

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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08-15-08
04:59 PM

Application of the North American Numbering Plan
Administrator, on behalf of the California
Telecommunications Industry, for Relief of the 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

**PETITION OF ASSEMBLYMAN MARTIN GARRICK AND THE CHAMBERS OF
COMMERCE OF CARLSBAD, ENCINITAS, ESCONDIDO, SAN MARCOS,
OCEANSIDE AND VISTA FOR MODIFICATION OF DECISION 08-04-058**

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and Vista

August 15, 2008

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Pursuant to Rule 16.4 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, Assemblyman Martin Garrick and the Chambers of Commerce of Carlsbad, Encinitas, Escondido, San Marcos, Oceanside and Vista (collectively, the "Chambers" and with Assemblyman Garrick "Petitioners") respectfully submit this petition for modification of Decision 08-04-058 ("Petition"), which was issued by the Commission on April 29, 2008.¹

Although Petitioners were not parties to the underlying proceeding, as is explained in detail below, they and the northern San Diego County residents and businesses that they represent have been significantly and negatively impacted by the Commission's decision.² Moreover, certain of the Petitioners did participate in the local jurisdiction/public participation meetings that preceded the filing of the application and submitted ex parte letters to the Commission.³

¹ Pursuant to Rule 16.4(d), this petition for modification is timely because it is filed and served within a year of the effective date of the underlying decision.

² See Rule 16.4(e). As is explained in detail below, one of the reasons that Assemblyman Garrick and the Chambers were not parties to the proceeding is that they were not served with the formal application in this docket nor provided any notice regarding how to obtain party status.

³ See e.g. April 28, 2008 ex parte from the Carlsbad Chamber of Commerce.

I. INTRODUCTION

By this petition, the Petitioners seek modification of Decision 08-04-058 which denied the North American Numbering Plan Administrator's ("NANPA") request for the Commission to provide area code relief to the 760 area code by adopting an all-services distributed overlay.⁴ Instead, Decision 08-04-058 ordered an area code split, with portions of northern San Diego County being assigned the new area code of 442. In deciding to adopt a split rather than an overlay, the Commission found in part that:

- The majority of public comment supported a geographical split.⁵
- The costs and burdens that implementing a split imposes on northern San Diego County residents are outweighed by the unique geographic size and population distribution of the 760 area code.⁶
- Customers in the northeastern portions of the 760 area code are not sufficiently a part of the "multiple area code lifestyle" to justify the conclusion that an overlay would not create significant confusion because of the requisite ten-digit dialing.⁷
- Exhaustion of the 760 area code is being caused primarily by the fast growing metropolitan areas near San Diego.⁸

As explained in detail below, Decision 08-04-058 was based on incomplete (and in some cases faulty) information, which appears to have been driven—at least in part—by public confusion regarding the scope of relief and insufficient service and publication of the Proposed Decision issued in this proceeding. Based in large part on evidence that has been adduced since Decision 08-04-058 was issued, it is now clear that (1) greater weight of public comment (81%) supports an overlay rather than a split; (2) the costs and burdens of implementing a split are significant (more than \$60 million to businesses alone); (3) concerns about customer confusion

⁴ A.07-06-018, Application of the North American Numbering Plan Administrator, on behalf of the California Telecommunications Industry for Relief of the 760 Numbering Plan Area, filed June 18, 2007.

⁵ D.08-04-058 at 6.

⁶ *Id.* at 12.

⁷ *Id.* at 13.

⁸ *Id.* at 12.

due to “10-digit dialing” were overstated (only 12 commenters in the eastern part of 760 raised this issue); and (4) fast growing areas of Imperial, San Bernardino and Riverside Counties are contributing to exhaust as much as, if not more than, northern San Diego County.

In light of the erroneous interpretation of the feedback received from the public, the substantial amount of public comments which have not been heard or considered by the Commission, and the significant economic harm from a split, the Commission should modify Decision 08-04-058 to adopt an overlay for the 760 area code. An overlay is the most equitable option since all customers can keep their existing telephone numbers and avoid the significant costs and burdens associated with telephone number changes.

II. STANDARD FOR PETITION FOR MODIFICATION

Rule 16.4 provides that petitions for modification may be filed with the Commission to request changes to an issued decision. In ruling on petitions for modification of area code relief decisions, the Commission considers whether the petition justifies a conclusion that the Commission’s weighing of relevant factors in adopting area code relief produced an outcome that was not in the public interest.⁹ In assessing petitions for modification related to area code relief decisions, the Commission has given great weight to the economic hardships suffered by businesses as a result of area code splits¹⁰ and, as required by section 7931 of the Public Utilities Code, public feedback received through public meetings in the affected geographic areas.

While section 7931 of the Public Utilities Code does mandate that the Commission hold at least three meetings within the affected geographical area to “afford affected customers an opportunity to discuss the potential impact of the proposed area code relief,” decisions to split an area code (and thereby reassign customers new phone numbers) often do not receive the kind of

⁹ D.04-05-005, Conclusion of Law 2, at 11.

¹⁰ D.05-08-040 at 12.

public focus and attention commensurate with such an important policy decision until the advanced stages of the proceeding. Indeed, these decisions often do not receive the public's active consideration until the Commission decides what type of relief to implement. As a result, petitions for modification (among other procedural vehicles) are filed to attempt to modify the Commission's initial decisions adopting area code relief. In response to these efforts, the Commission often makes significant adjustments to the adopted relief. These adjustments have included stays of area code relief decisions to consider alternatives and subsequent reversals of area code relief decisions.¹¹

As more fully explained below, the Commission's decision in D.08-04-058 to split the 760 area code fails to properly interpret and weigh feedback received from the public and imposes significant, unnecessary and inequitable hardships on customers in the western part of the 760 area code. As a result, the Commission should modify Decision 08-04-058 to reject a geographical split and adopt an overlay.

III. ARGUMENT

A. New Feedback Received Since the Issuance of Decision 08-04-058 Establishes that the Public Prefers an Overlay.

Decision 08-04-058 decided to adopt a split largely because the Commission felt that that was what the public wanted. The decision notes that of the approximately 1300 comments received by Commission staff, "about 75% of the commenters preferred a split of some type."¹² This statement, and more broadly the Commission's decision, confuses public support for retention of telephone numbers with support for a geographic split. As was explained in detail in

¹¹ D.99-12-051 (staying area code relief decisions for 510/324 and 415 NPA overlays in response to petitions for modifications filed by the City of Berkeley, City and County of San Francisco and the County of Marin); *see also* D.05-08-040 (granting petition to modify and adopting an overlay as opposed to a split); *see also* D.99-09-067 (granting petition of Assemblyman Knox to suspend 310 overlay).

¹² D.08-04-058 at 6.

comments filed in response to the Proposed Decision, the results of the survey were flawed inasmuch as many commenters freely assumed that their community would retain the 760 area code, or expressly conditioned their support on the same.¹³ Although the Commission rejected these industry comments, public feedback received since Decision 08-04-058 was issued validates the industry's interpretation of the prior data. These new comments clearly demonstrate that public preference for a split shifts when individual customers are allocated the burden of losing their area code.¹⁴

This feedback includes letters from the Carlsbad, Encinitas, Escondido, San Marcos, Oceanside and Vista Chambers of Commerce, all of which report that the split is a matter of grave concern for their business members and will impose significant costs.¹⁵ The Utility Consumers' Action Network ("UCAN") has also submitted a letter to the Commission opposing the implementation of a geographic split.¹⁶ UCAN reports that "northern San Diego County residents are truly alarmed and discouraged by the seeming indifference demonstrated by this decision" and urges the Commission to "postpone the implementation of the 442 split and seriously review the merits of a less costly and convenient overlay option." In addition, the following state and local officials which represent northern San Diego County have submitted letters opposing the split and asking the Commission to adopt an overlay:

- The Honorable Claude "Bud" Lewis, Mayor of the City of Carlsbad
- Honorable Jerome Stocks, Mayor of the City of Encinitas

¹³ See Comments of Joint Telecommunications Carriers on the Proposed Decision of Administrative Law Judge Bushey Denying Request of Area Code Overlay and Ordering Area Code Split for the 760 Area Code (A.07-06-018) (filed June 18, 2007). Additionally, the feedback received from the public participation hearings appears to be imbalanced given that only one hearing was held in the area which will be forced to change its area code prefix.

¹⁴ Additionally, the feedback received from the public participation hearings may have been imbalanced given that only one hearing was held in the area which will be forced to change its area code. See A.07-06-010 at 6.

¹⁵ Copies of these letters are attached to the declarations from the Chambers, which are attached as Exhibits A-F.

¹⁶ Letter from Michael Shames, Executive Director of UCAN, to Commissioners Peevey, Chong, Simon, Grueneich and Bohn (July 24, 2008) at 1-2. (Exhibit G).

- Phil Cotton, City Manager of the City of Encinitas
- The Honorable Lori Holt Pfeiler, Mayor of the City of Escondido
- The Honorable Jim Desmond, Mayor of the City of San Marcos
- Councilmember Rebecca Jones, City Council of the City of San Marcos
- Councilmember Chris Orlando, City Council of the City of San Marcos
- The Honorable Hal Martin, Vice Mayor of the City of San Marcos
- Councilmember Mike Preston, City Council of the City of San Marcos
- The Honorable Jim Wood, Mayor of the City of Oceanside
- Deputy Mayor Rocky Chavez, City of Oceanside
- Councilmember Jack Feller, City Council of the City of Oceanside
- Councilmember Jerome M. Kern, City Council of the City of Oceanside
- The Honorable Morris Vance, Mayor of the City of Vista
- Dody Tucker, Executive Director, Downtown Encinitas Mainstreet Association
- The Honorable Bill Horn, San Diego County Supervisor District 5
- The Honorable Pam Slater-Price, San Diego County Supervisor District 3
- The Honorable Martin Garrick, 74th Assembly District
- The Honorable Mark Wyland, 38th Senatorial District
- The Honorable Dennis Hollingsworth, 36th Senatorial District
- The Honorable Joel Anderson, 77th Assembly District
- The Honorable Kevin Jeffries, 66th Assembly District
- The Honorable George Plescia, 75th Assembly District
- The Honorable Mimi Walters, 73rd Assembly District¹⁷

The decision also fails to appreciate the massive number of responses received by community representatives outside of the Commission's feedback and comment forums. For example, Assemblyman Garrick has received over 3,023 e-mails, letters and phone calls from constituents and neighboring residents opposing the split and expressing preference for an overlay,¹⁸ as

¹⁷ Copies of these letters are attached to the Declaration of Assemblyman Martin Garrick ("Garrick Declaration") which is attached hereto as Exhibit H.

¹⁸ Garrick Declaration at Paragraph 2.

opposed to 1300 *total* responses received by the Commission.¹⁹ Adopting the Commission's own analysis of the public comments considered in Decision 08-04-058,²⁰ an overwhelming 81% of the commenters now support an overlay as opposed to 19% supporting a split.

Section 7943 of the Public Utilities Code requires the Commission to create new area codes in such a way as to cause the least amount of inconvenience to the public. The overwhelming public response to the Commission's decision adopting a geographic split establishes that public convenience clearly favors an overlay. While area code relief decisions are controversial and one single method may never be popular with everyone that is affected,²¹ it appears that in this case an overlay is the area code relief method that is preferred by the public and which, as explained below, will cause the least harm and disruption.

B. New Data Received Establishes the Significant Costs And Disproportionate Burdens the Split Imposes on Consumers and Businesses on the “Wrong Side” of the Split

In modifying its past decision adopting a geographic split for the 310 area code, the Commission expressly recognized the hardships suffered by businesses in areas affected by a geographic split.²² However, Decision 08-04-058 gives short shrift to the burdens an area code split places on businesses and individuals and the impact a split places on local economies, noting simply that “[i]n a two-way geographic split, customers in the portion receiving the new area code must adapt to a new area code.”²³ Additional information received since Decision 08-04-058 was issued demonstrates the significance of the impacts.

¹⁹ D.08-04-058 at 6. According to the Commission's calculations, 76% of the 1300 commenters supported a split and 261 supported an overlay. With the additions of the commenters received by Assemblyman Garrick, the tally is now 3284 in favor of an overlay and 764 in favor of a split.

²⁰ *Id.* at 6.

²¹ *See* D.05-08-040 at 11.

²² *Id.* at 12-13.

²³ D.08-04-058 at 10.

Six of the Chambers of Commerce in northern San Diego County (“Area B,” the area which would have to change numbers) have sent letters to the Commission detailing the impact that its members and other licensed businesses in the community would be forced to incur as a result of Decision 08-04-058. A geographic split would force every business in northern San Diego County to reprint business cards, stationery, brochures, catalogs, billboards, menus, and checks; they would be forced to modify print and television advertising; and they would be forced to reprogram telephone systems. This all comes at a significant cost. For example, the Chambers of Commerce in northern San Diego County estimate that each of their members will spend an average of \$1,500 to \$2,500 to produce new printed marketing material—a very conservative number considering all of the changes that need to be made.²⁴ All told, these costs amount to an astonishing \$62.12 million for all businesses across all Chambers.²⁵

Furthermore, the impact of an area code split goes well beyond the cost of changing printed material; it impedes the growth and success of local businesses. Local businesses, especially small businesses, face a very real risk that they will lose business from customers who can’t locate their business because of a new number. The loss of an established phone number for a business can not be overestimated because it places the business at a substantial competitive disadvantage, jeopardizes the business’ relationships, and results in severe financial harm to the business’ livelihood. For example, one of the participants in the Carlsbad public meeting reported that the last area code split had resulted in losses to his business between \$50,000 to

²⁴ See Declarations from the Chambers of Commerce of Carlsbad (Exhibit A), Encinitas (Exhibit B), Escondido (Exhibit C), San Marcos (Exhibit D), Oceanside (Exhibit E), and Vista (Exhibit F).

²⁵ *Id.* Carlsbad estimates that it will cost \$12.5 million, Escondido estimates that it will cost \$15.0 million, San Marcos estimates that it will cost \$8.96 million, Oceanside estimates that it will cost \$12.5 million, Vista estimates that it will cost \$8.66 million, and Encinitas estimates that it will cost \$4.5 million. This does not include any expenses from the unincorporated portions of the County.

\$100,000.²⁶ Businesses are also facing increased gas, energy, and food prices, while at the same time enduring decreased patronage from consumers for those same reasons. Faced with increased costs and reduced revenue, businesses may be forced to lay off staff—staff that live in the local area. Recognizing that an area code split “will create unnecessary hardships amounting to millions of dollars lost among residents and businesses at a time when many are fighting for their financial future,” two members of the State Senate and five members of the State Assembly wrote to the Commission urging it to revisit its decision to implement an area code split.²⁷

In addition to the significant costs and burdens placed on business, every school, state and local government office located in northern San Diego County would be forced to replace all items that have a printed phone number and reprogram equipment with stored phone numbers. The burdens on individuals—burdens that the Commission did not adequately consider in Decision 08-04-058—are also significant. Individuals would be forced to notify friends, family, schools, and doctors of their new telephone number and would be forced to reprogram home phones, cell phones, and alarm systems with the new information. Additionally, a change in phone numbers has several potential unintended and unanticipated impacts on emergency, medical and insurance programs, which are tied to residents’ current 760 telephone number. These programs include:

1. “Kid safe” programs involving child protection and recovery registries;
2. Emergency school district and education notification lists;
3. Medical alert identification tag registries/Organ Donor program information;

²⁶ See Application filed by NeuStar, Inc., the North American Numbering Plan Administrator, on behalf of the Telecommunications Industry, for Relief of the 760 Numbering Plan Area, A.07-06-0018, Exhibit C, p. 4 (filed Jun. 18, 2007).

²⁷ Letter to Michael R. Peevey, President, California Public Utilities Commission from Senators Mark Wyland and Dennis Hollingsworth, and State Assemblymembers Joel Anderson, Martin Garrick, Kevin Jeffries, George Plescia and Mimi Walters, dated July 3, 2008, attached to Exhibit H, Garrick Declaration.

4. Identify theft registries;
5. Senior Adult identification registries for dementia and Alzheimer's patients;
6. Emergency contact notification lists;
7. Estate planning documents including trusts and wills;
8. Bank, mortgage and brokerage accounts;
9. Auto, home, life and long term care insurance notification records;
10. Pet identification registries or "chips";
11. Credit card and debit card company notification lists; and
12. Employment and business contact lists²⁸

Although these impacts are avoidable IF individuals remember to update these contacts with a new number; it is extremely likely that not all important contacts will be updated and critical, possibly life threatening, calls will be missed. This is significantly more problematic than the inconvenience caused by having to dial three extra digits. There is no reason to foist these substantial costs and disproportionate burdens on any community when an overlay allows all communities to maintain their current numbers and avoid the costs and burdens discussed above.

C. Inadequate Notice Distorted Public Feedback Received by the Commission and Contributed to Public Confusion Regarding the Implementation of Area Code Relief

The information received by the Commission appears to have been partly driven by the fact that key stakeholders were not notified about the Commission's proposal to adopt a split and, in doing so, change the phone numbers of northern San Diego County businesses and residents. This was particularly problematic since the two earlier filings in the docket which both requested that the Commission adopt an overlay were served on a much broader list that

²⁸ Exhibit H, Garrick Declaration at 4.

included affected cities and counties, and because no scoping memo or other order was issued instructing interested parties that they must take affirmative action to remain on the service list. As a result, cities and counties in key affected areas were notified that NANPA requested an overlay and that the industry supported it²⁹, but received no official notice that the Commission rejected this industry consensus and proposed to adopt a split—with the new area code being assigned to northern San Diego County.³⁰

Procedure for handling area code relief matters has evolved over time. Originally, area code relief proceedings were handled as part of the Commission’s local competition docket.³¹ Later, the Commission directed area code relief petitions to be filed and docketed as separate applications. The current “separate application” process is problematic because it provides little opportunity for formal input. As a result, unopposed applications like the one in the present case can proceed from “application” to “proposed decision” with a minimum amount of filings and process in between. Moreover, categorization of area code relief proceedings as ratemaking restricts ex parte communications. In combination, these procedural limitations inhibit participation by key individuals and organizations affected by the Commission’s decision. Indeed, the results thus far in the instant proceeding are a clear indication that this process is fundamentally flawed.

Before the instant application was filed, the Commission first held a series of public participation meetings as required by section 7931 of the Public Utilities Code. It appears from the Commission website that notice of the public participation meetings was served on impacted

²⁹ Significantly, neither the Chambers nor the state elected officials received even this notice.

³⁰ Over time, some local jurisdictions and certain of the Petitioners did learn about the contents of the Proposed Decision from industry contacts or media reports and subsequently submitted ex parte comments. However, this occurred very late in the process. *See* letter from Carlsbad Chamber dated April 28, 2008 (D.08-04-058 was issued April 29, 2008). This informal trickling out of information is not a substitute for proper, formal notice.

³¹ R.95-04-043/I.95-04-044.

code holders, cites, counties, chambers of commerce and elected officials. Although receiving early notice that area code relief is needed is valuable, it is not a substitute for broader service of the Proposed Decision, especially when (as discussed above) the public does not tend to focus on these matters until there is a concrete proposal before them.

Moreover, the fact that initial pleadings supporting an overlay were more broadly served may have contributed to public confusion regarding the potential imposition of a geographical split. NANPA's initial application formally commenced the proceeding and recommended that the Commission adopt the industry consensus position of an overlay. A notice of availability of NANPA's application was served on a relatively broad service list (93 entities) which included cities, counties, and code/block holders.³² The application was not served on elected officials or chambers of commerce. This list appears to have been the first official service list for the docket.

The Commission then classified the proceeding as ratemaking and tentatively concluded that no hearings would be held.³³ No protests were filed to the application seeking to implement an overlay. Instead, a singular response was filed by the joint carriers, which supported the application and, specifically, the adoption of an overlay. This response was also served broadly.³⁴

There was no other filing in the docket (other than an ex parte from AT&T California) until the Proposed Decision was issued March 11, 2008. The Proposed Decision rejected the relief sought by NANPA's application and supported by the only commenters to the application. Instead, the Proposed Decision adopted a geographical split and assigned northern San Diego

³² See Notice of Availability, attached to A.07-06-012.

³³ See June 21, 2007 Resolution (A.07-06-018) (confirming categorization of proceeding and need for hearing but not providing that interested individuals need to request "Information Only" service to remain on service list.).

³⁴ Response of Joint Telecommunications Carriers (A.07-06-018) (filed July 20, 2007).

County a new area code. The Proposed Decision was only served on 12 entities, 3 of which were state service.³⁵

It is unclear how the official service list came to be so small. No scoping memorandum was issued as required by Rule 7.3 of the Commission's Rules of Practice and Procedure.³⁶ Nor was there any other Commissioner, ALJ order or other notice in the docket informing interested entities that they would be removed from the service list absent affirmative action.³⁷ Yet, for a critical three month period (from issuance of the Proposed Decision to adoption of D.08-04-058), the service list was extremely limited.

Significantly, the final decision did order NANPA to "notify" the applicable code block holders and cities and counties of the implementation of the two-way geographic split of the 760 area code, and the schedule for implementation.³⁸ In compliance with the final decision, NANPA served its Implementation Plan on the original larger service list. It was not until this plan was served and NANPA issued press releases that it was widely known that the Commission had decided on a split and that northern San Diego County would receive the new area code.

The public support for a split might also have been driven by confusion over whether cell phones' telephone numbers would have to change in a split. This was an issue raised by many of

³⁵ For the Commission's reference, a copy of the original service list is attached as Exhibit I and a copy of the service list issued for the Proposed Decision is attached as Exhibit J.

³⁶ Rule 7.3(b) of the Commission's Rules of Practice and Procedure allows that "[t]he assigned Commissioner has the discretion not to issue a scoping memo in any proceeding in which it is preliminarily determined that a hearing is not need and (1) in a proceeding initiated by application ... [and] no timely protest, answer or response is filed." While it was preliminarily determined that no hearings were required in the present proceeding, a timely response was filed by the Joint Commenters on April 1, 2008.

³⁷ See e.g., February 22, 2008 Assigned Commissioner's Phase 1 Ruling and Scoping Memo (R.08-01-025) ("[T]hose who wish only to monitor this proceeding will be placed in the "information only" or "state service" category. Such persons or entities should inform the Commission's Process Office (process_office@cpuc.ca.gov) of their intent to monitor the proceeding by providing their name and organization represented, if any; address; telephone number; e-mail address; and whether they qualify for the state service designation.").

³⁸ Decision 08-04-058, Ordering Paragraph 5 at 21.

the recent commenters from northern San Diego County.³⁹ Moreover the confusion surrounding the applicability of the split extends not only to 760 area code customers, but has also been demonstrated by the Commission itself well after the Decision 08-04-058 was issued. On June 27, 2008, a Commission spokeswoman told the North County Times that cellular numbers would not be included in the 442 code split and then retracted her statement after being contacted by NANPA who informed her that many 760 cellular numbers would in fact be included.⁴⁰

D. The Commission's Concern Over the Cost and Inconvenience of 10-Digit Dialing was Based on Little Evidence, Fails to Take into Account the Geography of the 760 Area Code and is at Odds with Commission Precedent

The Commission's decision to adopt a split relied in large part on its concern regarding the burdens 10-digit dialing would impose, especially for the more rural parts part of the 760 area code. In making this finding, the Commission stated the rural portions of 760 were not "sufficiently part of the multiple area code lifestyle to justify a determination that an overlay would not create significant confusion when all calls ... require dialing 10 digits."⁴¹ In support of this contention the Commission noted that "many customers in the north-east section of the 760 Area Code are located ... hundreds of miles from a different area code"⁴² and that the need to use 10-digit dialing could lead to "confusion and annoyance."⁴³ The Commission's decision is not based on any substantial evidence in the record, fails to take into account the actual geography of the 760 area code, and is at odds with Commission precedent.

First, in contrast to the substantial attention and weight given to this issue by the Commission in Decision 08-04-058, concerns regarding 10-digit dialing were not central to the

³⁹ Exhibit H, Garrick Declaration, Attachments 1, 3-12, and 15.

⁴⁰ See Region: Cell phones, too, will switch to 442 area code, *North County Times*, Bradley J. Fikes, Wednesday July 2, 2008, <http://www.nctimes.com/articles/2008/07/01/business/z77bfc964518_f2628882574750059d041.txt>.

⁴¹ D.08-04-058 at 13.

⁴² *Id.*

⁴³ *Id.*

commenting public. Of the approximately 1050 detailed comments attached to NANPA's application, only 62 discussed 10-digit dialing. Of those 62 commenters, 23 said that 10-digit dialing was not an issue.⁴⁴ Of the 40 remaining commenters who did express concern about 10-digit dialing, only 12 were from residents in Area A (the area that retained the 760 area code). Thus, while the Commission may be concerned about the impacts of 10-digit dialing on the rural parts of the state, there is little evidence in the record that the residents and businesses are themselves concerned.

Second, the Commission's conclusion that many customers in the northeastern part of 760 area code are located "hundreds of miles" from another area code is simply incorrect. The Commission's conclusion that residents in the rural parts of 760 do not need to call multiple area codes to conduct their day to day business is similarly suspect. As an initial matter, this finding does not appear to be supported by any evidence in the record. Moreover, the rural nature of these towns, along with the fact that tourism is a major industry for many of the towns, likely drives multiple area code calling.

In the northwestern portion of the 760 area code, most towns are located along Highway 395,⁴⁵ which is fairly close to the western border of the 760 area code. As a result, residents of these towns are within close physical proximity of the 209 or 559 area codes. In fact, Lee Vining advertises itself as "minutes away" from Yosemite (which is in the 209 area code).⁴⁶ The towns in the more northeastern part of 760 (such as Benton), while fairly removed from other California area codes, are close to Nevada (775 area code). Moving south in the 760 area code, the proximity of additional area codes and the likelihood of multi-area code lifestyles increases,

⁴⁴ A.07-06-018, Exhibits C and E. Petitioner could not locate the other 250 comments referred to in the order.

⁴⁵ These towns include Lee Vining, Bridgeport, June Lake, Mammoth Lakes, Bishop, Big Pine and Lone Pine.

⁴⁶ *See* www.leevining.com.

even in rural communities. For example, Death Valley—which straddles California and Nevada—considers towns in both states as part of its environs, including Beatty and Pahrump in Nevada (775) and Death Valley Junction, Lone Pine, Big Pine and Bishop (760) on the California side.⁴⁷ Moreover, the closest major city to Death Valley is in fact Las Vegas, Nevada, which is part of the 702 area code. Moving further south and west, the rural communities of Lake Isabella, Ridgecrest, and China Lake are closer to Bakersfield (661 area code) than any sizeable town in the 760 area code. In the southern most part of 760, a number of towns (including Needles & Blythe) straddle the Arizona border (928 area code).

Third, in its 310/424 overlay decision, the Commission expressly downplayed concerns over the need for customers to adjust to changes in dialing procedures.⁴⁸ The Commission found that these issues “should be adequately resolved through public education measures and the practical experience of making calls within the overlay region.”⁴⁹ The Commission also allowed that the inconvenience of 10-digit dialing may be mitigated in some instances by the use of automatic speed dialing,⁵⁰ a mitigation measure which is especially relevant given the pervasive use of wireless phones with “stored number” and speed dialing features. In the case of 760, these types of mitigation measures were not even considered.

E. Decision 08-04-058 is Premised on the Incorrect Finding that Northern San Diego County’s Metropolitan Areas are the Primary Cause of Exhaustion of the 760 Area Code

Decision 08-04-058 states that “[t]he exhaustion of the 760 area code is being caused primarily by the fast-growing metropolitan areas near San Diego.”⁵¹ The decision goes further

⁴⁷ See <http://www.nps.gov/deva/planyourvisit/lodging.htm>.

⁴⁸ D.05-08-040.

⁴⁹ *Id.* at 16.

⁵⁰ *Id.* at 15, FN 6.

⁵¹ Decision 08-04-058 at 12.

and purports to justify assigning the new area code to northern San Diego County as follows:

A two-way geographic split, with the northeastern section retaining the 760 area code, will align the cost and inconvenience of a new area code with the metropolitan areas creating the need for a new area code. Such a split will also retain the geographic identity of the 760 area code in eastern California.⁵²

This statement is incorrect. In fact, for the years 2000-2006, every other county in the 760 area code except for Mono and Inyo have far outpaced San Diego County in population growth on a percentage basis. For the period of July 2000 to July 2006, San Diego County's population has grown by 8.5%.⁵³ For the same period, the populations of Imperial and San Bernardino Counties have increased by 17.7%, 18.8%, and 16.8%, respectively.⁵⁴ Riverside County's population has increased by nearly 500,000 residents, amounting to a percentage growth of 28.6%.⁵⁵

Although portions of all of these counties lie outside the 760 area code, analysis of individual cities within the 760 area code also establishes that the cities affected by the split are not the source of excessive demand on 760 numbering resources. The cities of Encinitas, Escondido, Oceanside and Vista all have anticipated growth rates below 4% for the years 2000-2005 (Carlsbad's population has grown by 16% for the same period).⁵⁶ At the same time, areas such as Palm Springs and Palm Desert, have significantly higher growth rates of 10% and 14.3%, respectively.⁵⁷ Apple Valley, which would also be excused from the area code reassignment, has

⁵² Given the large and varied nature of population in the 760 area code, any claim that the area code has a "geographic liability" is simply incorrect.

⁵³ State of California, Department of Finance, California County Population Estimates and Components of Change by Year, July 1, 2000-2007. Sacramento, California, December 2007 available at <http://www.dof.ca.gov/HTML/DEMOGRAP/ReportsPapers/Estimates/E2/documents/E-2%20Report.xls>.

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ <http://www.citytowninfo.com/places/california>

⁵⁷ *Id.*

grown by 20.1% for the same period.⁵⁸

IV. THE COMMISSION SHOULD ADOPT AN EXPEDITED SCHEDULE FOR CONSIDERATION OF THE PETITION

Petitioners respectfully request that the Commission issue a decision on the Petition expeditiously. Although it appears that the 760 area code may exhaust later than originally expected (1st Quarter 2010 rather than 3rd Quarter 2009),⁵⁹ because of the lengthy period required to implement area code relief, the Commission must act promptly to avoid NPA exhaust. Toward that end, Petitioners respectfully request that the Commission issue a decision on the Petition no later than December 2008. This should give the industry sufficient time to implement either an overlay or a split which, under industry consensus timeframes, would take 13 months and 15 months, respectively.⁶⁰

V. CONCLUSION

In light of the erroneous interpretation of the feedback received from the public prior to the issuance of Decision 08-04-058, the substantial amount of public comments which have not been heard or considered by the Commission, and the significant and inequitable economic harm to northern San Diego County businesses and residents that would result from a split, the Commission should modify Decision 08-04-058 to adopt an overlay for the 760 area code.

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⁵⁸ *Id.*

⁵⁹ Declaration of Suzanne Toller, Exhibit K.

⁶⁰ A.07-06-018 at 11.

/

An overlay is the most equitable option since all customers can keep their existing telephone numbers and avoid the significant costs and burdens associated with telephone number changes.⁶¹

Respectfully submitted,

By: /s/Suzanne Toller
Suzanne Toller
Richard Gibbs
J. Joshua Davidson

Davis Wright Tremaine LLP
505 Montgomery Street
Suite 800
San Francisco, CA 94111-6533
Telephone: (415) 276-6500
Facsimile: (415) 276-6599
E-mail: suzannetoller@dwt.com

Attorneys for Assemblyman Martin Garrick
and the Chambers of Commerce of Carlsbad,
Encinitas, Escondido, San Marcos, Oceanside
and Vista

August 15, 2008

⁶¹ Revised Findings of Fact, Conclusions of Law, and Ordering Paragraphs to effectuate Petitioners' requested relief are attached as Exhibit L.

CERTIFICATE OF SERVICE

I, Christina Karo, certify:

I am employed in the City and County of San Francisco, California, am over eighteen years of age and am not a party to the within entitled cause. My business address is Davis Wright Tremaine, LLP, 505 Montgomery Street, Suite 800, San Francisco, California 94111-3834.

On August 15, 2008, I caused the following to be served:

**PETITION OF ASSEMBLYMAN MARTIN GARRICK AND THE CHAMBERS OF
COMMERCE OF CARLSBAD, ENCINITAS, ESCONDIDO, SAN MARCOS,
OCEANSIDE AND VISTA FOR MODIFICATION OF DECISION 08-04-058**

via electronic mail to all parties on the service list A.07-06-018 via email, who have provided the Commission with an electronic mail address and by First class mail on the parties listed as “Parties” and “State Service” on the attached service list who have not provided an electronic mail address. Additionally, we served the cities and counties in the 760 NPA, companies that hold codes or number blocks in the 760 NPA, and state elected officials that represent constituents in the 760 NPA (listed on the Additional Service List) , via regular U.S. mail.

/s/Christina Karo

Christina Karo

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Exhibit A
Declaration of Ted Owen
(Carlsbad Chamber of Commerce)

**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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

**DECLARATION OF TED OWEN (CARLSBAD CHAMBER OF COMMERCE) IN
SUPPORT OF PETITION FOR MODIFICATION OF DECISION 08-04-058**

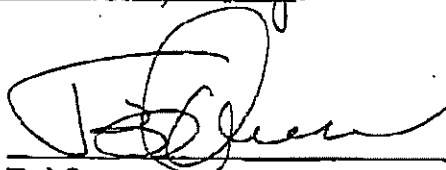
I, Ted Owen, declare:

1. I am President and CEO of the Carlsbad Chamber of Commerce. My business address is 5934 Priestly Dr., Carlsbad, CA 92008. I make this declaration in support of the "PETITION FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The Carlsbad Chamber of Commerce consists of over 1,700 businesses representing over 75,000 employees. Five thousand businesses have licenses in Carlsbad.
3. We have surveyed our membership on what the costs would be to produce new printed materials, including stationary, advertisements, and business cards, and effectively "re-market" the business with a new number.
4. Based on that survey, we estimate that our membership will spend an average of \$2,500 to produce new marketing materials. For the Carlsbad Chamber of Commerce members, the estimated total amount would be \$4.25 million. For all businesses in Carlsbad, the estimated total amount would be \$12.5 million.

5. On July 15, 2008, I sent a letter to President Peevey of the California Public Utilities Commission outlining these concerns. A copy of that letter is attached hereto as Attachment 1.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 14 day of August, 2008 at Carlsbad, California



Ted Owen
President and CEO
Carlsbad Chamber of Commerce

Attachment 1



July 15, 2008

President Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue, Room 5218
San Francisco, CA 94102

Re: Decision Regarding the 760 Area Code Split

Dear President Peevey:

I am writing on behalf of the Carlsbad Chamber of Commerce and its over 1,700 members, which represents over 75,000 employees. The Carlsbad Chamber is the largest privately funded chamber of commerce in the State of California, and over 90% of our members are small businesses. I want to express our serious concern over the Commission's Decision to split the 760 Area Code.

The Decision goes against history by splitting the 760 area code away from its largest populated area, North San Diego County. This is a matter of grave concern to the Chamber, our over 1,700 businesses members we represent and the 5,000 business licenses in the City of Carlsbad. A change in area codes is burdensome and inconvenient for anyone with a phone, but the burdens are particularly significant for companies which rely on their telephones to conduct their businesses. All of these companies have expended significant financial resources to promote their businesses contact information. We estimate that most businesses will spend an average of \$2,500 to produce new marketing materials, including letterhead and business cards. For our members alone that's an astonishing \$4.25 million dollars, or \$12.5 million for all businesses in Carlsbad.

For a business, a change in area code means they must incur costs to change a number of key documents including, but not limited to: stationary, yellow pages entries, advertisements, business cards and to effectively "re-market" their new number. More significantly, our members face the very real risk that they will lose business and revenue from customers who cannot locate their business because of a new phone number. These costs are significant for all business, but are extremely burdensome for our core membership; small businesses.

The Chamber urges the Commission to reverse its Decision, and to adopt another area code relief alternative that does not result in the North San Diego County residents and businesses having to change their telephone numbers. Thank you for your consideration and careful attention this very important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Owen', is written over a horizontal line.

Ted Owen
President & CEO

SFO 406434v1 0052215-001685

Exhibit B
Declaration of Gary Tucker
(Encinitas Chamber of Commerce)

From: Encinitas Chamber of Commerce 7607536270

08/14/2008 16:04

#584 P.001/002

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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

DECLARATION OF GARY TUCKER (ENCINITAS CHAMBER OF COMMERCE) IN
SUPPORT OF PETITION FOR MODIFICATION OF DECISION 08-04-058

I, Gary Tucker, declare:

1. I am CEO of the Encinitas Chamber of Commerce. My business address is 859 Second Street, Encinitas, CA 92024. I make this declaration in support of the "PETITION FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The Encinitas Chamber of Commerce consists of over 600 members. Over 3,000 businesses have licenses in Encinitas.
3. Our office receives phone calls every day from concerned business owners regarding the 760 area code split, prompting this petition for modification.
4. On July 23, 2008, I sent a letter to President Peevey of the California Public Utilities Commission outlining these concerns. A copy of my letter is attached hereto as Attachment 1.

Attachment 1

From: Encinitas Chamber of Commerce

7607536270

07/24/2008 16:44

#543 P.001/001



July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the more than 3,000 businesses in the city of Encinitas and 600+ members of the Encinitas Chamber of Commerce to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While our community and Chamber members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many area businesses. The rising cost of conducting business in the state combined with increases in gas and energy prices already impede the growth and success of many businesses which have spent significant resources to promote themselves within the community.

In Encinitas alone, more than 60,000 residents and 3000 businesses are directly affected by the area code decision. Not only will our residents and businesses face the financial burden of unplanned printing, advertising and administrative costs, but companies will also face lost revenue when their customers cannot locate them.

Our office receives phone calls every day from concerned business owners. Their voice on the issue has prompted our urgent request to the Commission to revisit the decision to change the North San Diego County 760 area code to 442 on November 8, 2008.

I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Tucker'.

Gary Tucker
CEO, Encinitas Chamber of Commerce

Cc Assemblyman Martin Garrick
Senator Mark Wyland

859 Second Street • Encinitas, CA 92024
Mailing Address 1106 Second St. #112 • Encinitas, CA 92024
Tel 760-753-6041 • Fax 760-753-6270 • www.encinitaschamber.com

From: Encinitas Chamber of Commerce 7607536270


08/14/2008 16:04

#584 P. 002/002

5. Using the most conservative estimate provided by any of the Chambers for remarketing a business with a new number (\$1,500), I estimate that our membership will spend approximately \$900,000 to produce new marketing materials, and that for all businesses in Encinitas the total would be \$4.5 million.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 14 day of August, 2008 at 3:46 pm



Gary Tucker
CEO, Encinitas Chamber of Commerce

Exhibit C
Declaration of Harvey J. Mitchell
(Escondido Chamber of Commerce)

**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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

**DECLARATION OF HARVEY J. MITCHELL (ESCONDIDO CHAMBER OF
COMMERCE) IN SUPPORT OF PETITION FOR MODIFICATION
OF DECISION 08-04-058**

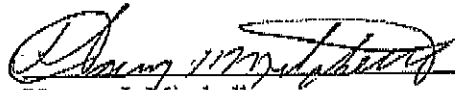
I, Harvey J. Mitchell, declare:

1. I am President and CEO of the Escondido Chamber of Commerce. My business address is 720 N Broadway, Escondido, CA 92025. I make this declaration in support of the "PETITION FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The Escondido Chamber of Commerce consists of 800 members and over 7,500 businesses have licenses in the City of Escondido.
3. We have surveyed our membership on what the costs would be to produce new printed materials, including stationary, advertisements, and business cards, and effectively "re-market" the business with a new number.
4. Based on that survey, we estimate that our membership will spend an average of \$2,000 to produce new marketing materials. For the Escondido Chamber of Commerce members, the estimated total amount would be \$1,600,000. For all businesses in Escondido, the estimated total amount would be \$15 million.

5. On July 25, 2008, I sent a letter to President Peevey of the California Public Utilities Commission outlining these concerns. A copy of that letter is attached hereto as Attachment 1.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 11 day of August, 2008 at Escondido, CA.



Harvey J. Mitchell
President and CEO
Escondido Chamber of Commerce

Attachment 1



July 25, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Re: Decision Regarding the 760 Area Code Split

Dear Mr. Peevey:

I am writing on behalf of the businesses in the city of Escondido and 800 members of the Escondido Chamber of Commerce to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County area code 442.

While our community and Chamber members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many area businesses. The rising cost of conducting business in the state combined with increases in gas and energy prices already impede the growth and success of many businesses.

In Escondido alone, more than 145,000 residents and 7500 businesses are directly affected by the area code decision. The financial impact to the businesses and our community goes well beyond the cost of changing letterhead, business cards and advertisements. We estimated that most businesses will spend an average of \$2,000 to produce new marketing materials, including letter head and business cards. For our members alone that amounts to \$16,000.

Our office has been overwhelmed by concerns from business owners. Their voice on the issue has prompted our urgent request to the Commission to revisit the decision to change the North San Diego County 760 area code to 442 on November 8, 2008.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,

Harvey J. Mitchell
President and Chief Executive Officer
Escondido Chamber of Commerce

Cc Assemblyman Martin Garrick
Senator Mark Wyland

Received 07-28-08 13:41:00

From-

To-DWT SF

Page 021

Received 08-14-08 06:18pm

From-

To-DWT SF

Page 004

Exhibit D
Declaration of Joan Priest
(San Marcos Chamber of Commerce)

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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

DECLARATION OF JOAN PRIEST (SAN MARCOS CHAMBER OF COMMERCE) IN
SUPPORT OF PETITION FOR MODIFICATION OF DECISION 08-04-058

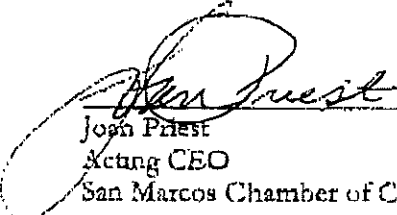
I, Joan Priest, declare:

1. I am Acting CEO of the San Marcos Chamber of Commerce. My business address is 939 Grand Ave., San Marcos, CA 92078. I make this declaration in support of the "PETITION FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The San Marcos Chamber of Commerce consists of over 590 businesses representing over 25,000 employees. Four thousand businesses have licenses in San Marcos.
3. We have surveyed our membership on what the costs would be to produce new printed materials, including stationary, advertisements, and business cards, and effectively "re-market" the business with a new number.
4. Based on that survey, we estimate that our membership will spend an average of \$2,000 to produce new marketing materials. For the San Marcos Chamber of Commerce members, the estimated total amount would be \$1.18 million. For all businesses in San Marcos, the estimated total amount would be \$8 million.

3. On July 28, 2008, I sent a letter to President Peevey of the California Public Utilities Commission outlining these concerns. A copy of that letter is attached hereto as Attachment 1.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 14 day of August, 2008 at 3:30 PM


Josh Priest
Acting CEO
San Marcos Chamber of Commerce

Attachment 1



President Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue, Room 5218
San Francisco, CA. 94102

Re: Decision Regarding the 760 Area Code Split

Dear President Peevey:

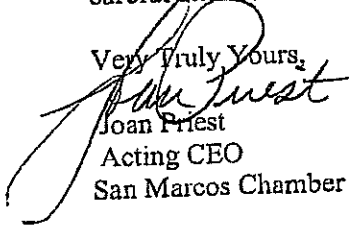
I am writing on behalf of the San Marcos Chamber of Commerce and its over 590 members, which represent over 25,000 employees. The San Marcos Chamber is comprised of predominately small businesses. I want to express our serious concern over the Commission's decision to split the 760 Area Code.

The decision goes against history by splitting the 760 area code away from its largest populated area, North San Diego County. This is a matter of great concern to the Chamber, the business members we represent and the 4000 business licenses in the City of San Marcos. A change in area code is burdensome and inconvenient for anyone with a phone, but the burdens are particularly significant for companies which rely on their telephones to conduct their business's. All of these companies have expended significant financial resources to promote their business's contact information. We estimate that most businesses will spend an average of \$2,000 to produce new marketing materials, including letterhead and business cards. Using a conservative average of \$1500, the cost to our members alone is \$860,000, or \$8.96 million for all businesses in San Marcos.

For a business, a change in area code means they must incur costs to change a number of key documents including, but not limited to: stationary, yellow pages entries, advertisements, web information, business cards and to effectively "re-market" their new number. More significantly, our members face the very real risk that they will lose business and revenue from customers who cannot locate their business because of a new phone number. These costs are significant for all business, but are extremely burdensome for small business which comprise our core membership.

The San Marcos Chamber urges the Commission to reverse its Decision, and to adopt another area code relief alternative that does not result in North San Diego County residents and businesses having to change their telephone numbers. Thank you for your consideration and careful attention to this very important matter.

Very Truly Yours,


Joan Priest

Acting CEO

San Marcos Chamber of Commerce

Exhibit E
Declaration of David L. Nydegger
(Oceanside Chamber of Commerce)

08/14/2008 16:10 FAX

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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

DECLARATION OF DAVID L. NYDEGGER (OCEANSIDE CHAMBER OF
COMMERCE) IN SUPPORT OF PETITION FOR MODIFICATION
OF DECISION 08-04-058

I, David L. Nydegger, declare:

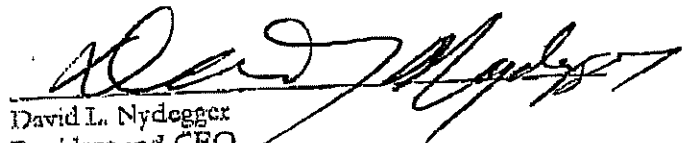
1. I am President and CEO of the Oceanside Chamber of Commerce. My business address is 928 North Coast Highway, Oceanside, CA 92054. I make this declaration in support of the "PETITION FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The Oceanside Chamber of Commerce consists of over 900 members representing over 45,000 employees. Five thousand businesses have licenses in Oceanside.
3. We have surveyed our membership on what the costs would be to produce new printed materials, including stationary, advertisements, and business cards, and effectively "re-market" the business with a new number.
4. Based on that survey, we estimate that our membership will spend an average of \$2,500 to produce new marketing materials. For the Oceanside Chamber of Commerce members, the estimated total amount would be \$2.25 million. For all businesses in Oceanside, the estimated total amount would be \$12.5 million.

08/14/2008 16:17 FAX

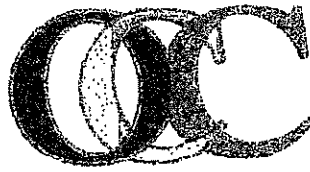
5. On July 23, 2008, I sent a letter to President Peerey of the California Public Utilities Commission outlining these concerns. A copy of that letter is attached hereto as Attachment 1.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 14 day of August, 2008 at 928 N Coast Highway
Oceanside CA 92057


David L. Nydegger
President and CEO
Oceanside Chamber of Commerce

Attachment 1



OCEANSIDE
CHAMBER OF
COMMERCE

July 23, 2008

President Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue, Room 5218
San Francisco, CA 94102

Re: Decision Regarding the 760 Area Code Split

Dear President Peevey:

I am writing on behalf of the Oceanside Chamber of Commerce and its over 900 members, which represents over 45,000 employees. I want to express our serious concern over the Commission's Decision to split the 760 Area Code.

The Decision goes against history by splitting the 760 area code away from its largest populated area, North San Diego County. This is a matter of grave concern to the Chamber, our over 900 business members we represent and the 5,000 business licenses in the City of Oceanside. A change in area codes is burdensome and inconvenient for anyone with a phone, but the burdens are particularly significant for companies which rely on their telephones to conduct their businesses. All of these companies have expended significant financial resources to promote their businesses contact information. We estimate that most businesses will spend an average of \$2,500 to produce new marketing materials, including letterhead and business cards.

For a business, a change in area code means they must incur costs to change a number of key documents including, but not limited to: stationary, yellow pages entries, advertisements, business cards and to effectively "re-market" their new number. More significantly, our members face the very real risk that they will lose business and revenue from customers who cannot locate their business because of a new phone number. These costs are significant for all business, but are extremely burdensome for our core membership; small businesses.

The Chamber urges the Commission to reverse its Decision, and to adopt another area code relief alternative that does not result in the North San Diego County residents and businesses having to change their telephone numbers. Thank you for your consideration and careful attention this very important matter.

Sincerely,

David L. Nydegger
President & CEO
Oceanside Chamber of Commerce

928 North Coast Highway • Oceanside, California 92054

phone (760) 722-1534 • fax (760) 722-8336 • www.oceansidechamber.com

Exhibit F
Declaration of Carla J. Noble
(Vista Chamber of Commerce)

**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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

**DECLARATION OF CARLA J. NOBLE (VISTA CHAMBER OF COMMERCE) IN
SUPPORT OF PETITION FOR MODIFICATION OF DECISION 08-04-058**

I, Carla J. Noble, declare:

1. I am Acting CEO of the Vista Chamber of Commerce. My business address is 201 Washington Street, Vista, CA 92084. I make this declaration in support of the "PETITION FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The Vista Chamber of Commerce consists of over 560 members representing over 20,000 employees. There are 5,700 businesses licensed in Vista.
3. The costs to produce new printed materials, including stationary, advertisements, and business cards, and effectively "re-market" the business with a new number would be an enormous financial burden.
4. We estimate that our membership will spend an average of \$2,000 to produce new marketing materials. For the Vista Chamber of Commerce members, the estimated total amount would be \$1.12 million. For all businesses in Vista, the estimated total amount would be \$11.4 million.

5. On July 15, 2008, I sent a letter to President Peevey of the California Public Utilities Commission outlining these concerns. A copy of that letter is attached hereto as Attachment 1.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 14TH day of August, 2008 at Vista California



Carla J. Noble
Acting CEO
Vista Chamber of Commerce

Attachment 1



201 Washington St
Vista, CA 92084
T) 760.726.1122
F) 760.726.8654
www.VistaChamber.org
info@VistaChamber.org

Taking Care of Business

President Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue, Room 5218
San Francisco, CA 94102

Re: Decision Regarding the 760 Area Code Split

Dear President Peevey:

I am writing on behalf of the Vista Chamber of Commerce and it's over 560 members, which represents over 20,000 employees. The Vista Chamber is comprised of predominately small businesses. I want to express our serious concern over the Commission's Decision to split the 760 Area Code.

The Decision goes against history by splitting the 760 area code away from its largest populated area, North San Diego County. This is a matter of grave concern to the Chamber, our over 560 businesses members we represent and the 5,700 business licenses in the City of Vista. A change in area codes is burdensome and inconvenient for anyone with a phone, but the burdens are particularly significant for companies which rely on their telephones to conduct their businesses. All of these companies have expended significant financial resources to promote their businesses contact information. We estimate that most businesses will spend an average of \$2,000 to produce new marketing materials, including letterhead and business cards. Using a conservative average of \$1500, the cost to our members alone is \$840,000, or \$8.66 million for all businesses in Vista.

For a business, a change in area code means they must incur costs to change a number of key documents including, but not limited to: stationary, yellow pages entries, advertisements, business cards and to effectively "re-market" their new number. More significantly, our members face the very real risk that they will lose business and revenue from customers who cannot locate their business because of a new phone number. These costs are significant for all business, but are extremely burdensome for our core membership; small businesses.

The Vista Chamber urges the Commission to reverse its Decision, and to adopt another area code relief alternative that does not result in the North San Diego County residents and businesses having to change their telephone numbers. Thank you for your consideration and careful attention this very important matter.

Sincerely,


Carla J. Noble
Acting CEO
Vista Chamber of Commerce

Exhibit G

Letter dated July 24, 2008 from Michael Shames,
Executive Director of UCAN, to Commissioners Peevey,
Chong, Simon, Grueneich and Bohn

**UTILITY CONSUMERS' ACTION NETWORK**

3100 Fifth Ave. Suite B, San Diego, CA 92103
Tel: (619) 696-6966 Fax: (619) 696-7477
Web: www.ucan.org e-mail: mshames@ucan.org

July 24, 2008

Commissioners Peevey, Chong, Simon, Grueneich and Bohn
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

RE: Suspension of D.08-04-058 (April 24, 2008)

Dear Commissioners,

UCAN strongly urges you to postpone the implementation of your April 24, 2008 decision maintaining that a geographically-based area code split is appropriate for the 760 area code. As small businesses and residential customers continue to struggle with the rising cost of gasoline and commodities, the Commission's decision to impose an area code split, rather than the overlay urged by so many members of the public as well as the incumbent phone companies, is mistaken policy. It needs to be corrected.

UCAN notes that the decision's emphasis on the size of the 760 area code is misplaced as a justification for a more costly and technically difficult geographic split. As addressed by Commissioner Simon in his dissent to the April 24 decision, the 760 area code region is sparsely populated, consisting of mostly unpopulated deserts and mountains. The uniqueness of this region's geography makes it difficult to draw comparisons with other regions where geographic splits may have been more appropriate.

More importantly, overlays have shown to work equally well in large geographic regions as they do in small regions, and periods of economic difficulty are not the time to impose costly and unnecessary burdens on local businesses as well as real inconveniences to residential customers. Although 1+10 dialing may inconvenience rural residents, dialing four extra digits is a small price to pay to save the millions of dollars which will be lost by California businesses.

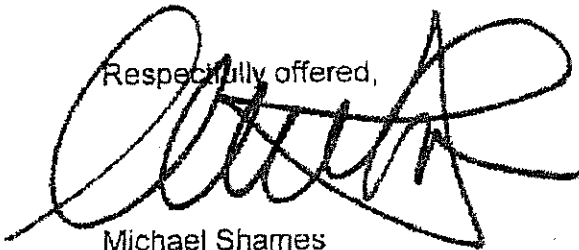
The significant public attention generated after the April 24 decision demonstrates the need for reconsideration regarding the terms of the 442 split, including but not limited to the inclusion of cellular phone numbers in the split. Based upon the phone calls that our office has received since the unexpected decision was issued, Northern San Diego County residents are truly alarmed and discouraged by the seeming indifference demonstrated by this decision. Moreover, until earlier this month, many 760 residents were under the impression that cellular numbers would not be included in the split.

**760 Overlay
Page Two**

Having learned otherwise, many are feeling betrayed by those at the CPUC who are supposed to be protecting their interests.

In light of these facts, we again urge the commission to postpone the implementation of the 442 split and seriously review the merits of a less costly and convenient overlay option.

Respectfully offered,

A large, stylized handwritten signature in black ink, appearing to read 'Michael Shames', is written over the text 'Respectfully offered,'.

Michael Shames
Executive Director

Exhibit H
Declaration of Assemblyman Martin Garrick

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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

**DECLARATION OF ASSEMBLYMAN MARTIN GARRICK IN SUPPORT OF
PETITION FOR MODIFICATION OF DECISION 08-04-058**

This declaration is provided in support of the Petition for Modification of
Decision 08-04-058 filed concurrently herewith.

1. I, Martin Garrick, am the California State Assemblyman representing
California's 74th Assembly District, encompassing the cities of Carlsbad, Del Mar,
Encinitas, Escondido, Oceanside, San Diego, San Marcos, Solana Beach, Vista, and
Rancho Santa Fe. My business address is State Capitol Room 2016, Sacramento,
California 95814.

2. Based on information prepared and provided to me by my staff, I have
received more than 3,023 emails, letters and phone calls from both my constituents and
from residences and businesses in area surrounding my district stating they were
displeased by the recent California Public Utilities Commission decision to grant North
San Diego County a new 442 area code. All constituents who contacted me expressed
their desire for an area code overlay in lieu of an area code split.

3. I have also received copies of letters that a number of state and local
elected officials from Northern San Diego County sent to President Peevey of the

California Public Utilities Commission. These letters all stressed the negative impact that the Commission's decision to split the 760 area code will have on the businesses and residents of their constituencies. Specifically, I was copied on letters from the following elected officials:

- 1) the Honorable Jerome Stocks, Mayor of the City of Encinitas
(Attachment 1);
- 2) Phil Cotton, City Manager of the City of Encinitas (Attachment 2);
- 3) the Honorable Lori Holt Pfeiler, Mayor of the City of Escondido
(Attachment 3);
- 4) the Honorable Claude A. Lewis, Mayor of the City of Carlsbad
(Attachment 4);
- 5) the Honorable Jim Desmond, Mayor of the City of San Marcos
(Attachment 5);
- 6) Councilmember Rebecca Jones, City Council of the City of San
Marcos (Attachment 6);
- 7) Councilmember Chris Orlando, City Council of the City of San
Marcos (Attachment 7);
- 8) Councilmember Hal Martin, City Council of the City of San
Marcos (Attachment 8);
- 9) Councilmember Mike Preston, City Council of the City of San
Marcos (Attachment 9);
- 10) the Honorable Jim Wood, Mayor of the City of Oceanside
(Attachment 10);

- 11) Mr. Rocky Chavez, Deputy Mayor of the City of Oceanside
(Attachment 11);
- 12) Councilmember Jack Feller, City Council of the City of Oceanside
(Attachment 12);
- 13) Councilmember Jerome M. Kern, City Council of the City of
Oceanside (Attachment 13);
- 14) the Honorable Morris Vance, Mayor of the City of Vista
(Attachment 14);
- 15) Dody Tucker, Executive Director, Downtown Encinitas Mainstreet
Association, a non-elected position (Attachment 15);
- 16) the Honorable Pam Slater-Price, San Diego County Supervisor,
District 3 (Attachment 16);
- 17) a letter collectively executed by myself, the Honorable Mark
Wyland (38th Senatorial District), the Honorable Dennis
Hollingsworth (36th Senatorial District), the Honorable Joel
Anderson (77th Assembly District), the Honorable Kevin Jeffries
(66th Assembly District), the Honorable George Plescia (75th
Assembly District), the Honorable Mimi Walters (73rd Assembly
District), the Honorable Bill Horn (San Diego County Supervisor
District 5), and the Honorable Pam Slater-Price (San Diego County
Supervisor District 3) (Attachment 17).

4. My staff and I have also heard directly from my constituents regarding the impact that the proposed number change may have on a variety of emergency contact,

medical and insurance programs which are tied to their current land line and cellular telephone numbers, including:

- Kid safe programs involving child protection and recovery registries
- Emergency school district and education notification lists
- Medical alert identification tag registries/Organ Donor program information
- Identify theft registries
- Senior Adult identification registries for Dementia, Alzheimer's patients
- Emergency contact notification lists
- Estate planning documents including trusts and wills
- Bank, mortgage and brokerage account lists
- Auto, home, life and long term care insurance notification records
- Pet identification registries or "chips"
- Credit card and debit card company notification lists
- Employment and business contact lists

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 15 day of August, 2008 at Sacramento, Calif.


Martin W. Garrick, member of the
California State Assembly

Attachment 1

07/23/2008 WED 18:02 FAX 7606332627 CityManagerCanon



City of Encinitas
City Council's Office

July 23, 2008

Jerome Stocks
Mayor

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Maggie Houlihan
Deputy Mayor

RE: North San Diego County Area Code Change

Dear Mr. Peevey:

On behalf of my fellow Council Members and the City of Encinitas, I am writing to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

Teresa Barth
Council Member

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time and places undue burden on our residents. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

James Bond
Council Member

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

Dan Dalager
Council Member

In Encinitas more than 60,000 residents, many of whom are employed by the more than 4,200 businesses within the City, are directly affected by the area code decision. The financial impact on the business community goes beyond the cost of changing letterhead, business cards and advertisements.

Phil Cation
City Manager

As recently as one week ago, it came to our attention that cell phone numbers will also be included in the area code change. We were only made aware of this added impact via the news media. It goes without mentioning what a burden this information will have upon our region: over 1.6 million phone lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, area code overlays are being imposed *this year* in Los Angeles County.

Tel 760/633-2600 FAX 760/633-2627, 505 South Vulcan Avenue, Encinitas, CA 92024 TDD 760/633-2700

07/28/2008 16:00 FAX

005/054
003/003

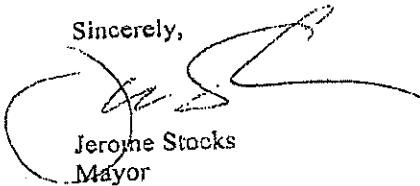
07/23/2008 WED 18:02 FAX 7606332627 CityManagerCanon

M. Peevey
July 23, 2008
Page: 2

Since the California Public Utilities Commission and the telecom companies have the technology and ability to do area code overlays, the City prefers and supports this option, thereby preserving current 760 phone numbers. It is our hope you will proceed with this option rather than eliminating and replacing the 760 are code in North San Diego County.

It is our hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,



Jerome Stocks
Mayor

cc Assemblyman Martin Garrick
Senator Mark Wyland
Carpi & Clay

Tel 760/633-2600 FAX 760/633-2627, 505 South Vulcan Avenue, Encinitas, CA 92024 TDD 760/633-2700

Attachment 2



City of Encinitas
City Manager's Office

Jerome Stooks
Mayor

April 23, 2008

Maggie Haulihan
Deputy Mayor

California Public Utilities Commission
505 Van Ness Ave
San Francisco, CA 94102-3298

RE: Agenda Item #7444, Propose Area Code Split for 760

Dan Dalager
Council Member

The City of Encinitas is writing to express its concern regarding the proposed draft order to split the 760 area code. The Draft Proposed Decision of ALJ Bushey indicates northern San Diego County areas, including Encinitas, would be no longer in the 760 area code and be assigned a new area code of 442.

James Bond
Council Member

A change of area code creates administrative and business impacts of additional costs and public inconveniences. It is the City's preference that the 760 area code be retained in the northern portion of San Diego County.

Teresa Barth
Council Member

It is for these reasons that the City of Encinitas requests the Commissions consider an alternative that maintains the 760 area code for northern San Diego County, specifically identified as area B" in Split Alternative #1.

Should you have any questions, please feel free to contact my office at (760) 633-2610.

Sincerely,

Phil Cotton
City Manager

Phil Cotton,
City Manager

Tel 760/633-2600 FAX 760/633-2627, 505 South Vulcan Avenue, Encinitas, CA 92024 TDD 760/633-2700

Attachment 3



Lori Holt Pfeiler
Mayor
201 North Broadway, Escondido, CA 92025
Phone: 760-839-4610 Fax: 760-839-4578

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the City Council and the more than 140,000 residents of Escondido to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

The Commission's decision comes at an economically challenging time and places an undue burden on our residents. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years. Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state as well as increased gas and energy prices. This change will only continue to impede the growth and success of local businesses. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

It came to our attention just a week ago that cell phone numbers also will be included in the change. This new development comes as a shock to us. To our disappointment, we were only made aware of this additional impact via news outlets. It goes without mentioning what a burden this will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County. I respectfully ask that the Commission give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Holt Pfeiler", written over a horizontal line.

Lori Holt Pfeiler
Mayor

cc Assemblyman Martin Garrick
Senator Mark Wyland
Michael J. Arnold and Associates

Lori Holt Pfeiler, Mayor

Sam Abed, Mayor Pro Tem

Ed Gallo

Marie Waldron

Dick Daniels

Attachment 4



City of Carlsbad

Office of the Mayor

July 24, 2008

Michael R. Peevey, President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear President Peevey:

The purpose of this letter is to respectfully request that the Public Utilities Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County the new 442 area code.

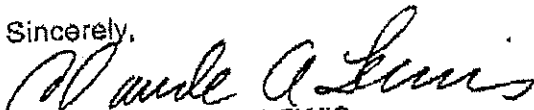
While our citizens are aware of the demand for additional telephone prefixes, the Commission's decision comes at the absolute most economically challenging time in recent history. It will place undue financial burdens on families and businesses, many of whom are already struggling with adverse financial issues.

Local companies are faced with the escalating costs of conducting business on a daily basis, especially now with increased gas and energy prices. The financial impact goes well beyond the cost of changing letterhead, business cards and advertisements. This change will only continue to impede their growth and success.

Additionally, I understand that this change will now affect cell phone numbers. This change will further place even more financial pressure on residents and businesses.

I respectfully encourage the California Public Utilities Commission to reconsider its previous decision, and to consider the adverse effects it will have on not only the City of Carlsbad, but all of North San Diego County.

Sincerely,


CLAUDE A. "BUD" LEWIS
Mayor

mhs

c: City Council
City Manager

1200 Carlsbad Village Drive • Carlsbad, CA 92008-1989 • (760) 434-2830 • FAX (760) 720-9461

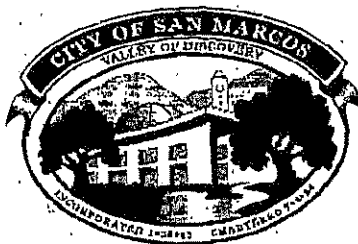


Attachment 5

Jul. 24 2008 08:52PM P 1

FAX NO. :

FROM :



1 Civic Center Drive
San Marcos, CA 92069-2918

Telephone
(760) 744-1050

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

As Mayor of the City of San Marcos, CA with over 80,000 citizens I respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.


In San Marcos more than 80,000 residents, many of whom are employed at local businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers are *now* included in the already cumbersome change. This new development has come as a shock to my fellow citizens and I. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,


Jim Desmond
Mayor, San Marcos, CA

Cc. Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 6

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
605 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the more than 82,000 citizens in the city of San Marcos to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

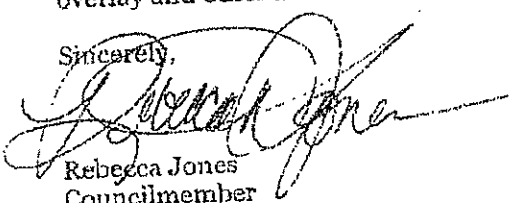
In San Marcos more than 82,000 residents, many of whom are employed by San Marcos businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will be *now* be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,



Rebecca Jones
Councilmember
City of San Marcos

Cc Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 7

July 23, 2008

Mr. Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the citizens in the city of San Marcos to respectfully request that the California Public Utilities Commission postpone and reconsider its April 24, 2008 decision to assign San Marcos and North San Diego County a new 442 area code.

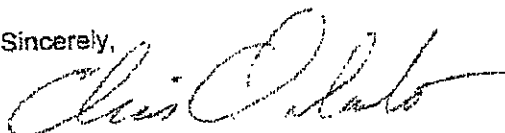
While the demand within the state for additional telephone numbers is evident, in choosing to change the area code in densely populated North San Diego County, the Commission selected the course of action that impacts the greatest number of residents and creates highest level of economic burden. The decision bypassed the two less intrusive options: selecting a less populated region currently using 760 in which to mandate the change, or implementing a seamless overlay, which has been used in other regions and greatly reduces the impact of the change for current customers.

In San Marcos, nearly eighty thousand residents, many of whom are employed by more than three thousand local businesses, are directly affected by this area code decision. The financial impact on residents and the business community goes well beyond the cost of changing letterhead, business cards and advertisements, and the potential of lost business. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years. The decision comes at a economically challenging time for the region and will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will impede the growth and success of local businesses and economic health of our local families.

The recent revelation that mobile phone numbers are now being included in the change significantly magnifies the negative impacts, raising the number of lines affected to more than 1.6 million and denigrating the portability mobile phone numbers, which was a key component of telecommunications reform.

I respectfully urge the Commission to give further consideration to the adoption and implementation of this area code change as it is clear that options with less negative impact on the residents of San Marcos and North County San Diego exist.

Sincerely,



Chris Orlando
Councilmember
City of San Marcos

cc: Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 8

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the more than 82,000 citizens in the city of San Marcos to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

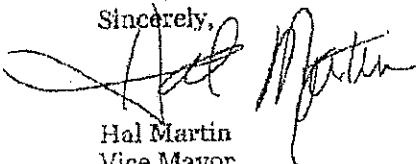
In San Marcos more than 82,000 residents, many of whom are employed by San Marcos businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will be *now* be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,



Hal Martin
Vice Mayor
City of San Marcos

Cc Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 9

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the more than 80,000 citizens in the city of San Marcos to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will be *now* be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,

Mike Preston

Mike Preston
Councilmember, City of San Marcos

Cc Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 10

City of Oceanside

7/24/2008 2:53:09 PM

PAGE 002/003

Fax Server

MAYOR
JIM WOOD

CITY OF OCEANSIDE

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the approximately 180,000 citizens in the City of Oceanside to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

In Oceanside approximately 180,000 residents, many of whom are employed by 5100 businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will *now* be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

Mr. Peevey

Page 2

July 23, 2008

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,

Jim Wood / wlc

Jim Wood
Mayor

Cc: Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 11



CITY OF OCEANSIDE

DEPUTY MAYOR
ROCKY CHAVEZ

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the approximately 180,000 citizens in the City of Oceanside to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

In Oceanside approximately 180,000 residents, many of whom are employed by 5100 businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will now be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

Mr. Peevey

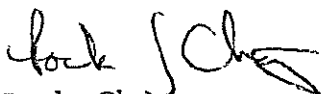
Page 2

July 23, 2008

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,

A handwritten signature in black ink, appearing to read "Rocky Chavez", with a stylized flourish at the end.

Rocky Chavez
Deputy Mayor

Cc: Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 12



CITY OF OCEANSIDE

COUNCIL MEMBER
JACK FELLER

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the approximately 180,000 citizens in the City of Oceanside to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

In Oceanside approximately 180,000 residents, many of whom are employed by 5100 businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will now be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

Mr. Peevey

Page 2

July 23, 2008

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,



Jack Feller
Councilmember

Cc: Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 13



CITY OF OCEANSIDE

COUNCIL MEMBER
JEROME M. KERN

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Ave
San Francisco, California 94102

Dear Mr. Peevey:

I am writing on behalf of the approximately 180,000 citizens in the City of Oceanside to respectfully request that you and the Commission postpone and readdress the April 24, 2008 decision to assign North San Diego County a new 442 area code.

While many of our fellow community members are aware of the demand for additional telephone prefixes, the Commission's decision comes at an economically challenging time for many and places undue burden on our neighbors. Families will be forced to update contact numbers with banks, schools, doctors, friends and relatives; taking valuable time and effort to comply with the fourth area code change in just over 26 years.

Additionally, this will greatly affect local businesses that already face the rising cost of conducting business in the state and increased gas and energy prices. This change will only continue to impede the growth and success of local businesses.

In Oceanside approximately 180,000 residents, many of whom are employed by 5100 businesses, are directly affected by the area code decision. The financial impact on the business community goes well beyond the cost of changing letterhead, business cards and advertisements.

As recently as one week ago, it came to our attention that cell phone numbers will now be included in the already cumbersome change. This new development has come as a shock to us and our fellow citizens. To our disappointment, we were only made aware of this heightened impact via news outlets. It goes without mentioning what a burden this information will have upon our entire region: over 1.6 million lines within densely populated North San Diego County. To make matters worse, this will impact those who have taken their "mobile" numbers with them out of the region and continue to pay for number portability.

Mr. Peevey

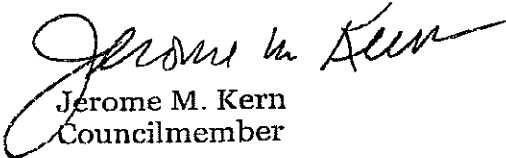
Page 2

July 23, 2008

At this point our concern is that your standing decision bypassed the less intrusive option: the implementation of a seamless overlay. In fact, overlays are being imposed *this year* in Los Angeles County.

Respectfully, I hope that the Commission will give further consideration to the issue and review overlay and other area code options as an alternative solution.

Sincerely,



Jerome M. Kern
Councilmember

Cc: Assemblyman Martin Garrick
Senator Mark Wyland

Attachment 14



City of Vista

July 23, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Mr. Peevey:

On behalf of the City of Vista City Council, I would like to request that you act now to postpone the implementation of the California Public Utilities Commission's (CPUC) decision to create a new 442 area code for a significant portion of San Diego County.

We have concerns that our constituents have not been given sufficient notice of the CPUC's action. The Vista Chamber of Commerce and other business groups have also expressed their concern that the area code change will have a significant financial impact to their businesses that has not been considered. In a time of recession, this is a financial hardship we would seek to avoid. In addition, families will be forced to update contact numbers with banks, schools, doctors, friends and relatives. This takes valuable time and effort to comply with the fourth area code change in just over 26 years.

We join with numerous other San Diego regional elected representatives in our request for you to revisit this issue and conduct additional outreach to the affected communities. Implementation of an overlay would be a seamless solution, such as the overlay being imposed this year in Los Angeles County. We urge you to reconsider the recommendation of the National American Numbering Plan Association to implement an overlay to address the impending shortage of telephone numbers within the 760 area code.

Sincerely,

Mayor Morris B. Vance

CC: Governor Arnold Schwarzenegger
Assemblyman Martin Garrick
Senator Mark Wyland
Catherine Hill, League of California Cities
Joe Gonsalves & Son

Attachment 15

07/24/2008 THU 17:59 FAX 7606332627 CityManager:Canon



Downtown Encinitas MainStreet Association
818 S. Coast Highway 101
Encinitas, CA 92024
(760) 943-1950 P
(760) 943-1977 F

July 9, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue,
San Francisco, California 94102

Re: 760 Area Code Split

Mr. Peevey:

I realize you were the lone dissenting vote against changing our area code, but I wanted to copy to you this letter I have sent to your fellow commissioners.

The Downtown Encinitas MainStreet Association (DEMA) represents 200 business and property owners in downtown Encinitas. Representing this community, I am writing in opposition to the implementation of a new area code to Coastal North County.

I don't need to tell you of all the added expense this will burden our business community here; that goes without saying. The most irksome circumstance is the total inequity in imposing two area code changes in the space of 11 years here in North County San Diego.

The much fairer method to resolve the issue of phone number exhaustion, and the method recommended by the Industry, is the overlay zone. It seems inconceivable that the Public Utilities Commission would choose to implement an alternative as unfair and unnecessary as splitting the area code.

Please reconsider changing our area code and use an overlay zone instead. It is the most equitable solution to telephone number exhaustion now and in the future.

Sincerely,

Dody Tucker
Executive Director, DEMA

CC: Assemblyman Martin Garrick

Attachment 16



PAM SLATER-PRICE
SUPERVISOR, THIRD DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

July 28 2008

*Serving the
communities
of ...*

Cardiff

*Carmel
Mountain*

Carmel Valley

Del Mar

Del Mar Heights

Del Mar Mesa

Encinitas

Escondido

La Jolla

Leucadia

Mira Mesa

Navajo

Olyvenhain

Pacific Beach

*Rancho
Bernardo*

*Rancho
Penasquitos*

Sabre Springs

San Carlos

Scripps Ranch

Solana Beach

Terrasanta

Torrey Hills

Torrey Pines

Michael Peevey, Commissioner
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Commissioner Peevey,

Thank you for your letter of July 14.

While I appreciate your thoughtful reply, I am writing to renew my objection to the Commission's decision to change the area code of northern San Diego County from 760 to 442.

The inconvenience and economic impact of this decision could not come at a worse time for hundreds of thousands of residents and businesses in the affected areas.

As many residents, chambers of commerce, individual businesses and elected officials have stated in recent letters, the Commission has changed North County's area code repeatedly over the past 30 years. Yet again, we are facing another change.

Now we've learned that cell phone numbers also would be subject to the change. That means that hundreds of thousands of cell phone users who pay a premium for number portability also will feel the pain of this unwelcome switch. And did your office have the courtesy of telling us? No. We only learned after seeing news reports.

On behalf of my constituents, I am asking that the commission rescind its decision and apply an overlay, a far-less intrusive option and proven remedy for fast-shrinking supplies of phone numbers, as demonstrated in Los Angeles County.

I appreciated the personal reply I received from your colleague, Commissioner Timothy Simon, who agreed that the PUC's decision was short-sighted and unnecessarily burdened a densely-populated chunk of North County.

I am certain that public unrest over the area code change and the widespread financial impact it will cause will continue right through implementation in April 2009. I urge you to reconsider your action and assign the new area code to less-densely populated regions of the state.

Respectfully,

Pam Slater-Price

PAM SLATER-PRICE
Supervisor
Third District

DSP/ak

County Administration Center • 1600 Pacific Highway, Room 335 • San Diego, CA 92101-2470
(619) 531-5533 • Toll Free (800) 852-7334
Email: pam.slater@sdccounty.ca.gov

♻️ Printed on recycled paper

Jul 28 2008 10:29AM PT

FAX NO. :

FROM :

Received 07-28-08 03:47pm

From-

To-DWT SF

Page 028

Attachment 17

STATE CAPITOL
SACRAMENTO, CA 95814
(916) 651-4038
(916) 446-7382 FAX

DISTRICT OFFICES
1910 PALOMAR POINT WAY
SUITE 105
CARLSBAD, CA 92008
(760) 931-2455
(760) 931-2477 FAX

27126A PASEO ESPADA
SUITE 1621
SAN JUAN CAPISTRANO, CA 92675
(949) 489-9838
(949) 489-8354 FAX

California State Senate

SENATOR
MARK WYLAND
THIRTY-EIGHTH SENATE DISTRICT



COMMITTEES
VETERANS AFFAIRS
CHAIR
EDUCATION
VICE-CHAIR
LABOR & INDUSTRIAL
RELATIONS
VICE-CHAIR
APPROPRIATIONS
BUDGET AND FISCAL
REVIEW
HEALTH
GOVERNMENTAL
ORGANIZATION

July 3, 2008

Michael R. Peevey
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

Dear Mr. Peevey:

We, the undersigned elected representatives of San Diego County, urgently and collectively request that you act now to postpone the implementation of your April 24, 2008 decision designating a significant portion of San Diego County to the new 442 area code. We ask that the decision be revisited in light of the facts stated below.

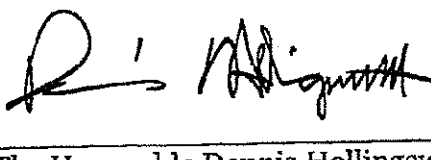
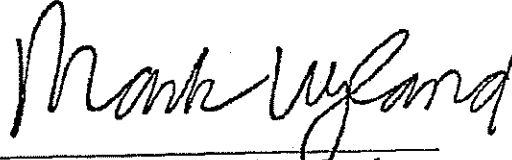
We have received more than 3000 emails and letters from our constituents, stating that they were not aware of the decision until after it was made. Many municipalities tell us they were caught off guard by the decision, and several Chambers of Commerce are currently being inundated by calls from business owners who will be financially impacted by the area code change. When you consider that the total number of comments received during the entire public comment period by the CPUC prior to this decision was only 1300, this indicates that the public notification process was clearly inadequate.

If this new area code split occurs, it will create unnecessary hardships amounting to millions of dollars lost among residents and businesses at a time when many are fighting for their financial future.

The emails and letters we have received also represent a clear consensus supporting the National American Numbering Plan Association's original recommendation to implement an overlay to address the impending shortage of telephone numbers in the 760 area code.

We are aware that the official deadline to appeal the decision has passed, but this is an extraordinary situation calling for extraordinary action. Based on the response of our constituents and the evidence that the public was not properly informed, we ask your help in postponing and subsequently revisiting the decision after adequate public input.

Respectfully,

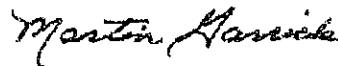


The Honorable Mark Wyland
38th Senatorial District

The Honorable Dennis Hollingsworth
36th Senatorial District



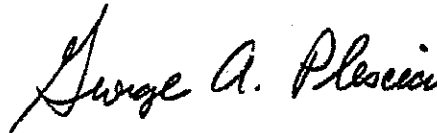
The Honorable Joel Anderson
77th Assembly District



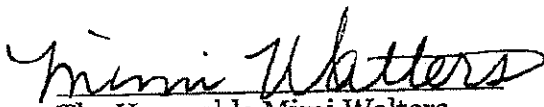
The Honorable Martin Garrick
74th Assembly District



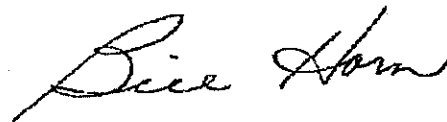
The Honorable Kevin Jeffries
66th Assembly District



The Honorable George Plescia
75th Assembly District



The Honorable Mimi Walters
73rd Assembly District



The Honorable Bill Horn
San Diego County Supervisor District 5



The Honorable Pam Slater-Price
San Diego County Supervisor District 3

cc:

Commissioner Dian Grueneich
Commissioner John Bohn
Commissioner Rachelle Chong
Commissioner Timothy Simon
Governor Arnold Schwarzenegger
Susan Kennedy, Office of the Governor

Exhibit I
Original Service List for A. 07-06-018

Docket Office

PROOF OF SERVICE¹

I, Kimberly Wheeler Miller, the undersigned, hereby declare as follows:

1. I am over the age of 18 years. I am employed by NeuStar, Inc. in the City of Washington, D.C.
2. My business address is 2000 M St., NW, Suite 600, Washington, D.C. 20036.
3. On June 18, 2007, at 2000 M St., NW, Washington, D.C. by 5:00p.m., I served a true copy of the attached document titled exactly:

NOTICE OF AVAILABILITY

4. A true copy of said document was placed in a sealed envelope, addressed, affixed with a First-Class Stamp and hand delivered to a United States Postal Service for delivery to those parties on the attached service list.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 18th day of June, 2007, at Washington, D.C.

/s/ Kimberly Wheeler Miller

Kimberly Wheeler Miller

¹ This service list is comprised of: (1) the contact names for the companies that hold central office codes or blocks in the 760 NPA that are listed in NANPA's database for industry numbering contacts; and (2) the cities and counties in the 760 NPA.

Valerie Endlich
Cricket Communications, Inc./
Alaska Native Broadband
10307 Pacific Center Court
San Diego, CA 92121

Mike Belmont
Broadwing Communications
200 N. LaSalle St.
Chicago, IL 60601

Mark Burns
Arch Wireless Operating Company Inc.
3000 Technology Dr.
Plano, TX 75074

Penny Compton
Mpower Communications
3300 N. Cimarron Rd.
Las Vegas, NV 89129

Karla Gallenberger
Global Crossing Local Services, Inc.
2737 S. Ridge Rd.
Green Bay, WI 54304

Leslie Miklos
Level 3 Communications
Managing Numbering Administration
121 Champion Way
Canonsburg, PA 15317

Sandra Gore
Cox Communications
1400 Lake Hearn Dr.
Atlanta, GA 30319

Michael Hess
Commpartners
3291 N. Buffalo Dr., Suite 150
Las Vegas, NV 89129

Russell Jancic
Network Services LLC
525 S. Douglas St.
El Segundo, CA 90245

Marcy Baxter
AT&T
One AT&T Way
Bedminster, NJ 07921

Marlon Brown
XO Communications
2637 Summit Ave.
Plano, TX 75023

Micki Burton
AT&T
525 Market St.
San Francisco, CA 94105-2727

Joanne Edelman
Verizon Wireless
2785 Mitchell Drive MS 8-1
Walnut Creek, CA 94598

George Guerra
AT&T
3475B North 1st St. – Room 500
San Jose, CA 95134

Debra Gooden
Verizon Business
2400 North Glenville
Richardson, TX 75082

Alexandra Hanson
01 Communications
1515 K St., Suite 100
Sacramento, CA 95814

Weston Jackert
Cingular
1741 Loma Vista St.
Pasadena, CA 91104

Paula Jordan
T-Mobile
2380 Bisso Lane, Suite A
Concord, CA 94520

Lorraine Kocen
Verizon California Inc.
112 S. Lakeview Canyon Rd.
Thousand Oaks, CA 91362

Todd Lesser
North County Communications Corp.
3802 Rosecrans St.
San Diego, CA 92110

Patrick Maroney
Sprint Nextel
6330 Sprint Parkway
Overland Park, KS 66251-6102

Kevin Neilan
Cook Telecom, Inc.
9833-B Pacific Heights Blvd.
San Diego, CA 92121

Tom Pease
Time Warner Telecom
5700 S. Quebec St.
Greenwood Village, CO 80111

Linda Roller
Ponderosa Telephone
P. O. Box 21
O'Neals, CA 93645

Matanane Jose
Fort Mojave Telecommunications, Inc.
8490 S Highway 95, Suite 104
Mohave, Valley, AZ 86440

Jami Perez
Pac West Telecom
4217 Coronado Ave.
Stockton, CA 95204

Vic Jackson
Silver Strand Enterprises
2377 Seminole Dr.
Okemos, MI 48864

Barbara Lainson
Paetec Communications
One Paetec Plaza
Fairport, NY 14450

Lynn Goodroe
American Messaging Services, LLC
1720 Lakepointe Dr.
Lewisville, TX 75057

Maureen Matthews
Telscape Communications, Inc.
606 E. Huntington Dr.
Monrovia, CA 91016

Marc O'Krent
Telephone Connection Local Services, LLC
9911 W. Pico Blvd.
Los Angeles, CA 90035

Alex Ponnath
Integrated Communications Consultants Inc.
333 Washington Blvd.
Marina Del Rey, CA 90292

Michael Schelin
Shelcomm
14160 Live Oak Ave.
Baldwin Park, CA 91706

Ian Lawson
Accessible Wireless, LLC
100 Via De La Valle, Suite 200
Del Mar, CA 92014

Steve Hamilton
Digitcom Services, Inc.
5280 E. Beverly Blvd., Suite C, PMB 274
Los Angeles, CA 90022

John Klass
Pacific Centrex
6855 Tujunga Ave.
North Hollywood, CA 91605

Peter Dickson
SBC Internet Services
157 Green St.
Foxboro, ME 02035-2868

Dennis Rose
Telekenex c/o CHRsolutions
3721 Executive Center Dr., Suite 200
Austin, TX 78731

Anne Chism
TDS Telecom
525 Junction Road
Madison, WI 53717

Jerome Candelaria
California Cable &
Telecommunications Assoc.
360 22nd St., Suite 750
Oakland, CA 94612

Adilia Aguilar
NTCH
703 Pier Ave., Suite B (PMB #813)
Hermosa Beach, CA 90254

Stacie Houghton
CBeyond Communications
320 Interstate N. Parkway
Atlanta, GA 30339

Michael Evans
California Public Utilities Commission
Communications Division
505 Van Ness Ave., Area 3-D
San Francisco, CA 94102-3298

City Clerk
City of Brawley
400 Main Street
Brawley, CA 92227

City Clerk
City of California City
21000 Hacienda Blvd.
California City, CA 93505

Holly Kuester
CC Fiberlink, LLC
12405 Powerscourt Dr.
St. Louis, MO 63131

Jena Downs
Verizon.
99 Shawan Road
Cockeysville, MD 21030

Elissa McOmber
Frontier
180 S. Clinton Ave.
Rochester, NY 14646

Brian Murdoch
KMC Data, LLC
1755 North Brown Road
Lawrenceville, GA 30043

Brenda Summerlin
ALLTEL Communications, Inc.
One Allied Drive, B2F03-B
Little Rock, Arkansas 72203

Maribeth A. Bushey
California Public Utilities Commission
Administrative Law Judge Division
505 Van Ness Ave, RM 5018
San Francisco, CA 94102-3298

Cherrie Conner
California Public Utilities Commission
Communications Division
505 Van Ness Ave., Area 3-D
San Francisco, CA 94102-3298

City Clerk
City of Calexico
608 Heber Avenue
Calexico, CA 92231

City Clerk
City of Ridgecrest
100 W. California Avenue
Ridgecrest, CA 93555

City Clerk
City of Barstow
220 East Mountain View Street, Suite A
Barstow, CA 92311

City Clerk
Town of Mammoth Lakes
P.O. Box 1609
Mammoth Lakes, CA 93546

City Clerk
City of Calipatria
125 Park Street
Calipatria, CA 92233

County Clerk
Imperial County Board of Supervisors
940 Main Street
El Centro, CA 92243

County Clerk
Inyo County Board of Supervisors
168 N. Edwards Street
Independence, CA 93526

County Clerk
Riverside County Board of Supervisors
4080 Lemon Street – 5th Floor
Riverside, CA 92501

County Clerk
San Diego County Board of Supervisors
County Administration Center
1600 Pacific Highway
San Diego, CA 92101

City Clerk
City of Westmorland
355 South Center Street
P.O. Box 699
Westmorland, CA 92281

City Clerk
City of Bishop
377 West Line Street
P.O. Box 1236
Bishop, CA 93515

City Clerk
City of Imperial
420 S. Imperial Avenue
Imperial, CA 92251

City Clerk
City of Holtville
121 W. 5th Street
Holtville, CA 92250

County Clerk
Kern County Board of Supervisors
1115 Truxton Avenue, 5th Floor
Bakersfield, CA 93301

County Clerk
Mono County Board of Supervisors
P.O. Box 237
Bridgeport, CA 93517

County Clerk
San Bernardino County Board of Supervisors
385 N. Arrowhead Avenue – 5th Floor
San Bernardino, CA 92415 - 0110

City Clerk
City of El Centro
1275 Main Street
El Centro, CA 92243

City Clerk
City of Blythe
235 N. Broadway
Blythe, CA 92225

City Clerk
Cathedral City
68700 Avenida Lalo Guerro
Cathedral City, CA 92234

City Clerk
City of Coachella
1515 6th Street
Coachella, CA 92236

City Clerk
City of Desert Hot Springs
65950 Pierson Blvd.
Desert Hot Springs, CA 92240

City Clerk
City of Indian Wells
44-950 Eldorado Drive
Indian Wells, CA 92210 - 7497

City Clerk
City of Indio
100 Civic Center Mall
Indio, CA 92201

City Clerk
City of Palm Desert
73-510 Fred Waring Drive
Palm Desert, CA 92260

City Clerk
City of La Quinta
P.O. Box 1504
La Quinta, CA 92247-1504

City Clerk
City of Palm Springs
3200 East Tahquitz Canyon Way
Palm Springs, CA 92262

City Clerk
City of Rancho Mirage
69-825 Highway 111
Rancho Mirage, CA 92270

City Clerk
City of Adelanto
11600 Air Expressway
Adelanto, CA 92301

City Clerk
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

City Clerk
City of Barstow
220 East Mountain View Street, Suite A
Barstow, CA 92311

City Clerk
City of Hesperia
9700 Seventh Avenue
Hesperia, CA 92345

City Clerk
City of Needles
817 Third Street
Needles, CA 92363

City Clerk
City of Twentynine Palms
6136 Adobe Road
Twentynine Palms, CA 92277

City Clerk
City of Carlsbad
1200 Carlsbad Village
Carlsbad, CA 92008

City Clerk
City of Encinitas
505 S. Vulcan Avenue
Encinitas, CA 92024

City Clerk
Town of Yucca Valley
57090 Twentynine Palms Highway
Yucca Valley, CA 92284

City Clerk
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

City Clerk
City of Vista
600 E. Eucalyptus Avenue
Vista, CA 92084

City Clerk
City of Victorville
14343 Civic Drive
P.O. Box 5001
Victorville, CA 92392

City Clerk
City of Escondido
201 North Broadway
Escondido, CA 92025-2798

City Clerk
City of San Marcos
One Civic Center Drive
San Marcos, CA 92069

Exhibit J
Service List Used for Proposed Decision of
Administrative Law Judge Bushey
dated March 11, 2008

***** SERVICE LIST *****

Last Updated on 03-MAR-2008 by: MTO
A0706018 LIST

***** PARTIES *****

James W. Mctarnaghan
Attorney At Law
DUANE MORRIS LLP
ONE MARKET, SPEAR TOWER 2000
SAN FRANCISCO CA 94105-1104
(415) 957-3088
jwmctarnaghan@duanemorris.com
For: Verizon Wireless; Joint Telecommunications Carriers

Joseph R. Cocke
Sr. Npa Relief Planner - Western Region
NEUSTAR, INC.
1445 E. LOS ANGELES AVE., SUITE 301-N
SIMI VALLEY CA 93065-2817
(805) 520-1945
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Exhibit K
Declaration of Suzanne Toller

**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 760
Numbering Plan Area

Application 07-06-018
(filed June 18, 2007)

**DECLARATION OF SUZANNE TOLLER IN SUPPORT OF PETITION OF
ASSEMBLYMAN MARTIN GARRICK AND THE CHAMBERS OF COMMERCE OF
CARLSBAD, ENCINITAS, ESCONDIDO, SAN MARCOS, OCEANSIDE AND VISTA
FOR MODIFICATION OF DECISION 08-04-058**

I, SUZANNE TOLLER, DECLARE:

1. I am an attorney with the law firm of Davis Wright Tremaine LLP. My business address is 505 Montgomery Street, 8th Floor, San Francisco, California, 94111. I make this declaration in support of the "PETITION OF ASSEMBLYMAN MARTIN GARRICK AND THE CHAMBERS OF COMMERCE OF CARLSBAD, ENCINITAS, ESCONDIDO, SAN MARCOS, OCEANSIDE AND VISTA FOR MODIFICATION OF DECISION 08-04-058" filed concurrently with this declaration.
2. The purpose of my declaration is to provide an analysis of the remaining life of the 760 area code, and to describe the status of industry efforts to implement an area code split of the 760 NPA ordered by the Commission in Decision 08-04-058. Although NANPA has not yet issued

revised exhaust projections, it is possible to estimate exhaust based on publicly available documents from NANPA's web site.¹

760 Exhaust Status

3. As of April 2008, NANPA estimated that the 760 area code was scheduled to exhaust in the Third Quarter of 2009. See 2008-1 NRUF and NPA Exhaust Analysis (an excerpt of which is attached hereto as Attachment 1). Significantly, the exhaust forecast projection was made at the published ration level alone. (See Note 1).

4. Actual demand for codes in the 760 area code has declined. According to the Code Assignment Activity Report for December 2007 (an excerpt of which is attached hereto as Attachment 2), in 2007 a total of 25 codes were assigned and 1 code was returned in the 760 NPA.

5. In contrast, according to the Code Assignment Activity Report for July 2008 (an excerpt of which is attached hereto as Attachment 3), as of the end of July 2008 only 6 codes have been assigned in the 760 area code (a figure lower than the current ration rate of 2 codes a month).

6. As of the end of July 2008, 36 codes remain available. Thus, even at the current ration rate, there should be an additional 18 months of life left in the 760 area code, more if demand continues at the current rate for 2008 (which is less than one code per month). It follows that the exhaust date should be extended until at least the First Quarter of 2010 and possibly longer.

7. Moreover, this estimate does take into account any of the remaining 940 thousands blocks which are available for assignment—blocks which appear to be fairly evenly distributed throughout rate centers in the NPA. See Pool Tracking Report for 760 NPA, a copy of which is attached hereto as Attachment 4.


¹ NANPA's revised exhaust projection will not be issued until the October/November 2008 timeframe and at the point will be based on the August 1 NRUF filings.

Industry Implementation Efforts

8. In conversations with industry representatives, I have been informed and believe that some industry members are already preparing notices to advise customers of the impending split and the commencement of permissive dialing. These notices are scheduled to go to the printer as early as the first week in September and to be mailed to customers for receipt in mid-October.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 15th day of August, 2008 at San Francisco, California.



Suzanne Toller

ATTACHMENT 1

2008-1 NRUUF and NPA Exhaust Analysis
 April 2008
 NPA Exhaust Forecasts Sorted by NPA

LOCATION	NPA	2006.1 FCST		2007.2 FCST		2007.1 FCST		2006.2 FCST		2006.1 FCST		2005.2 FCST		2005.1 FCST		2004.2 FCST		Change	Notes
		Year	Quarter	Year	Quarter	Year	Quarter	Year	Quarter	Year	Quarter	Year	Quarter	Year	Quarter	Year	Quarter	2007.2 to 2008.1	
Pennsylvania	717	2013	1Q	2013	1Q	2012	1Q	2012	1Q	2011	3Q	2010	3Q	2009	4Q	2009	3Q	N/C	
New York	718/347	2011	4Q	2011	3Q	2012	3Q	2013	1Q	2013	2Q	2013	2Q	2014	2Q	2014	2Q	+1Q	
Colorado	719	2021	2Q	2021	2Q	2022	4Q	2021	3Q	2021	2Q	2020	4Q	2020	3Q	2019	3Q	N/C	
Florida	727	2026	4Q	2023	3Q	2021	1Q	2019	2Q	2018	1Q	2017	3Q	2017	2Q	2017	2Q	+13Q	a
Tennessee	731	2024	3Q	2022	4Q	2021	3Q	2021	3Q	2021	1Q	2018	1Q	2017	3Q	2017	1Q	+7Q	a
New Jersey	732/848	2029	2Q	2027	3Q	2025	1Q	2024	1Q	2023	3Q	2023	1Q	2022	3Q	2022	3Q	+7Q	a
Michigan	734	2017	1Q	2015	4Q	2015	1Q	2014	3Q	2014	3Q	2014	3Q	2014	1Q	2013	1Q	+5Q	a
Ohio	740	2011	2Q	2010	4Q	2010	2Q	2009	3Q	2009	3Q	2008	4Q	2008	1Q	2008	1Q	+2Q	
Virginia	757	2013	3Q	2012	4Q	2011	4Q	2011	3Q	2011	3Q	2011	1Q	2010	2Q	2010	2Q	+3Q	a
California	760	2009	R	2009	R	2009	R	2009	R	2009	R	2009	R	2008	R	2008	R	N/C	
Minnesota	763	2030	2Q	2029	3Q	2029	3Q	2029	1Q	2028	3Q	2025	1Q	2023	1Q	2019	4Q	+3Q	a
Indiana	765	2015	1Q	2014	1Q	2020	4Q	2012	1Q	2011	2Q	2010	3Q	2010	2Q	2010	2Q	+4Q	a
Georgia	770/678/470	2023	1Q	2021	2Q	2020	3Q	2020	2Q	2019	4Q	2019	3Q	2019	2Q	2018	3Q	+7Q	a
Florida	772	2034	3Q	2033	3Q	2031	3Q	2030	4Q	2030	2Q	2029	1Q	2028	3Q	2026	4Q	+4Q	a
Illinois	773	2009	2Q	2009	1Q	2009	2Q	2009	2Q	2009	2Q	2009	1Q	2009	1Q	2009	1Q	+1Q	
Nevada	775	2022	4Q	2021	4Q	2020	3Q	2020	3Q	2019	2Q	2017	3Q	2017	1Q	2016	1Q	+4Q	a
Canada	778			2009	1Q	2025	3Q			2023	2Q			2020	3Q			N/A	c, n
Canada	780			2009	3Q	2009	1Q	2010	4Q	2010	1Q			2015	1Q			N/A	c, m
Massachusetts	781/339	2031	1Q	2029	1Q	2027	1Q	2025	1Q	2024	3Q	2021	4Q	2020	3Q	2018	4Q	+8Q	a
Kansas	785	2016	1Q	2015	1Q	2014	1Q	2014	4Q	2013	4Q	2012	4Q	2012	4Q	2012	4Q	+4Q	a
Puerto Rico	787/939	2026	3Q	2026	3Q	2026	3Q	2026	3Q	2026	1Q	2025	4Q	2025	3Q	2025	3Q	N/C	
Utah	801	2009	2Q	2009	2Q	2009	2Q	2009	2Q	2008	4Q	2008	4Q	2008	2Q	2008	2Q	N/C	
Vermont	802	2016	3Q	2015	3Q	2014	4Q	2014	3Q	2014	2Q	2013	1Q	2012	4Q	2012	1Q	+4Q	a
South Carolina	803	2013	3Q	2013	1Q	2012	3Q	2012	4Q	2012	2Q	2012	1Q	2011	3Q	2010	1Q	+2Q	
Virginia	804	2017	4Q	2016	4Q	2015	4Q	2015	2Q	2015	1Q	2014	4Q	2014	3Q	2013	3Q	+4Q	a
California	805	2013	3Q	2012	3Q	2012	1Q	2011	4Q	2011	3Q	2011	R	2011	R	2010	1Q	+4Q	a
Texas	806	2017	2Q	2016	2Q	2015	3Q	2015	4Q	2015	4Q	2015	2Q	2014	4Q	2013	1Q	+4Q	a
Canada	807																		c, d
Hawaii	808	2021	3Q	2020	3Q	2019	3Q	2019	3Q	2019	2Q	2017	4Q	2016	4Q	2016	2Q	+4Q	a
Michigan	810	2026	2Q	2024	3Q	2022	3Q	2021	3Q	2021	2Q	2020	3Q	2019	3Q	2019	3Q	+7Q	a
Indiana	812	2011	3Q	2011	1Q	2010	2Q	2010	1Q	2009	4Q	2009	1Q	2008	4Q	2008	4Q	+2Q	
Florida	813	2018	1Q	2016	4Q	2016	2Q	2016	2Q	2016	2Q	2016	2Q	2016	2Q	2016	4Q	+5Q	a
Pennsylvania	814	2012	4Q	2012	2Q	2012	1Q	2011	3Q	2011	1Q	2010	3Q	2010	1Q	2009	4Q	+2Q	
Illinois	815/779	2035	1Q	2033	2Q	2032	4Q	2032	4Q	2006	4Q	2006	3Q	2006	2Q	2006	2Q	+7Q	a
Missouri	816	2016	1Q	2015	3Q	2015	3Q	2015	3Q	2014	3Q	2014	1Q	2013	3Q	2012	3Q	+2Q	
Texas	817/682	2027	3Q	2025	3Q	2024	3Q	2024	3Q	2024	3Q	2020	3Q	2019	4Q	2019	4Q	+8Q	a
California	818	2009	3Q	2009	3Q	2009	3Q	2010	R	2010	2Q	2009	R	2009	R	2008	1Q	N/C	
Canada	819	2017	3Q			2014	3Q	2021	1Q	2027	3Q			2027	3Q			+12Q	c
North Carolina	828	2015	2Q	2014	4Q	2014	1Q	2013	3Q	2012	4Q			2027	2Q	2011	2Q	+2Q	
Texas	830	2018	4Q	2017	4Q	2016	4Q	2015	4Q	2015	1Q	2014	3Q	2013	2Q	2012	1Q	+4Q	a
California	831	2032	4Q	2030	1Q	2027	3Q	2026	2Q	2026	2Q	2024	2Q	2024	1Q	2022	4Q	+11Q	a
South Carolina	843	2011	1Q	2011	1Q	2011	2Q	2011	2Q	2011	4Q	2010	2Q	2009	4Q	2011	1Q	N/C	
New York	845	2015	3Q	2014	4Q	2012	4Q	2012	2Q	2011	4Q	2010	4Q	2010	3Q	2012	1Q	+3Q	a
Illinois	847/224	2021	2Q	2019	4Q	2019	1Q		1Q		4Q	2017	3Q	2017	3Q		3Q	+6Q	a

Notes

- a. Reduced historical and projected demand
- b. Increased historical and projected demand.
- c. Forecast based upon information provided by the Canadian Numbering Authority (CNA). The CNA normally provides only one projection per year. Change is from last forecast provided.
- d. Canadian NPA. With an exhaust date beyond 2030, there is no exhaust date provided.
- e. NPA is at exhaust. No codes available except for returns.
- f. New NPA added.
- g. Area Code 321A includes only Brevard County Florida; 407/321 includes the Counties around Orlando in Central Florida
- h. Area Code 305A includes only the Keys area of Florida; Area Code 305/786 is the Miami-Dade area of Florida.
- j. Area Code 503A Has been combined into Overlay Complex 503/971
- k. Interim forecast issued by Canadian Numbering Authority
- l. The "R" refers to the forecast projection made at the published ration level alone.
- m. Canadian NPAs 403 and 780 are overlaid with NPA 587
- n. Canadian boundary realignment among NPAs 250, 604, and 778.

ATTACHMENT 2

Code Assignment Activity for December 2007																						
ST	NPA	NPA Status	Ration Amount	Total # on Priority List	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Month Returns	YTD Returns	Prot'd	Total Available	Total Unavailable	Remaining Set Aside - PA
AK	907				1	3	4	2	1	1	5	3	3	1	1	1		3		203	33	
AL	205				2	0	1	1	0	1	0	0	1	6	1	5		1		164	17	
AL	251				1	5	1	1	1	1	0	0	1	1	0	2		10		467	17	
AL	256	J	3		0	4	8	1	6	0	11	1	1	0	1	0		3		100	16	19
AL	334				2	1	2	2	1	1	2	1	8	2	3	1		11		204	19	
AR	479				1	0	1	6	1	2	0	0	2	0	0	0		2		452	14	
AR	501				0	0	2	0	0	1	0	0	1	0	0	0	1	1		313	25	
AR	870				9	0	0	1	2	2	1	3	1	0	0	1		3		112	23	
AS	684				0	1	0	0	0	0	0	0	0	0	0	0				766	21	
AZ	480				3	3	1	1	3	2	2	0	1	4	1	0				347	18	
AZ	520				0	2	2	4	3	1	0	0	1	1	2	0		1		362	18	
AZ	602				0	1	1	0	0	0	1	1	0	1	0	0				211	19	
AZ	623				0	2	3	0	1	2	0	0	3	1	0	1		1		594	18	
AZ	928				1	1	2	11	1	1	0	0	1	0	1	1				358	16	
CA	209	J	2		0	1	1	0	0	0	3	0	2	0	3	1				211	18	35
CA	213				0	0	1	1	0	1	1	0	0	0	0	0				352	17	92
CA	310	E			0	0	0	0	0	0	0	0	0	0	0	0				0	16	
CA	323	J	2		0	3	1	3	1	4	2	4	5	3	1	0				127	17	13
CA	408	J	2		1	1	0	1	0	0	0	2	2	1	2	0				83	18	11
CA	415	J	2		0	0	1	0	0	0	1	1	1	0	0	0				100	20	21
CA	424				3	3	8	1	2	0	0	4	3	0	2	0		1		713	16	
CA	510	J	2		0	2	0	0	0	0	1	2	0	0	1	0	1	1		127	18	36
CA	530	J	2		1	0	2	0	1	0	1	1	0	0	1	1		3		170	21	43
CA	559	J	2		0	1	1	2	1	1	1	0	0	0	0	1		1		214	20	57
CA	562	J			0	1	2	0	0	0	1	0	0	0	1	0				248	18	64
CA	619	J	2		5	1	1	0	2	0	2	3	1	1	0	0	1	2		188	20	23
CA	626	J	2		0	0	6	0	0	1	0	0	0	1	0	0		1		257	17	56
CA	650	J	2		1	1	0	0	0	0	0	0	0	0	0	0		1		192	17	46
CA	661				1	0	1	1	1	1	0	0	1	1	1	1		1		303	20	
CA	707	J	2		1	0	1	1	0	1	0	0	1	0	0	0				140	19	33
CA	714	J	2		2	1	11	1	3	1	0	7	1	1	1	0		3		18	17	11
CA	760	J	2		1	3	6	0	0	2	2	3	1	3	1	3		1		42	18	10
CA	805	J	2		0	0	5	0	0	2	0	1	0	1	2	0		1		113	20	6
CA	818	J	2		2	2	6	1	1	3	0	1	3	1	1	1				55	17	11
CA	831				0	0	0	0	0	1	0	0	0	2	0	0		1		445	22	133
CA	858				0	0	1	0	0	0	1	1	0	0	0	0				408	20	120
CA	909				2	3	14	1	1	3	0	8	0	0	0	0		3		228	18	
CA	916	J	2		2	1	2	0	1	0	0	0	4	0	1	0				152	18	26
CA	925	J	2		0	0	0	0	0	0	0	1	0	0	0	0				243	17	79
CA	949	J	2		0	0	2	0	0	0	0	1	0	0	0	0				331	18	
CA	951				4	4	4	1	0	1	1	5	7	0	0	0		2		396	16	
CO	303				1	0	1	0	0	0	0	1	1	0	0	0				2	17	
CO	719				1	1	0	0	0	1	29	1	1	2	0	1		1		342	25	
CO	720				0	0	0	0	0	1	1	0	0	0	0	2				456	17	
CO	970				2	2	0	1	2	1	21	2	2	1	0	0		1		243	19	

ATTACHMENT 3

Journal of Management Inquiry 23(1) 3-16
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DOI: 10.1177/1056492614525001

ST	NPA	NPA Status	Ration Amount	Total # on Priority List	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Current Month Returns	YTD Returns	Protd	Total Available	Total Unavailable	Remaining Set Aside - PA
AK	907				1	14	1	2	1	1	3							3		192	29	
AL	205				12	0	5	1	2	1	0									143	17	
AL	251				0	1	1	0	3	0	0							1		462	17	
AL	256	J	3		0	1	1	0	2	1	0									95	16	16
AL	334				1	1	0	0	5	3	12							9		198	19	
AR	479				1	0	1	1	0	1	2							1		447	14	
AR	501				2	0	1	0	0	0	2									309	25	
AR	870				0	0	2	0	0	0	1									112	23	
AS	684				0	0	0	0	0	0	0									766	20	
AZ	480				0	5	1	0	5	1	2							1		334	18	
AZ	520				1	1	0	1	3	0	0									360	18	
AZ	602				0	1	1	2	0	1	1									206	19	
AZ	623				0	0	0	0	0	2	2									590	18	
AZ	928				1	0	1	0	0	0	0							1	1	355	16	
CA	209	J	2		0	0	1	2	1	1	1							3		207	18	29
CA	213				0	0	0	0	1	0	0							6		352	17	91
CA	310	E			0	0	0	0	0	0	0										16	
CA	323	J	2		1	2	4	0	2	0	0							1	1	118	17	4
CA	408	J	2		1	0	1	0	2	2	2							1	1	75	18	3
CA	415	J	2		0	0	1	0	1	0	0									98	20	19
CA	424				0	1	2	2	3	2	1							1	1	702	16	
CA	442	P			0	0	0	0	0	0	0											
CA	510	J	2		1	0	0	0	0	0	0									127	18	35
CA	530	J	2		2	1	0	2	0	0	0									166	20	38
CA	559	J	2		0	1	0	0	0	0	1							1		213	20	57
CA	562	J			1	0	1	1	1	0	0									244	18	60
CA	619	J	2		2	1	1	1	1	0	0									183	20	17
CA	626	J	2		0	0	1	0	0	0	0									256	17	55
CA	650	J	2		0	0	0	0	0	0	0									192	17	46
CA	657	N			0	0	0	0	0	2	0									783	15	
CA	661				0	0	0	2	3	0	0							1	1	298	20	
CA	707	J	2		2	1	1	0	1	0	0									135	19	30
CA	714	J	2		1	0	0	4	0	1	0							3	3	13	17	5
CA	747	P			0	0	0	0	0	0	0											
CA	760	J	2		2	1	1	0	0	1	1									36	18	6
CA	805	J	2		1	1	0	0	2	0	0							1	1	111	20	2
CA	818	J	2		0	1	2	0	1	0	0							2	2	51	17	7
CA	831				0	0	0	3	0	2	0									442	21	128
CA	858				0	0	0	0	0	0	1							1	1	407	20	119
CA	909				2	2	0	1	0	0	1							5	5	222	18	
CA	916	J	2		0	0	1	3	1	0	0									148	18	21
CA	925	J	2		0	0	0	0	0	0	0									243	17	79
CA	949	J	2		0	1	0	0	1	1	0							1	1	328	18	84
CA	951				0	0	0	0	3	1	0									391	17	
CO	303				0	0	0	0	0	1	0									1	17	

ATTACHMENT 4

Pooling Administration System

Pool Tracking Report

Current Pooling Data Summary Pooling Forecast Summary

Current Pooling Data Summary
Aug 2008

Data as of: 08/15/2008

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NPA (s)	Rate Center	Forecasted Block Demand		Blocks Assigned	Blocks Returned	Blocks Donated	Blocks Added to Pool from New Codes	Blocks Available	CO Code Demand		
		6 Months	Curr. Month						Needed	NANPA	In Queue
	Totals	188	90	14	7	21	0	940	5	0	0
760	BAKER	1	0	0	1	0	0	11	0	0	0
760	BARSTOW	6	3	0	0	2	0	14	0	0	0
760	BENTON	2	1	0	0	0	0	2	0	0	0
760	BIG PINE	2	1	0	0	0	0	8	0	0	0
760	BISHOP	2	1	0	0	0	0	6	0	0	0
760	BLYTHE	2	1	0	0	0	0	13	0	0	0
760	BORON	2	1	0	0	0	0	14	0	0	0
760	BORREGO	0	0	0	0	0	0	7	0	0	0
760	BRAWLEY	4	2	1	1	0	0	2	1	0	0
760	BRIDGEPORT	2	1	0	0	0	0	12	0	0	0
760	BRSW YERM	2	1	0	0	0	0	2	0	0	0
760	CALEXICO	1	0	0	1	0	0	8	0	0	0
760	CALIF VLGE	0	0	0	0	0	0	0	0	0	0
760	CALIFORNCY	2	1	0	0	0	0	5	0	0	0
760	CALIPATRIA	0	0	0	0	0	0	19	0	0	0
760	CIMA	0	0	0	0	0	0	0	0	0	0
760	CROWLEY LK	2	1	0	0	0	0	5	0	0	0
760	DEATH VLY	0	0	0	0	0	0	9	0	0	0
760	DESERT CTR	2	1	0	0	0	0	11	0	0	0
760	DSERTHTSPG	2	1	0	0	0	0	9	0	0	0
760	EAGLE MT	2	1	0	0	0	0	1	1	0	0
760	EARP	2	1	0	0	0	0	15	0	0	0
760	EARP LSLK	2	1	0	0	0	0	6	0	0	0
760	EL CENTRO	4	1	1	0	4	0	7	0	0	0
760	EL MIRAGE	2	1	0	0	0	0	23	0	0	0
760	ENCINITAS	3	2	0	0	0	0	81	0	0	0
760	ESCONDIDO	7	4	2	0	1	0	7	0	0	0
760	FALLBROOK	0	0	0	0	1	0	4	0	0	0
760	FORT IRWIN	2	1	0	0	0	0	14	0	0	0
760	HAVASULAKE	2	1	0	0	0	0	4	0	0	0

760	HOLTVILLE	1	0	0	0	0	0	2	0	0	0
760	HOMESTDVLY	2	1	0	0	0	0	3	0	0	0
760	IMPERIAL	1	0	0	0	0	0	2	0	0	0
760	INDEPNDNCE	2	1	0	0	0	0	8	0	0	0
760	INDIO	4	1	0	0	0	0	3	1	0	0
760	INYOKERN	2	1	0	0	0	0	3	0	0	0
760	JOSHUATREE	2	1	0	0	5	0	9	0	0	0
760	JULIAN	0	0	0	0	0	0	28	0	0	0
760	JUNE LAKE	2	1	0	0	0	0	8	0	0	0
760	KERNVILLE	2	1	0	0	0	0	12	0	0	0
760	LEE VINING	2	1	0	0	0	0	8	0	0	0
760	LENWOOD	2	1	0	0	0	0	3	0	0	0
760	LKISABELLA	2	1	0	0	0	0	23	0	0	0
760	LONE PINE	2	1	0	0	0	0	12	0	0	0
760	LUCERNEVLY	2	1	0	0	0	0	6	0	0	0
760	MAMMOTHLKS	2	1	0	0	0	0	11	0	0	0
760	MORONGOVLV	2	1	0	0	0	0	1	1	0	0
760	MT PASS	2	1	0	0	0	0	3	0	0	0
760	NEEDLES	0	0	0	0	0	0	8	0	0	0
760	NEWBERRY	2	1	0	0	0	0	6	0	0	0
760	OCOTILLO	1	0	0	0	0	0	1	0	0	0
760	OCSD CRLS	6	5	3	0	0	0	24	0	0	0
760	OCSD OCSD	6	1	0	0	1	0	20	0	0	0
760	OCSD PDTN	12	11	1	0	0	0	39	0	0	0
760	OLANCHA	2	1	0	0	0	0	11	0	0	0
760	PALM SPG	9	4	3	0	0	0	51	0	0	0
760	PALMDESERT	4	1	0	0	2	0	17	0	0	0
760	PALO VERDE	2	1	0	0	0	0	14	0	0	0
760	PARKER DAM	2	1	0	0	0	0	9	0	0	0
760	PAUMA VLY	1	0	0	1	0	0	2	0	0	0
760	PINE CREEK	2	1	0	0	0	0	11	0	0	0
760	PINYON	2	1	0	0	0	0	6	0	0	0
760	RAMONA	1	0	0	0	1	0	28	0	0	0
760	RANDESBURG	2	1	0	0	0	0	16	0	0	0
760	RIDGECREST	3	2	0	0	0	0	10	0	0	0
760	SALTON	2	1	0	0	0	0	13	0	0	0
760	SAN MARCOS	1	0	0	1	1	0	69	0	0	0
760	SANDY VLLY	0	0	0	0	0	0	8	0	0	0
760	SHOSHONE	1	0	0	0	0	0	3	0	0	0
760	SUMMIT VLY	2	1	0	0	0	0	2	0	0	0
760	TRONA	2	1	0	0	0	0	5	0	0	0
760	TWNTYNPLMS	2	1	0	0	0	0	5	0	0	0
760	VALLEY CTR	1	0	0	0	0	0	9	0	0	0
760	VICTORVL	5	3	2	2	1	0	20	0	0	0
760	VISTA	4	1	1	0	2	0	10	0	0	0
760	VTVL ADLN	2	1	0	0	0	0	7	0	0	0

760	VTVL APVY	2	1	0	0	0	0	3	0	0	0
760	VTVL HSPR	4	1	0	0	0	0	0	1	0	0
760	WARNER SPG	1	0	0	0	0	0	14	0	0	0
760	WELDON	2	1	0	0	0	0	13	0	0	0
760	WRIGHTWOOD	2	1	0	0	0	0	15	0	0	0
760	WRWD PHLN	2	1	0	0	0	0	3	0	0	0
760	YUCCA VLY	2	1	0	0	0	0	4	0	0	0

Exhibit L
Revised Findings, Conclusions of Law
and
Ordering Paragraphs

1 **PROPOSED MODIFICATIONS**

2
3 The Petitioners propose the following modifications to D. 08-04-058 to effectuate
4 the proposed modification:

5 **FINDINGS OF FACT**

6 1. In D.99-07-017, the Commission adopted a two-way geographic split plan
7 for relief of the 760 area code.

8 2. In D.99-07-053, we suspended the split plan, and instead ordered the
9 development and implementation of more efficient means of using numbering resources
10 to extend the life of area codes.

11 3. NANPA filed this application on June 18, 2007, and served copies of a
12 notice of availability of the application on all 760 central office code or block holders as
13 well as all cities and counties in the 760 area.

14 4. NANPA's application forecasted that the 760 area code will exhaust in the
15 3rd quarter of 2009.

16 5. No protests have been submitted.

17 6. Consistent with Pub. Util. Code § 7931(e)(2), NANPA and CPUC staff
18 conducted local jurisdiction and public meetings, and put forward the four alternatives set
19 out in Attachment A.

20 7. NANPA fully supported the projected exhaust of the 760 area code by
21 providing utilization data and performing a utilization study on the 760 area code, which
22 complies with §§ 7936 and 7943(c).

23 8. The application recommended an all-services overlay, and the Joint
24 Telecommunications Carriers supported this recommendation.

25 9. ~~A significant number of~~ Although some customers did not support the
26 proposed overlay, many of those same customers wanted to keep their number. The
27 ~~reason most commonly cited was the inconvenience of 1+10-digit dialing and the large~~
28 ~~geographic area of the existing 760 area code.~~ Customers opposing the split were
29 particularly concerned with the costs and burdens of changing telephone numbers.
30 Businesses were concerned with the costs to reprint business cards, stationery, signage,
31 and advertisements and the risk of losing customers due to the forced number change.
32 Residents were concerned with the burden of contacting friends, family, banks, schools,

1 and doctors of their new telephone number. The comments are summarized in
2 Attachment B.

3 10. The comments make it clear that only an overlay would accommodate the
4 vast majority of concerns. With an overlay, everyone keeps the same number and
5 everyone shares in the costs and burdens of a new area code.

6 11. Changed market conditions and trends also make it reasonable for us to
7 reconsider the prior adoption of a split for the 760 area code in D.99-07-017.

8 12. It is unfair to impose the burdens of the new area code exclusively on one
9 part of the region as would be the case in a split. An overlay, as compared to the split
10 option, places and equal burden on all customers within the 760 area code of having to
11 use 1 + 10 digit dialing an equal benefit to all of keeping their same telephone number.

12 13. The proposed overlay will cause the least inconvenience to all customers.

13 14. The application included a 15-month schedule for notifying customers of a
14 geographic split and modifying the network and a 13-month schedule for implementation
15 of an overlay.

16 15. No hearing is necessary.

17 **CONCLUSIONS OF LAW**

18 1. Conservation measures have extended the life of the 760 area code for
19 several years, thus delaying the need for an area code change. All reasonable telephone
20 number conservation measures have been implemented. To accommodate future needs,
21 there is no reasonable alternative other than to create a new area code. Accordingly, we
22 have complied with § 7943(c) by ordering an area code change.

23 ~~2. The schedule for public and customer notice set out in Ordering Paragraph~~
24 ~~5 complies with §§ 7931(f)(2) and (g), and § 7932(a)(3).~~

25 ~~3. The implementation schedule set out in Ordering Paragraph 5 provides for~~
26 ~~a transitional or permissive dialing period when dialing either area code will complete the~~
27 ~~call and, after mandatory dialing is imposed, a recorded message informing the caller of~~
28 ~~the new area code, as required by § 7932. A public education plan ("PEP") should be~~
29 ~~adopted subject to modifications by the CD Director and the Task Force.~~

30 2. Pursuant to §§ 7931(f) and (f)(1), NANPA should notify the applicable
31 code holders and thousand-block holders in the 760 area code of the implementation of
32

1 the two-way geographic split overlay and its schedule, as well as all cities and counties in
2 the new 442 area code, within 30 days from the effective of this order.

3 ~~5. Consistent with Sections 7931(f)(2) and 7931(g) of the Public Utilities~~
4 ~~Code, written notice to all affected customers shall include information about the~~
5 ~~specific details of the all services overlay and shall be contained in a mailing within the~~
6 ~~customer's regular bill.~~

7 36. We have established a history of evaluating certain criteria when
8 considering area code relief options. Those criteria indicate that a new area code should
9 be implemented via the proposed all services overlay. ~~Those criteria indicate that, due in~~
10 ~~large part to the unique geographic circumstances of the existing 760 area code, a two-~~
11 ~~way geographic split is the best alternative for adopting numbering relief for the 760 area~~
12 ~~code.~~

13 47. All service providers operating within the 760 Number Planning Area
14 and/or having numbering resources with the 760 area code should cooperate in
15 implementing the customer notification and education plan as set forth in ~~Ordering~~
~~Paragraph 5. the PEP.~~

16 5. The overlay should be adopted.

17 O R D E R

18
19 Therefore, IT IS ORDERED that:

20 1. The all services overlay ~~two-way geographic split~~ proposed in the
21 application as alternative 3 ~~one~~ for the 760 area code is adopted.

22 2. The North American Numbering Plan Administrator and all
23 thousand block code holders in the 760 area code shall implement a PEP as
24 set forth in the Application. ~~The following rate centers in the existing 760~~
25 ~~area code shall comprise the new 442 area code: Borrego, Encinitas,~~
26 ~~Esccondido, Fallbrook, Julian, Oceanside: Carlsbad, Oceanside: Oceanside;~~
27 ~~Oceanside: Pendleton, Pauma Valley, Ramona, San Marcos, Valley Center,~~
28 ~~Vista, Warner Springs. The telephone number prefixes associated with~~
29 ~~these rate centers are listed in Attachment C.~~

1 3. Within 30 days of the effective date of this order, the North
2 American Numbering Plan Administrator (NANPA) shall notify the
3 applicable code holders and thousand-block holders in the 760 area code of
4 the implementation of the all services overlay ~~two-way geographic split~~ of
5 the 760 area code, ~~the prefixes comprising the new 442 area code~~, and the
6 schedule for implementation.
7

8 4. The NANPA and the code and thousand block holders in the new
9 442 area code shall comply with the implementation schedule in the
10 Application ~~adopted below~~.
11

12 5. The following implementation schedule is adopted:

13 [TABLE OMITTED]
14

15 6. The Director of the Communications Division shall oversee
16 implementation of the 760 overlay ~~area code split~~ and may authorize such
17 additional or modified notice requirements as may be necessary to
18 efficiently implement the 442 area with a minimum of inconvenience and
19 expense for customers.
20

21 7. Within 30 days of the effective date of today's decision, the NANPA
22 shall file and serve a final implementation schedule which shall include
23 the specific dates for all implementation events needed to comply with this
24 order.
25

26 8. Application 07-06-018 is closed.
27
28
29
30
31
32