

6.5. PEP Funding

Similar to the funding mechanism established in D.08-04-059 for the 818 area code PEP, we shall require PEP funds for tasks jointly assigned to all the service providers to come from those service providers holding thousand-blocks of telephone numbers in the 213 and 323 area codes as of the effective date of this decision. The amount collected from each service provider shall be in proportion to the relative percentage of thousand-blocks that it holds as of the effective date of this decision. Any additional assessments or refunds shall be made on the same basis. Individual service provider costs for service provider-specific tasks shall be the responsibility of each service provider.

The Task Force shall arrange for adequate accounting of the PEP fund to ensure it is properly managed. The budget shall not include the labor costs of each service provider's representatives on the task force. The task force shall periodically report to the CD Director concerning the details of collections and disbursements.

7. Categorization and Need for Hearing

In Resolution ALJ 176-3368, dated December 3, 2015, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. There is no apparent reason why the application should not be granted. Given these developments, it is not necessary to disturb the preliminary determinations.

8. Comments on Proposed Decision

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2), the otherwise applicable 30-day period for public review and comment is waived.

9. Assignment of Proceeding

Liane M. Randolph is the assigned Commissioner and Robert W. Haga is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. In February 1997, the 213 area code was about to run out of prefixes when the Commission ordered a geographic split creating the 323 area code.

2. The introduction of one-thousand block number pooling of numbering resources since 2000 has extended the projected lives of the California area codes including the 213 and 323 area codes.

3. The conservation measures have run their course, and the 323 area code will exhaust in the second quarter of 2017.

4. Pursuant to California Pub.Util. Code §§ 7936 and 7943(c), before approving any new area code, the Commission must obtain utilization data from NANPA for any area code for which a change is proposed, perform a telephone utilization study and implement all reasonable telephone number conservation measures.

5. Pursuant to § 7943(a), where there is no reasonable alternative other than to create a new area code, the Commission must do so in a way that creates the least inconvenience to customers.

6. CD reviewed the utilization data and study provided by NANPA and agrees that the 323 area code will exhaust in the second quarter of 2017, though

steps can be taken by the Commission to extend the 323 area code to the third quarter of 2017.

7. The meetings required by § 7931(e)(2) were conducted as discussed herein.

8. The Commission received no comments objecting to the boundary elimination overlay on the grounds that 1+10 digit dialing was over burdensome and inconvenient.

9. The boundary elimination overlay will cause the least inconvenience for consumers and is the option preferred by customers and the industry.

10. The application proposes that PEPs in California are no longer necessary, and includes no information on it.

11. The Commission has determined that there is a need for a PEP to facilitate implementation of the boundary elimination overlay for the reasons discussed herein.

12. The industry proposal to work together to educate the public about the boundary elimination overlay falls short of the minimum amount of specific verifiable actions that the Commission requires to implement an area code change.

13. In previous decision, we have utilized an industry task force to implement the PEP and manage the PEP fund.

14. In D.99-06-087, we determined that a second-phase PEP extending beyond the opening of an overlay area code might be necessary to promote necessary public awareness regarding an overlay.

15. A PEP is included herein as Attachment A based on PEPs used for previous overlay area code changes.

16. No protests have been received.

Conclusions of Law

1. Since the regulatory requirements of §§ 7936 and 7943(c) have been satisfied, there most reasonable alternative is to implement a boundary elimination overlay.

2. The proposed boundary elimination overlay for the 323 and 213 area codes should be adopted.

3. The PEP included herein as Attachment A should be adopted.

4. Items 8 and 17 of Attachment A addressing customer notices in bills meet the requirements of §§ 7931(f)(2) and (g).

5. The CD Director should be directed to oversee the finalization and implementation of the PEP.

6. The industry should be required to fund the PEP as necessary to achieve at least a 70% customer awareness and understanding of the change in dialing patterns and area code identification resulting from implementation of the boundary elimination overlay, how they will be affected by the change and the rationale behind the change. The 70% awareness requirement should be across all major customer groups.

7. An industry task force should be utilized to implement the PEP and manage the PEP fund.

8. The Task Force should include Commission staff and representatives from the service providers holding numbering resources in the 213 and 323 area codes as of the effective date of this decision.

9. The Task Force should develop a reasonable means of delineating the division of responsibility for the PEP activities so that adequate tracking and compliance can be assured.

10. The Task Force should be responsible for developing the materials and content of the PEP, maximizing the use of prior PEP efforts, and conforming to the requirements of this order.

11. The CD Director should be authorized to require sufficient industry contributions to the PEP budget fund to achieve the 70% customer awareness requirement.

12. As the content of the PEP will contain the same activities used in prior PEPs that have achieved the 70% customer awareness requirement, we will not require a statistically significant survey of customers to determine whether the 70% requirement has been met

13. If necessary to ensure the success of the PEP, the CD Director should be authorized to require the Task Force to employ outside professional assistance in the PEP implementation.

14. PEP educational, outreach, and advertising materials should explain the type or area code change being implemented and the new dialing procedure, identify the region covered by the boundary elimination overlay, and explain that the cost and quality of telephone service will not be adversely affected by the change. The materials should also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation of the boundary elimination overlay, and the reasons for the area code change.

15. The Task Force should be required to submit all PEP educational, outreach, and advertising materials to the CD Director for review and approval prior to their use.

16. The CD Director should monitor the effectiveness of the PEP and, if adequate actions have not been taken to achieve the 70% customer awareness requirement by the end of the ~~10~~13-month implementation period, should require the Task Force to continue the PEP to achieve the requirement.

17. PEP funds for tasks jointly assigned to all the service providers should come from those service providers holding thousand-blocks of telephone numbers in the 323 and 213 area codes as of the effective date of this decision. The amount collected from each service provider should be in proportion to the relative percentage of thousand-blocks that it holds as of the effective date of this decision. Any additional assessments or refunds should be made on the same basis.

18. Individual service provider costs for service provider-specific tasks should be the responsibility of each service provider.

19. The Task Force should arrange for adequate accounting of the PEP fund to ensure it is properly managed. The CD Director should be authorized to review the Task Force accounting for PEP funds.

20. The PEP budget should not include the labor costs of each service provider's representatives on the Task Force.

21. The Task Force should periodically report to the CD Director concerning the details of collections and disbursements.

22. A public hearing is not necessary.

O R D E R

IT IS ORDERED that:

1. The proposed boundary elimination overlay for the 323 and 213 area codes is adopted.

2. The Public Education Program included herein as Attachment A is adopted.

3. The Communications Division Director shall oversee the finalization and implementation of the Public Education Program.

4. The Communications Division Director shall oversee the management of the 323 area code exhaust to ensure the 323 area code does not exhaust prior to August 2017.

5. ~~4.~~ The industry shall fund the Public Education Program to achieve at least 70% customer awareness and understanding across all major customer groups of the change in dialing patterns and area code identification resulting from implementation of the boundary elimination overlay, how they will be affected by the change and the rationale behind the change.

6. ~~5.~~ A Task Force shall be utilized to implement the Public Education Program (PEP) and manage the PEP fund.

7. ~~6.~~ The Task Force shall include Commission staff and representatives from the service providers holding numbering resources in the 323 and 213 area codes as of the effective date of this decision.

8. ~~7.~~ The Task Force shall develop a reasonable means of delineating the division of responsibility for the Public Education Program activities so that adequate tracking and compliance can be assured.

9. ~~8.~~ The Task Force shall be responsible for developing the materials and content of the Public Education Program, maximizing the use of prior Public Education Program efforts, and conforming to the requirements of this order.

10. ~~9.~~ The Communications Division Director shall monitor sufficient industry contributions to the Public Education Program budget fund to ensure they are sufficient to achieve the 70% customer awareness requirement.

11. ~~10.~~ The Communications Division Director shall monitor the activities of the Task Force to ensure that sufficient actions have occurred to achieve the 70% customer awareness requirement.

12. ~~11.~~ If necessary to ensure the success of the Public Education Program, the Communications Division Director shall require the Task Force to employ outside professional assistance for the Public Education Program implementation.

13. ~~12.~~ Public Education Program educational, outreach, and advertising materials shall explain the type of area code change being implemented and the new dialing procedure, identify the region covered by the boundary elimination overlay, and explain that cost and quality of telephone service will not be adversely affected by the change. The materials shall also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation of the boundary elimination overlay and the reasons for the area code change.

14. ~~13.~~ The Task Force shall submit all Public Education Program educational, outreach, and advertising materials to the Communications Division Director for review and approval prior to their use.

15. ~~14.~~ The Communications Division Director shall monitor the effectiveness of the Public Education Program and, if the 70%customer awareness requirement is not met, shall direct the Task Force to continue the Public Education Program to achieve the requirement.

16. ~~15.~~ Public Education Program funds for tasks jointly assigned to all the service providers shall come from those service providers holding thousand blocks of telephone numbers in the 323 and 213 area codes as of the effective date of this decision. The amount collected from each service provider shall be in proportion to the relative percentage of thousand-blocks that it holds as of the effective date of this decision. Any additional assessments or refunds shall be made on the same basis.

17. ~~16.~~ Individual service provider costs for service provider specific tasks shall be the responsibility of each service provider.

18. ~~17.~~ The Task Force shall arrange for adequate accounting of the Public Education Program fun to ensure it is properly managed. The Communications Division Director is authorized to review the Task Force accounting of Public Education Program funds, including the collection and disbursement of those funds.

19. ~~18.~~ The Public Education Program budget shall not include the labor costs of each service provider's representatives on the Task Force.

20. ~~19.~~ The Task Force shall periodically report to the Communications Division Director concerning the details of Public Education Program fund collections and disbursements.

21. ~~20.~~ Application 15-11-017 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

ATTACHMENT A
213/323 Public Education Plan

ATTACHMENT A
213/323 Public Education Plan

Activity	Description	Audience	Shared or Individual Service Provider Effort	Start Date	Completed Date
1	Effective date of decision approving 213 and 323 area code boundary elimination overlay	NA	NA		Date of Decision (DOD)
2	NANPA 213 and 323 implementation meeting	CPUC Staff and Industry	Shared		2 weeks after DOD
3	Email to industry asking for participation on task force and subcommittees	Industry	Shared		2 weeks after DOD
4	Boundary elimination overlay information distributed internally as job aid for customer service representatives to answer customer questions. Representatives should not need to refer questions to the CPUC.	Customer service representatives	Individual		1 month after DOD
5	213 and 323 boundary elimination overlay update to industry websites	All customers	Individual		3 months after DOD
6	News release describing 213 and 323 area code relief plan for distribution within the 213 and 323 area codes including chambers of commerce and local governments	All customers	Shared		~~2~~4 months after DOD
7	Notify California Relay Services to send messages alerting customers to 1 + 10 digit dialing requirement in 213 and 323 area codes	Hearing impaired customers	Shared		~~4~~5 months after DOD
8	Customer Notification No. 1: Announce the new area code plan. Include information about 1 + 10-digit dialing and indicate affected areas	All customers	Individual		~~2~~3 months after DOD
9	Provide letters with the information in Customer Notification No. 1, as well as PEP Task Force contact information and an offer to provide industry speakers, to senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government agencies,	Senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government	Shared		~~4~~3 months after DOD

	alarm service providers and public safety organizations throughout the 213 and 323 area codes.	agencies, Burbank airport, alarm service providers and public safety organizations			
10	Begin Permissive Dialing			~~October 2016~~January 2017 (6 months before mandatory dialing) on a Saturday	
11	Published Directories: Add information on cover to alert customers in 213 and 323 area codes	All customers	Individual		6 months after DOD
12	Offer industry appearances on local radio or TV talk shows with focus on start of Permissive Dialing	All customers	Shared	3 ½ months after DOD	6 months after DOD
13	Correct payphone signage to include updated dialing instructions	All customers	Individual		9 months after DOD
14	News releases to media serving 213 and 323 area codes and adjacent area codes and statewide regarding start of mandatory dialing	Statewide	Shared	~~November 2016~~May 2017	~~9~~11 months after DOD
15	Disseminate information in relevant zoned editions of major newspapers, ethnic media, radio and television through paid advertising. (Note: The bulk of the information should be disseminated in the three weeks preceding the beginning of mandatory 1+10 digit dialing.)	All customers	Shared	6 months after DOD	~~9~~12 months after DOD
16	Offer industry appearances on local radio or TV talk shows with focus on start of Mandatory Dialing	All customers	Shared	~~6~~10 months after DOD	~~10~~12 months after DOD
17	Customer Notification #2. Announce the new area code plan. Include information about mandatory 1 + 10 digit dialing and indicate affected areas.	All customers	Individual		~~February~~May 2017
18	Provide letters with the information in Customer Notification No. 2, as well as PEP Task Force contact information and an offer to provide industry speakers, to senior, consumer and other advocacy/activist	Senior, consumer and other advocacy/activist organizations, chambers of commerce, city	Shared		9 months after DOD

	organizations, chambers of commerce, city councils and other key government agencies, alarm service providers and public safety organizations throughout the 213 and 323 area codes.	councils and other key government agencies, Burbank airport, alarm service providers and public safety organizations			
19	Complete implementation of recorded message announcing mandatory dialing	All customers	Individual		9 months after DOD
20	Begin Mandatory Dialing			~~April~~July 2017 (1 month before 213/323 boundary elimination overlay effective date)	
21	213/323 Boundary elimination overlay effective date. 213 and 323 numbers are available for assignment anywhere within the newly combined 213/323 area and implementation is complete.			~~May~~August 2017 ~~(1 month before June 2017 when the 323 is projected to exhaust)~~	

(END OF ATTACHMENT A)

ATTACHMENT B

Rate Center and Cities Map of NPA Boundary Elimination Overlay of CA 213 and 323 Area Codes

Document comparison by Workshare Compare on Wednesday, July 13, 2016 2:41:02 PM

Input:	
Document 1 ID	file://d:\avs\Desktop\A1511017 Haga Agenda Dec Granting Request for the NANPA Overlay in the 323 and 213 Area Code_.docx
Description	A1511017 Haga Agenda Dec Granting Request for the NANPA Overlay in the 323 and 213 Area Code_
Document 2 ID	file://d:\avs\Desktop\A1511017 Haga (REV 1) Granting Request for the Numbering Plan Area Boundary Elimination Overlay in the 323 and 213 Area Code_.docx
Description	A1511017 Haga (REV 1) Granting Request for the Numbering Plan Area Boundary Elimination Overlay in the 323 and 213 Area Code_
Rendering set	Standard

Legend:	
Insertion	
~~Deletion~~	
~~Moved from~~	
Moved to	
Style change	
Format change	
~~Moved deletion~~	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	53
Deletions	58
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	111