



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

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Application of the North American)
Numbering Plan Administrator, on)
behalf of the California) A.21-04-007
Telecommunications Industry, for)
Relief of the 209 Numbering Plan)
Area)
_____)

**MOTION OF AT&T, COMCAST, CCTA, AND VERIZON (“JOINT CARRIERS”) FOR
ADOPTION OF UPDATED OVERLAY IMPLEMENTATION PLAN**

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Pursuant to Rule 11.1 of the California Public Utilities Commission's ("Commission") Rules of Practice and Procedure, Joint Carriers, which includes Pacific Bell Telephone Company d/b/a AT&T California (U 1001 C), AT&T Corp. (U 5002 C), SBC Long Distance, LLC (U 5800 C), Teleport Communications America, LLC (U 5454 C), AT&T Mobility,¹ and Cricket Wireless, LLC (U 4460 C) (collectively "AT&T"), Comcast Phone of California, LLC (U 5698 C) ("Comcast"), the California Cable & Telecommunications Association ("CCTA"), and Cellco Partnership dba Verizon Wireless, MCI Communications Services LLC (U 5378 C), MCImetro Access Transmission Services LLC (U 5253 C), and XO Communications Services, LLC (U 5553 C) (collectively "Verizon") respectfully file a motion for the adoption of an updated overlay implementation schedule in this proceeding. See Attachment A.

The attached proposed schedule takes into account the procedural schedule of this application and customer education actions to ensure that area code relief can be implemented before the 209 Numbering Plan Area ("NPA" or "Area Code") exhausts of central office codes in the Fourth Quarter of 2022. This schedule is necessary to ensure that customers within the 209 NPA's northern San Joaquin Valley and adjacent foothills continue to obtain voice services from the provider of their respective choice. The proposed schedule has the support of the Joint Carriers and Frontier California Inc. (U 1002 C) and Citizens Telecommunications Company of California, Inc. (U 1024 C) ("Frontier"), Onvoy, LLC (U 6487 C), Onvoy Spectrum LLC (U 3090 C), and Radiant IQ LLC (U 1790 C) ("Onvoy"), CenturyLink Communications, LLC (U 5335 C) dba Lumen, T-Mobile West LLC (U 3056 C) ("T-Mobile"),² and Utility Telecom Group, LLC (U 5807 C) ("Utility Telecom").³

¹ As used herein, "AT&T Mobility" refers to, collectively, AT&T Mobility Wireless Operations Holdings, Inc. (U 3021 C); New Cingular Wireless PCS, LLC (U 3060 C) d/b/a AT&T Mobility; and Santa Barbara Cellular Systems, Ltd. (U 3015 C).

² T-Mobile's affiliates include Metropcs California LLC (U 3079 C), Sprint Communications Company LP (U 5112 C), Sprint Spectrum L.P. (U 3062 C), and Assurance Wireless USA, L.P. (U 4327 C).

³ Verizon circulated the proposed schedule to the other named carriers, and they agreed by email to the revised proposed schedule attached to this Motion.

I. BACKGROUND

The 209 NPA serves portions of the Alameda, Alpine, Amador, Calaveras, Eldorado, Escalon, Fresno, Madera, Mariposa, Merced, Sacramento, San Joaquin, Stanislaus, and Tuolumne counties and encompasses cities including, but not limited to, Modesto, Stockton, and Tracy. The North American Numbering Plan Administrator (“NANPA”) declared in December 2020 that the 209 area code was in jeopardy of exhaust, and central office codes are now being rationed at two codes per month.⁴ Just twenty codes remain in the 209 area code, and exhaust of this area code is expected in the Fourth Quarter of 2022.

On April 9, 2021, NANPA filed this Application seeking an all-services overlay, with a nine-month implementation schedule with proposed specific implementation dates and no paid advertising requirement. The Application’s proposed attached schedule modifies the 909 NPA Public Education Plan (“PEP”) approved by the Commission in Decision 19-06-012 to exclude redundant customer education about mandatory 1+10-digit dialing, given that the Federal Communications Commission (“FCC”) established mandatory 10-digit dialing for the 209 and many other NPAs, and implementation of 10-digit dialing would already have occurred by the time any 209 area code overlay education begins.⁵

As the Application notes, the California telecommunications industry proposed the nine-month implementation plan “so that the industry can accommodate holidays and holiday network freezes, high traffic days, and implementation dates for other NPA relief activities occurring in other parts of the

⁴ Application at 3.

⁵ Specifically, on April 24, 2021, permissive 1+10-digit dialing began in the 209 area code, and during this period, customers were able to dial either 7 or 1+10 digits within the area code to make local calls. On October 24, 2021, mandatory 10-digit dialing became effective, meaning that carriers have between October 24, 2021 and July 15, 2022 to enforce mandatory 1+10-digit dialing, each on its own schedule. Once a carrier enforces mandatory 1+10-digit dialing, customers must dial 1+10 digits (or 10 digits for wireless customers) to make local calls within the 209 area code. Mandatory 10-digit dialing is required in the 209 NPA by the FCC to ensure everyone is able to reach the National Suicide Prevention Lifeline by dialing the new “988” abbreviated dialing code. See FCC Order 20-100 (https://docs.fcc.gov/public/attachments/FCC-20-100A1_Rcd.pdf) and NANPA Planning Letter 556 (https://www.nationalnanpa.com/pdf/PL_556.pdf).

country.”⁶ Because providers typically freeze network changes during the holiday months, and because exhaust of the 209 area code is expected to occur in the Fourth Quarter of 2022, the proposed nine-month implementation period (and its specific dates) intended for the overlay implementation to occur by October 1, 2022. The nine-month schedule was contingent on the issuance of a Commission decision by November 1, 2021, which would have allowed the implementation period to begin on January 1, 2022 and conclude on October 1, 2022.

Presently, however, the Commission has not yet issued a decision in this proceeding. On November 4, 2021, the Assigned Administrative Law Judge (“ALJ”) held a prehearing conference (“PHC”) in this proceeding. At the PHC, CCTA, Verizon, and AT&T noted the danger of area code exhaust, the need to shorten the industry-proposed schedule in the Application given that no Commission decision has yet been issued, and the inevitability of exhaust if the Commission imposes a nine-month implementation schedule.

Joint Carriers respectfully request that the ALJ adopt the attached proposed revised schedule that has been developed and agreed to by various carriers (or their associations), including AT&T, Comcast, CCTA, Verizon, and Frontier, Onvoy, CenturyLink Communications, LLC, T-Mobile, and Utility Telecom. This proposed revised schedule presumes that the Commission will issue a decision by April 1, 2022, at the latest. A Commission decision later than April 1, 2022 may necessitate further revisions to the schedule. In any event, without a revised schedule, there is a significant risk that consumers will not be able to access numbers in the 209 area code from their carrier of choice by November 2022.

II. THE PROPOSED REVISED SCHEDULE WILL ENSURE THAT THE OVERLAY IS IMPLEMENTED BEFORE EXHAUST.

The proposed revised schedule recommends a six-month implementation period, beginning on May 1, 2022, and concluding on November 1, 2022. The

⁶ Application at 4.

revised schedule shortens certain timeframes from the nine-month implementation schedule to ensure that area code relief can be implemented by the Fourth Quarter of 2022. Redlines reflect changes to the initially proposed nine-month implementation schedule (which had redlined the 909 NPA PEP). See Attachment A. Notably, the revised schedule primarily does the following:

- Reduces customer notifications from two notices that each run for one billing cycle down to one notice that runs for two bill cycles. This single notice is consistent with recent overlay implementations completed or in progress in other states where mandatory 10-digit dialing customer education is already completed or is already in place (e.g., Colorado, Georgia, Illinois, Missouri, North Carolina, and Texas).⁷ Given that mandatory 1+10-digit dialing education has already occurred or is already in place in the 209 NPA, a single customer notification regarding overlays is sufficient, as in other states.
- Reduces special outreach notices from two notices to one notice, consistent with recent similar overlay implementations completed or in progress in other states.
- Retains two news releases about the 209 overlay; the first to be issued about one month after the implementation start date, and the second to be issued about five and a half months after the implementation start date (i.e., about two weeks prior to the new overlay area code becoming effective).

A. Mandatory 1+10-Digit Dialing Eliminates the Need for a Large Portion of the Overlay Area Code Education

The revised six-month overlay implementation schedule acknowledges the completion of mandatory 1+10-digit dialing customer education, eliminates redundant 1+10-digit dialing customer education, and condenses the timeline to ensure that central office codes are available before the 209 area code exhausts. Prior overlay implementations in California focused customer education on 1+10-digit dialing in an area code, given the necessity to educate customers on mandatory 1+10-digit dialing for local calls, even within the same area code. In the 209 area code, mandatory 1+10-digit dialing education has already occurred, and customers were educated that mandatory 1+10-digit dialing became effective on

⁷ See NANPA's "NPAs Introduced over the Last 10 Years" report available at <https://www.nationalnanpa.com/enas/npasOverLast10YearsReport.do>.

October 24, 2021.⁸ At this juncture, the only additional information needed by customers in the 209 area is notice that the new overlay area code will serve the same geographic area as the 209 area code. The dissemination of this information will be a minor undertaking. As such, the Commission can reasonably eliminate and shorten various customer notice actions in the implementation schedule without any adverse impact to customers.

For the reasons discussed above, a new overlay area code in the 209 area code does not require broad consumer education. Once the new area code overlay occurs, new customers in the area will receive numbers from the new overlay area code and can proceed to use that number. Accordingly, the customer notices can be reduced and the education campaign shortened to accommodate a six-month implementation schedule.

B. Paid Advertising is Unnecessary, Inefficient, and Time-Consuming

The Application's original nine-month implementation schedule eliminated paid advertising for the area code overlay as an unduly complicated and time-consuming process that is unnecessary. The proposed six-month implementation schedule also eliminates paid advertising for the same reasons. Further, it simply will not be possible to implement the overlay within either the nine- or six-month schedule with a paid advertising requirement. Notably, paid advertising has not been used in any other state for over twenty years to educate customers about overlays, even in cases where educating consumers about mandatory 10-digit dialing is necessary. Instead, carriers have been responsible for educating their own customers at their own cost and have done so successfully in other states. Paid advertising is even less necessary, where mandatory 10-digit dialing (or 1+10-digit dialing) has already become effective, such as here in the 209 area code.

⁸ Carriers have between October 24, 2021 and July 15, 2022 to enforce mandatory 1+10-digit dialing in the 209 area code, each on its own schedule, as required by the 988 mandate. Some carriers operating in the 209 area code have already completed this (See the current "Progress by State/Area Code" file posted on NANPA's webpage: https://www.nationalnanpa.com/transition_to_10_digit_dialing_for_988/index.html.)

Under the federal 988 mandate, carriers were responsible for educating customers about 10-digit dialing in 82 area codes (including the 209 area code). Multiple customer notices, website postings, social media, and news releases from carriers, state commissions, NANPA, and the Federal Communications Commission (“FCC”) were used to provide wide-spread information about 1+10 digit dialing. For example, the Commission provides information to consumers on its website:

<https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/area-code>. The FCC has allowed carriers’ discretion to conduct customer education about 10-digit dialing. Carriers used the customer education methods documented in the “Progress of 988 Milestones” file posted at:

[https://www.nationalnanpa.com/transition to 10 digit dialing for 988/index.html](https://www.nationalnanpa.com/transition%20to%2010%20digit%20dialing%20for%20988/index.html).

This helped ensure consistency in messaging across carriers, and such messaging and methods are very similar to what carriers use to educate customers about mandatory 10-digit dialing in other states when overlays are implemented. For example, providers’ outreach included notices on websites:

- www.verizon.com/988
- <https://www.xfinity.com/support/articles/10-digit-dialing>
- <https://www.att.com/support/article/wireless/KM1449917/>
- <https://www.t-mobile.com/support/coverage/ten-digit-dialing>

Finally, numerous news articles and postings also published information about the overlay and 1+10-digit dialing in the 209 area code.⁹ Accordingly, there is no need for paid advertising with regard to either 1+10-digit dialing or the new overlay code.

⁹ https://www.uniondemocrat.com/news/article_16b95b56-1733-11ec-af3a-8b6bbc23f0f3.html; <https://www.kcra.com/article/why-youll-soon-have-hit-1-when-dialing-209-area-code-phone-number/37913291>; <https://www.turlockjournal.com/news/government/1209-dialing-required-calls-starting-sunday/>; <https://www.modbee.com/news/local/article251657598.html>; <https://www.abc10.com/article/news/local/stockton-modesto-new-area-code-209/103-5a127727-d3e3-450e-a830-5e43f7b1eaf6>;

Paid advertising requires various actions that take significant time and are primarily focused on educating customers about the mandatory 1+10-digit dialing associated with an overlay. Historically, the Commission has required providers to coordinate and fund a paid advertising campaign, which requires the carriers to participate in multiple implementation activities including establishing a fund; hiring legal, financial, and administrative resources to manage the fund; engaging in several industry planning sessions and meetings regarding advertising; and hiring advertising firms to develop and implement the advertising campaign. Specifically, carriers must develop a budget to cover the costs of these activities, and hire an attorney to review the bookkeeper's contract and other contracts as needed. The carriers must hire a bookkeeper to:

- manage the PEP funds
- obtain an IRS EIN and W-9 for the PEP fund
- obtain not-for-profit status with the IRS
- advance his/her own funds to open and maintain the bank account for the PEP funds and then wait months to be reimbursed
- calculate and issue invoices to each carrier
- collect and deposit funding payments from each carrier
- pay invoices
- calculate and distribute refunds from any overage collected in the PEP fund to each carrier using the same methodology as the payments
- prepare and file federal and state tax forms when the implementation is complete
- ensure a zero balance and close the bank account when the implementation is complete
- manage other tasks as needed

The industry must find carrier individuals to volunteer to develop the list of the numbering resources assigned to each carrier; contact each carrier to verify and concur with the list of numbering resources; manage all the responses (or non-responses) from those carriers; oversee the bookkeeper and bookkeeper's

services, including collection of payments from carriers and distributing refunds to carriers if needed; be responsible for signing checks from the PEP's bank account so that vendors are paid for their services; and manage other tasks as needed.

Moreover, carriers must also invest additional time, expense, and labor in finding advertising agencies to develop the appropriate ads for radio, TV, or newspaper, at costs that are typically 85% or more of the total funded PEP budget. Because the main focus of such ads in the past has been on mandatory 1+10 digit dialing, ad agencies will need to develop new ads focused solely on the 209 area code overlay. Given the short amount of time remaining before area code exhaust in the 209 area code, the costs for such advertising will be more expensive than usual; moreover, this will take more time to develop because the advertising focus will be different from past overlays.

All of this adds unnecessary burden, time, and inefficiencies to the area code overlay consumer education effort and is unduly inefficient when carriers can easily educate their own customers at their own cost. Joint Carriers respectfully submit that such paid advertising is unnecessary and should not be included, particularly here where mandatory 1+10-digit dialing customer education has already occurred. Elimination of paid advertising will further enable the industry to implement an area code overlay within the remaining months before area code exhaust, provided that the decision adopting the overlay and this proposed six-month implementation plan is issued no later than April 1, 2022.

III. CONCLUSION

For the foregoing reasons, Joint Carriers respectfully request adoption of the attached proposed schedule for a six-month implementation timeframe.

Respectfully submitted this 17th day of December 2021,

/s/ _____
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¹⁰ Pursuant to Rule 1.8(d) of the Commission's Rules of Practice and Procedure, attorneys for the members of the Joint Carriers authorize counsel for Verizon to sign and file this pleading on their behalf.