

Decision PROPOSED DECISION OF ALJ WILSON (Mailed 2/9/2023)

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 213/323 Numbering Plan Area.

Application 22-08-009

**DECISION GRANTING REQUEST FOR
AN ALL-SERVICES AREA CODE OVERLAY
IN THE 213/323 NUMBERING PLAN AREA**

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Attachment A – Public Education Program for 213/323 Area Code Relief

**DECISION GRANTING REQUEST FOR
AN ALL-SERVICES AREA CODE OVERLAY
IN THE 213/323 NUMBERING PLAN AREA**

Summary

By this decision, we approve the request of the North American Numbering Plan Administrator to adopt an all-services overlay to resolve the forecasted exhaustion of numbering resources in the 213/323 Numbering Plan Area, with a nine-month implementation schedule. The overlay will provide additional numbering resources to meet the demand for telephone numbers while minimizing customer inconvenience. We order a public education program, within timeframes discussed in this decision, to facilitate implementation of the overlay.

No existing customers will be required to change their area code or specific telephone number. After the implementation period, the new overlay area code will be available for new telephone number assignments in the same region as the 213/323 area code upon exhaust of available prefixes in the existing 213/323 area code. Customers will continue to dial the three-digit area code for all calls to and from telephone numbers with the 213/323 area code and new area codes.

This proceeding is closed.

1. Background

The North American Numbering Plan Administrator (NANPA),¹ on behalf of the California Telecommunications Industry (Industry),² filed Application (A.) 22-08-009, in which it requests relief in the 213/323 NPA.³

No protests were filed to the application.

On November 4, 2021, the assigned Administrative Law Judge (ALJ) held a telephonic prehearing conference (PHC) in this matter to discuss and establish the service list for this proceeding, and to determine the scope of the proceeding. The Applicant, representatives of NANPA, the California Cable and Telecommunications Association, and Verizon California participated in the PHC. The assigned Commissioner issued the Scoping Memo and Ruling on December 2, 2022. On December 12, 2022, the assigned ALJ issued a Ruling Requesting Information, to which NANPA responded on December 22, 2022.

Effective January 1, 2019, the Federal Communications Commission (FCC) appointed Somos, Inc. (Somos) to replace Neustar, Inc. as the NANPA.⁴

¹ As a neutral third-party administrator, NANPA has no independent view regarding the relief option proposed by the Industry in this application.

² The Industry is composed of current and prospective telecommunications carriers operating in, or considering operations within, the 213/323 Numbering Plan Area (NPA or area code).

³ An NPA, also known as an “area code,” normally represents a geographic area within a state. In the current case, the NPA is 213/323. Throughout this decision, NPA and area code are used interchangeably.

⁴ <https://docs.fcc.gov/public/attachments/DOC-354567A1.pdf>. Somos’ mailing address and counsel is:

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All rulings issued by the assigned Commissioner and ALJ are affirmed herein.

2. Jurisdiction

The FCC holds full responsibility over all numbering issues but has delegated to the states area code relief responsibilities.⁵ On behalf of the State of California, the California Public Utilities Commission (Commission) is responsible for proactively monitoring area code relief planning and overseeing the integrity and competitive neutrality of the Industry relief planning process.⁶

3. Process for Determining Need for a New Area Code

NANPA's primary responsibility is to ensure numbering resources are available to the telecommunications industry in the United States and Canada.⁷ NANPA assigns those resources in the form of area codes and prefixes; tracks

⁵ http://transition.fcc.gov/Bureaus/Common_Carrier/Reports/FCC-State_Link/IAD/utilizationdec2000.pdf.

⁶ Public Utilities (Pub. Util.) Code Section 7936 states, "The commission shall direct the NANPA to obtain utilization data for any area code for which a relief plan is proposed, prior to adopting a plan for, or setting a date for, relief."

Pub. Util. Code Section 7943(a) states: "It is the intent of the Legislature that when the commission has no reasonable alternative other than to create a new area code, that the commission do so in a way that creates the least inconvenience for customers." Pub. Util. Code Section 7943(c) states: "Before approving any new area code, the commission shall first perform a telephone utilization study and implement all reasonable telephone number conservation measures."

⁷ When projecting that an area code will run out of prefixes, NANPA looks at a number of factors, including but not limited to: (1) the history of code assignments in the area code; (2) the current growth rate within the telecommunications industry in the NPA; (3) five years of annual code growth in that area code; and (4) each telecommunications service provider's semi-annual growth forecast in the area code in question to determine future demand for new prefixes. NANPA considers all this information to forecast when an area code will run out of, or "exhaust," all available prefixes. This information is also considered in NANPA's determination of the life expectancy for the relief alternatives being considered. (As of this writing, available at <https://www.nationalnanpa.com/index.html>.)

their use to ensure effective and efficient utilization; and, on a semi-annual basis, forecasts which area codes will soon run out of prefixes.⁸ When it determines that an area code is near exhaustion, NANPA, as a neutral third party, initiates and coordinates the planning process for resolving the utilization of available prefixes, which is known as Area Code Relief Planning (relief planning). Such relief planning, which includes the introduction of a new area code within the existing area code in which the exhaust is forecast to occur, normally begins three years prior to the forecasted exhaust.⁹

After informing the Commission of the forecasted exhaust in an area code, NANPA begins the relief planning process by calling a meeting with Industry to identify viable solutions to the forecasted exhaust. NANPA and Industry are required to follow regulations established by the FCC and the Commission, as well as industry guidelines.¹⁰ After the Industry develops feasible alternatives, such as an all-services overlay or a geographic split,¹¹ Industry then strives to

⁸ A prefix, also known as a central office code (CO code) is the second set of three digits of a telephone number. Prefixes are assigned to rate centers within an area code. Each prefix consists of 10,000 line numbers.

⁹ Pub. Util. Code Section 7931(d).

¹⁰ In planning area code relief, Industry: (1) is required to follow rate center boundaries; (2) may not consider certain types of relief, such as service-specific area codes for cell phones, pagers, or other services, due to current federal regulation; and (3) may consider communities of interest, city and county boundaries, and natural dividing lines like mountains or rivers. Industry then measures these items against established Industry criteria such as minimizing customer confusion, ensuring that relief plans have adequate projected lives, and maintaining competitive neutrality among service providers. ATIS-0300061-NPA Code Relief Planning and Notification Guidelines at Section 2.4, Section 6.1, Section 6.3.4, and Section 6.4, Alliance for Telecommunications Industry Solutions. (FCC 00-104 at 3.)

¹¹ An all-services overlay is a plan in which the original and new area codes apply to the same geographic area. A geographic split divides an area code into two area codes, each assigned to a specific geographic area with one area retaining the original area code and the other area is required to change to a new area code.

reach consensus on the best plan to resolve the forecasted exhaust in the area code in question.

NANPA then submits its application to the Commission seeking relief for the exhausting area code recommending Industry's consensus solution. After the Commission has made its decision on a relief plan, telecommunications service providers are required to implement the relief plan within a specified period adopted in the decision.

Prior to 2017, Pub. Util. Code Section 7931(e)(2) required Commission staff to conduct at least one public meeting for the local jurisdictions and the public affected by the area code relief activities. Pub. Util. Code Section 7931(e)(2) was subsequently revised to no longer require public meetings for area code relief.¹² Public meetings may be conducted at the discretion of the Commission but are not required. For the 213/323 area code relief proceedings, the public meetings that have been held in the past are replaced with a webcast posted on the Commission website. The webcast replaces the public meetings because in-person gatherings were not permitted due to the pandemic.

In this Application, Industry reached consensus to recommend to the Commission an additional all-services distributed overlay plan as its choice of relief for the 213/323 area code.

¹² In 2017, [Senate Bill 385 \(2017-2018\)](#) revised Pub. Util. Code Section 7931(e)(2) to require commission staff to notify representatives of local jurisdictions and the public in affected areas, but instead of requiring them would authorize them, at the discretion of the commission, to conduct one or more meetings both for representatives of local jurisdictions and for members of the public in affected geographic areas for those same purposes. The purpose of the revision is to "repeal obsolete auditing, reporting, and other similar requirements on the commission."

3.1. Basics of the Telephone Numbering System

In each area code in the United States, telephone numbers are made up of an area code, a three-digit prefix, and a four-digit line number (for example, 213-555-1234 or 323-555-1234).¹³ Specific geographic areas are assigned an area code, while each individual phone line is assigned a line number. Each area code is divided up into local serving areas called exchanges; within each exchange is a rate center. The 213/323 area code has a total of 15 rate centers serving downtown Los Angeles, Alhambra, Bell, Bell Gardens, Beverly Hills, Commerce, Cudahy, Glendale, Hawthorne, Huntington Park, Inglewood, Lynwood, Maywood, Montebello, Monterey Park, Pasadena, Rosemead, South Gate, South Pasadena, Vernon, West Hollywood, and unincorporated portions of Los Angeles County.

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

Every prefix, which is assigned to a specific rate center, includes 10,000 line numbers. The FCC has set aside certain prefixes such as 958, 959, and 555, as abbreviated dialing patterns dedicated to special uses. Consequently, only

¹³ A line number, which is the last four digits of a customer's phone number, is the number assigned to the phone line that an individual customer uses.

754 assigned usable prefixes exist in a given area code.¹⁴ Once these 754 assigned usable prefixes are used, a new area code is necessary. As of December 22, 2022, there were only 116 assigned useable prefixes remaining in the 213 area code and none in the 323 area code.¹⁵ NANPA projects the 213/323 NPA to run out of prefixes in the second quarter of 2025 (April 2022 NPA Exhaust Analysis Report).¹⁶

3.2. The 213/323 Area Code

The 213 NPA, created in 1947, was one of the original three NPAs in the state of California. The 323 NPA was created when it was split from the 213 NPA in June 1998. The 213 NPA served the downtown portion of the City of Los Angeles and the 323 NPA made up the remainder of the City of Los Angeles and surrounding cities. On July 14, 2016, the Commission approved a boundary elimination overlay for the 213 NPA and the 323 NPA. The Commission approved this boundary elimination overlay because the geographic areas of the 213 NPA and the 323 NPA were concentric with the City of Los Angeles at their core and the City of Los Angeles was in 14 of the 15 rate centers that make up both area codes. The boundary elimination overlay, with its corresponding mandate for 1+10-digit local dialing, was completed on August 1, 2017.¹⁷

The 213/323 NPA is bordered to the north by the 818/747 NPA overlay, to the west by the 310/424 NPA overlay, to the east by the 626 NPA and to south by the 562 NPA. The thousand-block number pooling helped to extend the life of the 213/323 area code. This measure has run its course and the available

¹⁴ A.22-08-009 at Exhibit B (California Central Office Code Summary as of August 10, 2022).

¹⁵ Response to ALJ Ruling, dated December 22, 2022.

¹⁶ See A.22-08-009 at Exhibit B.

¹⁷ Decision (D.) 16-07-014.

telephone numbers within the 213/323 area code have decreased to the point that will soon require relief.¹⁸

4. Current Request For a New Area Code

Under Pub. Util. Code Section 7936 and Section 7943(c), in order to approve a new area code, the Commission must get utilization data from NANPA for the area code for which relief is proposed, perform a telephone utilization study, and implement all reasonable telephone number conservation measures. When there is no reasonable alternative to creating a new area code, the Commission must do so in a way that is the most convenient for customers.

In the current case, the only alternative is an additional overlay. As discussed in Section 3.2 above, 1+10 digit dialing is already in existence. Section 5.6.3 of the amended NPA Relief Planning Guidelines (Guidelines) states that “where NPA relief is required for a single NPA area and ... the NPA is scheduled to transition to 1+10-digit dialing ... the Initial Planning Document, relief planning meeting, and Industry consensus to recommend an overlay is not required.”¹⁹ Pursuant to these Guidelines, an overlay is the only option.

NANPA projected that the 213/323 area code would exhaust in the second quarter of 2025. The study and the data therein satisfy the statutory requirements of Pub. Util. Code Section 7936 and Section 7943(c) and persuade us that there are no reasonable alternatives to creating a new area code to address the 213/323 area code exhaustion.

After informing the Commission of the forecasted exhaust of the 213/323 area code, NANPA convened California 213/323 Initial Relief Planning Meeting

¹⁸ In its April 2022 NPA Exhaust Analysis, NANPA projected an exhaust date in the second quarter of 2025.

¹⁹ A.22-08-009 at Exhibit A (NPA Relief Planning Guidelines) at Section 5.6.3.

on July 20, 2022. Industry reached consensus at this meeting to recommend to the Commission an all-services distributed overlay as the relief for the 213/323 area code.

In order to allow sufficient time for completion of the selected relief plan prior to exhaust of CO codes in the 213/323 area code, NANPA and Industry proposed a public education program (PEP) for customers in the current 213/323 area code and requests that the Commission approve the nine-month implementation schedule and PEP program outlined in its application.

5. Discussion

The 213/323 area code is projected to exhaust in the second quarter of 2025, requiring the Commission and NANPA to act before exhaustion occurs. NANPA utilized data in the Number Resource Utilization Forecast (NRUF) in forecasting the 213/323 area code exhaustion in accordance with Pub. Util. Code Section 7936.²⁰ There is no indication that conservation measures will adequately address this exhaustion as outlined in Pub. Util. Code Section 7943(c). In this application, NANPA provided one relief option, concluding that the 213/323 area code relief option for the additional all-services distributed overlay alternative is Industry's only option, given existing overlay in place.

An overlay is less confusing and less costly for existing customers because all customers retain the same area code and telephone number. An overlay would not require existing residential or business customers to incur the time and expense to inform family, friends, customers, and business associates of a new area code, or incur the cost of reprinting stationery and other materials. The

²⁰ NANPA is required to collect, store, and maintain NRUF data. In accordance with FCC rules, assignees holding geographic and/or certain non-geographic (NPA 5XX and 900) telephone numbers must report on their holdings February 1 and August 1 of each year.

overlay option is the least inconvenient and most equitable for customers, and has the least impact on local services, including emergency and government services.

Therefore, we adopt an overlay to resolve the forecasted exhaust in the 213/323 area code. Implementation of the overlay shall be completed by the forecasted exhaust date of the 213/323 area code in the second quarter of 2025.

6. Public Education Program

6.1. Overview

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

In D.98-05-021, also in the R.95-04-043 and I.95-04-044 proceedings, the Commission:

- Required service providers to institute an instructional announcement directing callers to dial 1+10-digits indefinitely after implementing the overlay;
- Required the PEP to communicate changes associated with the overlay to children, the elderly, the disabled community, and the various ethnic groups in the region;
- Prioritized the education of those entities that will need to reprogram equipment due to the new dialing procedure, such as alarm companies;
- Required the PEP to inform customers how to dial directory assistance to locate numbers applicable to different area codes within the overlay region;

- Required the use of press releases, television and radio announcements, billing inserts and the updating of telephone directories; and
- Extended the coverage of the PEP to include not only the region in which the overlay will be implemented, which should be the first priority, but also the adjacent area codes and, to a lesser extent, the whole state.

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

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

To achieve those goals, the Commission required:

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

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

- The activities and standards previously required for the 310 area code and 408 area code overlay PEPs to achieve at least 70 percent public awareness level;
- Outreach to specifically target key governmental agencies, community leaders, chambers of commerce, major airports, hospitals, alarm providers, pay telephone providers and the state coordinator for E-911; and
- Special outreach to senior citizens, children, the disabled, and ethnic minorities including targeted newspaper, billboard, radio, and television advertising.

In D.16-07-014 and subsequent area code relief decisions, the Commission did not require the Industry to conduct a public awareness survey. The Commission reasoned that as the content of the adopted program would contain the same activities used in prior PEPs that have met the 70 percent minimum customer awareness requirement established in D.05-08-040, there would be little possibility that the 70 percent threshold would not be met with the same amount of effort put forth by the Industry. However, the Commission continued to require the Industry to achieve the previously established 70 percent minimum customer awareness requirement.²¹ Telecommunications service providers must develop a detailed PEP that is consistent with those adopted in D.17-05-019. The Commission's Communications Division Director (CD Director) is authorized to oversee the finalization and implementation of the PEP and authorized to take all actions necessary, including requiring sufficient Industry contributions to the program's fund, to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing, and

²¹ D.16-07-014 approving boundary elimination overlay of 213/323 area codes; D.17-02-010 approving an overlay for the 916 area code; D.17-05-019 approving an overlay for the 805 area code; and D.17-04-027 approving boundary elimination overlay of 619/858 area codes.

approving all educational materials, overseeing the customer awareness assessment process, and requiring any needed additional funding from the carriers.

As the Commission explained in D.17-05-019, the bureaucracy that a PEP creates is outweighed by the broader responsibility of oversight and accountability provided to the people of California.²²

Therefore, as in previous decisions, the Commission will require a task force²³ to implement the PEP. The task force shall consist of representatives from the service providers holding numbering resources in the 213/323 area code as of the effective date of this decision, as well as Commission staff to oversee the implementation. All service provider representatives on the task force should contribute to the implementation effort and those unwilling to participate shall be reported to the Commission. The Commission requires the task force to develop a reasonable means of delineating the division of responsibility for the public education activities to ensure adequate tracking and compliance.

The task force will be responsible for developing the materials and content of the PEP, maximizing the use of prior education efforts, and conforming to the requirements of this order. The PEP should contain the same activities used in prior programs that have achieved the 70 percent customer awareness requirement, which result in customer awareness, prior to exhaustion anticipated to occur during the first quarter of 2023. There is no requirement for either the Industry or the Task Force to formally report the 70 percent customer awareness to the Commission.

²² D.17-05-019 at 26-27. (*See also* Section 2(c).)

²³ The Task Force is a separate group from the Industry.

Educational, outreach, and advertising materials should explain the type of area code change being implemented and the new dialing procedure and explain that the cost and quality of telephone service will not be adversely affected by the change. The materials should also address the permissive dialing period, the mandatory dialing period, the tasks consumers should do in preparation for the overlay, and the reasons for the area code change. The task force shall submit all public education outreach materials to the CD Director for review and approval.

Telecommunications service providers must develop a detailed PEP that is consistent with those adopted in D.17-05-019. (*See Attachment A to this decision.*) The CD Director is authorized to oversee the finalization and implementation of the PEP and authorized to take all actions necessary, to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing, and approving all educational materials, overseeing the customer awareness assessment process.

6.2. Discussion

As part of this application, NANPA attaches an Exhibit B, which are the final minutes of the California 213/323 NPA Draft Petition Review Meeting via Conference Call Final Minutes (Minutes) held July 20, 2022.²⁴ These Minutes became final on August 10, 2022. Within Exhibit B, Industry consensus is documented, stating that the Industry approval by the Commission of the requested implementation of the 213/323 overlay and approval of a modified PEP should not require paid advertising.

²⁴ A.22-08-009 at Exhibit B.

As requested by NANPA in A.22-08-009, paid advertising is not necessary for the following reasons:

1. The existing 213/323 overlay and its mandatory 1+10-digit dialing has been in place since 2017; and
2. There's no need for a permissive dialing period or customer education about 1+10-digit dialing.
 - a. Educating 213/323 customers about the new additional overlay area code is just an informational exercise. Customers in the 213/323 area code region are already very familiar with multiple area codes and mandatory 1+10-digit dialing;
 - b. The Industry is quite experienced in educating customers about the introduction of new overlay area codes when mandatory 10-digit or 1+10-digit dialing is already in place; and
 - c. For the additional overlay to the existing 213/323 overlay with its simple informational messaging, paid advertising is not needed because mandatory 1+10-digit dialing is already in place. It would be virtually impossible to implement a funded PEP within the recommended 9-month implementation schedule.

The Commission agrees that a paid advertising effort is not necessary for reasons explained above. However, the Commission recognizes the importance of customer notification. In addition to the news release issued by the Commission after the decision herein is issued (which is not considered a PEP news release), the following notifications regarding the 213/323 overlay shall be issued as follows: As noted in the proposed PEP, (1) one customer notice will run for two billing cycles; (2) one special outreach notice will be issued; and (3) three news releases will be issued, at the one-month mark, at the four-month

mark, and at the eight-and-a-half-month mark of the nine-month implementation period.

All the news releases will reach various media sources such as television stations, which in turn may announce the 213/323 area code overlay on their respective media platforms.

To further ensure customer awareness of the overlay, the Commission requires the Industry to provide to the Commission staff confirmation indicating that the above referenced announcements of the overlay are made on the local major broadcast television stations within the 213/323 area code. The confirmation shall be either an e-mail or other written communication from the Industry, confirming that local major television stations have carried the announcement of the overlay. This notification shall be provided to the CD Director.

The Applicant does not believe special outreach notices, originally required pursuant to D.05-08-040, are necessary to groups including: community-based organizations including senior, consumer and other advocacy/activist organization; chambers of commerce, city councils, and other key government agencies; and alarm service providers.²⁵ Out of an abundance of caution and to ensure the groups listed above are informed of the overlay requested herein, the Commission adds this previously authorized requirement for special outreach notices to the Applicant's proposed PEP plan in Exhibit B to A.22-08-009. The PEP plan adopted herein is attached to this decision as Appendix A.

²⁵ See A.22-08-009 at 45.

The PEP requirements adopted for the 213/323-overlay implementation do not set a precedent for future area code relief implementations. The Commission may adopt different PEP requirements for future overlays.

6.3. Conclusion

The Commission finds that the PEP plan attached as Exhibit B to the Application is adopted, with the addition of issuing special outreach notices, as discussed above. This adopted PEP plan is attached as Attachment A to this decision. The completion dates listed in this plan shall be adjusted to reflect the actual exhaustion date, when determined. The overlay shall be implemented over a nine-month period.

The notifications discussed above comply with the requirements of a NPA overlay, given the reasons detailed above, specifically because mandatory 1+10-digit dialing education is already underway in the 213/323 area code due to the federal 988 implementation requirement.

7. Categorization and Need for Hearing

In Resolution ALJ 176-3514, dated September 15, 2022, the Commission preliminarily categorized this application as ratesetting. The Commission received no protests and this application is unopposed, therefore hearings were not held.

8. Comments on Proposed Decision

Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure (Rules) provides that, in a proceeding in which the Proposed Decision grants the relief requested in the application, and there are no protests to the application, the Commission may waive public review or comment. Although public review is not required for this application, the Commission is mailing this decision for

comments by the recently appointed NANPA, or other interested persons, in accordance with Pub. Util. Code Section 311 and Rule 14.3.

Opening Comments were filed and served by the California Cable and Telecommunications Association and Verizon Wireless (Joint Carriers) on March 2, 2023. The Joint Carriers raised two issues: (1) need to correct the number of news releases discussed in the body of this decision versus that discussed in Attachment A herein; and (2) inclusion of special outreach notices that was not requested by Applicant. As discussed below, neither of these issues is an error, though the Commission includes clarifying language to explain each issue at pages 16-19 and 21-23.

Regarding the first item, there is no need to correct the number of news releases in the text of this decision. The fourth news release listed in Attachment A to this decision is not part of the PEP plan, but a Commission news release issued subsequent to this decision being issued. The Commission has added clarifying language at pages 16 and 21 of this decision, explaining that one news release is issued by the Commission while three are issued pursuant to the PEP plan.

The second item addresses special outreach notices, which the Applicant does not request, but the Commission determined are necessary. The Commission has added clarifying language at pages 17-18, 21, and 23, explaining that out of an abundance of caution and to ensure the listed groups are informed of the overlay requested herein, the Commission requires issuance of these special outreach notices.

9. Assignment of Proceeding

Darcie L. Houck is the assigned Commissioner and Seaneen Wilson is the assigned ALJ in this proceeding.

Findings of Fact

1. On August 25, 2022, Somos filed A.22-08-009 as NANPA to request Commission authority to implement an additional all-services distributed area code overlay to relieve the 213/323 area code.
2. Effective January 1, 2019, the FCC appointed Somos to replace Neustar, Inc. as the NANPA.
3. The 213 NPA, created in 1947, was one of the original three NPAs in the state of California. The 323 NPA was created when it was split from the 213 NPA in June 1998. The 213 NPA served the downtown portion of the City of Los Angeles and the 323 NPA made up the remainder of the City of Los Angeles and surrounding cities.
4. Thousand block number pooling and conservation measures extended the life of the 213/323 area code and delayed the need for an area code change.
5. Pub. Util. Code Section 7936 requires the Commission to direct NANPA to obtain utilization data for any area code for which a change is proposed before approving any new area code.
6. NANPA utilized data from the April 2022 NPA Exhaust Analysis Report, to project that the 213/323 area code will be exhausted in the second quarter of 2025.
7. Pub. Util. Code Section 7943(c) requires the Commission to perform a telephone utilization study and implement all reasonable telephone number conservation measures.
8. NANPA convened a relief planning meeting with Industry on July 20, 2022, to identify viable solutions to the forecast exhaust.
9. For the relief planning meeting, Industry followed regulations established by the FCC, this Commission, and industry guidelines.

10. An additional all-services distributed area code overlay alternative is Industry's recommended consensus solution to address the projected exhaustion of the 213/323 area code.

11. The additional all-services distributed area code overlay option will cause the least impact on residential and business customers, as well as emergency and government services.

12. For the 213/323 area code relief proceedings, a webcast was posted on the Commission website. The webcast replaced public meetings because in-person gatherings were not permitted due to the COVID-19 pandemic.

13. A PEP is needed to implement the 213/323 area code overlay.

14. In D.05-08-040, the Commission required that special outreach notices be issued.

15. The Commission issues a news release subsequent to issuance of this decision that is not part of the PEP plan.

16. Because mandatory 1+10-digit dialing education is already underway in the 213/323 area code pursuant to D.16-07-014, the PEP does not need to include paid advertising.

17. The PEP approved with Industry input requires the following notifications regarding the 213/323 overlay: (1) one customer notice will run for two billing cycles; (2) one special outreach notice will be issued; (3) three news releases will be issued, at the one-month mark, and the four-month mark, and at the eight-and-a-half-month mark of the nine-month implementation period.

18. In previous decisions, the Commission has used an industry task force to implement the PEP.

19. The Industry is composed of current and prospective telecommunications carriers operating in, or considering operations within, the 213/323 NPA.

20. The Task Force is a separate group from the Industry. The Task Force consists of representatives from the service providers holding numbering resources in the 213/323 area code as of the effective date of this decision, as well as Commission staff to oversee the implementation.

21. There is no requirement for either the Industry or the Task Force to formally report the 70 percent customer awareness to the Commission.

22. The FCC holds full responsibility over all numbering issues but has delegated to the states area code relief responsibilities. The Commission is responsible for proactively monitoring area code relief planning and oversees the integrity and competitive neutrality of the Industry relief planning process in California.

Conclusions of Law

1. The NANPA and Industry complied with Pub. Util. Code Section 7936, and considered utilization data using the October 2020 NRUF report, as updated in January 2022, in forecasting the 213/323 area code exhaustion, and in determining a consensus alternative to resolve the forecasted exhaust of the 213/323 area code.

2. The all-services overlay in the 213/323 area code should be completed by the forecasted exhaust of the 213/323 area code in the second quarter of 2025.

3. In accordance with Pub. Util. Code Section 7943(c), NANPA, Industry, and Commission staff considered all reasonable telephone number conservation and rationing measures in the 213/323 area code.

4. Since the statutory requirements of Pub. Util. Code Section 7936 and Section 7943(c) have been satisfied, the Commission should adopt the overlay option to resolve the forecasted exhaust for the 213/323 area code.

5. Pub. Util. Code Section 7931(e)(2) states that area code relief no longer requires public meetings, and that public meetings may be conducted at the discretion of the Commission but are not required.

6. The PEP plan as modified by this decision is consistent with the program requirements adopted in D.17-05-019, and prior Commission decisions D.08-04-059 and D.08-10-038, as modified in D.16-07-014.

7. The PEP attached as Attachment A to this decision should be adopted. This PEP is based on the PEP proposed in A.22-08-009, modified to include special outreach notices.

8. All the news releases will reach various media sources such as television stations, which in turn may announce the 213/323 area code overlay on their respective media platforms.

9. As part of the adopted PEP, the Industry should provide to the CD Director, confirmation indicating that the above referenced announcements of the overlay are made on the local major broadcast television stations within the 213/323 area code. The confirmation should be either an e-mail or other written communication from the Industry, confirming that local major television stations have carried the announcement of the overlay.

10. Paid advertisement should not be required in the PEP.

11. A task force should be utilized to implement the PEP. The task force should include Commission staff and representatives from the service providers holding numbering resources in the 213/323 area code as of the effective date of this decision.

12. The task force should be responsible for developing the materials and content of the PEP, maximizing the use of prior education efforts, and conforming to the requirements of this order.

13. The task force should contribute to the implementation effort and those unwilling to participate shall be reported to the Commission.

14. The CD Director should be authorized to oversee the finalization and implementation of the PEP and authorized to take all actions necessary, including requiring sufficient Industry contributions to the program's fund, to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing, and approving all educational materials, overseeing the customer awareness assessment process, the same activities used in prior programs that have achieved the 70 percent customer awareness requirement, and require any needed funding from the carriers.

15. An evidentiary hearing is not necessary.

16. It is appropriate to mail this decision for comments in accordance with Pub. Util. Code Section 311 and Rule 14.3.

17. This proceeding should be closed.

O R D E R

IT IS ORDERED that:

1. The proposed all-services distributed area code overlay in the 213/323 area code is adopted.

2. The Task Force, comprised of California Public Utilities Commission (Commission) staff and representatives from the service providers holding numbering resources in the 213/323 area code as of the effective date of this decision, shall implement the public education program. All service provider representatives on the task force shall contribute to the implementation effort and those unwilling to participate shall be reported to the Commission.

3. The all-services distributed area code overlay in the 213/323 area code shall be completed by the forecasted exhaust of the 213/323 area code in the second quarter of 2025.

4. The public education program (PEP), consistent with the PEP attached herein as Attachment A, is adopted for the all-services distributed area code overlay for the 213/323 area code. The PEP adopted herein is based on the PEP proposed in Application 22-08-009.

5. The California Telecommunications Industry, which is composed of current and prospective telecommunications carriers operating in, or considering operations within, the 213/323 Numbering Plan Area, shall issue notifications regarding the 213/323 overlay as follows:

- (a) one customer notice that shall run for two billing cycles;
- (b) one special outreach notice shall be issued;
- (c) three news releases shall be issued, at the one-month mark, the four-month mark, and the eight-and-a-half-month mark of the nine-month implementation period; and
- (d) All the news releases will reach various media sources such as television stations, which in turn may announce the 213/323 area code overlay on their respective media platforms.

6. The public education program shall also include the requirement that the California Telecommunications Industry (Industry) provide to the California Public Utilities Commission's Communications Division Director, confirmation indicating that the above referenced announcements of the overlay are made on the local major broadcast television stations within the 213/323 area code. The confirmation shall be either an e-mail or other written communication from the

Industry confirming that local major broadcast television stations have carried the announcement of the overlay.

7. The California Public Utilities Commission's Communications Division Director is authorized to oversee the finalization and implementation of the public education program and authorized to take all actions necessary to achieve a 70 percent awareness level of the overlay in all major customer and telephone user groups. Such actions may include additional educational efforts, obtaining outside professional services, reviewing, and approving all educational materials, overseeing the customer awareness assessment process, the same activities used in prior programs that have achieved the 70 percent customer awareness requirement, and requiring any needed funding from the carriers.

8. Application 22-08-009 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

ATTACHMENT A

Public Education Program for 213/323 Area Code Relief

(Completion dates shall be adjusted to reflect
the actual exhaustion date, when determined.)

**Public Education Program (PEP) for Additional Overlay
to Existing 213/323 Overlay Nine-Month Implementation Plan**

| Activity | Description | Target Audience | Shared or Individual Service Provider Effort | Completion Date | Recommended Due Date |
|-----------------|--|-------------------------|---|------------------------|-----------------------------|
| 1 | Effective date of decision approving an additional area code overlay for relief of the existing 213/323 overlay. | N/A | N/A | Date of Decision (DOD) | |
| 2 | Post-Commission meeting news release announcing the 213/323 additional overlay area code relief plan, the overlay area code geographic boundaries, and the new overlay area code for issue within the 213/323 area code region. Post CPUC news release to CPUC website and social media platforms. | All customers | CPUC | DOD | |
| 3 (a) | NANPA 213/323 additional overlay implementation meeting, and request for industry participation on PEP task force. Determination of Implementation Start Date (ISD). | CPUC staff and industry | Industry and CPUC staff | 6 weeks after DOD | |
| 3 (b) | ISD - Start Implementation | industry | industry | | 2/1/2024 |
| 4 | First news release announcing the 213/323 area code relief plan, the 213/323 area code geographic boundaries, and the new overlay area code for issue within the 213/323 area code and adjacent area codes, to media and key entities, including chambers of commerce and local governments. Post news release to CPUC website and social media platforms. | All customers | Industry and CPUC staff | 1 months after ISD | 3/1/2024 |
| 5 | Provide to CPUC Communications Division email or written | CPUC staff | Industry | 2 months after ISD | 4/1/2024 |

| Activity | Description | Target Audience | Shared or Individual Service Provider Effort | Completion Date | Recommended Due Date |
|----------|--|--|--|--------------------|----------------------|
| | confirmation from the California Telecommunications Industry identifying media coverage (including major local broadcast television stations) of the 213/323 additional area code overlay. | | | | |
| 6 | Additional overlay information distributed internally as a job aid for customer service representatives to answer customer questions. Representatives should not need to refer questions to the CPUC. | Customer service representatives | Individual service provider | 2 months after ISD | 4/1/2024 |
| 7 | Provide by email targeted letters with the information in the Customer Notification, along with PEP Task Force contact information, to (1) community based organizations and key government agencies, including senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils, and other key government agencies, (2) alarm service providers, (3) public safety organizations and PSAPs, providers, (4) telephone directory publishers, and (5) California Relay Services throughout the 213/323 area code. Request that these organizations distribute the information to their members. | Senior, consumer and other advocacy/activist organizations, chambers of commerce, city councils and other key government agencies, alarm service providers, public safety organizations and PSAPs, telephone directory publishers, and California Relay Services | Industry | 2 months after ISD | 4/1/2024 |
| 8 | 213/323 additional overlay update to industry websites. | All customers | Individual service provider | 3 months after ISD | 5/1/2024 |

| Activity | Description | Target Audience | Shared or Individual Service Provider Effort | Completion Date | Recommended Due Date |
|-----------------|--|------------------------|---|------------------------|-----------------------------|
| 9 | Second news release reminding the public of the 213/323 additional overlay area code relief plan, the overlay area code geographic boundaries, and the new overlay area code for issue within the 213/323 area code overlay region. Post CPUC news release to CPUC website and social media platforms. | All customers | Industry | 4 months after ISD | 6/1/2024 |
| 10 | Provide to CPUC Communications Division email or written confirmation from the California Telecommunications Industry identifying media coverage (including major local broadcast television stations) of the 213/323 additional area code overlay. | Industry | Industry | 5 months after ISD | 7/1/2024 |
| 11 | Third news release reminding the public of the 213/323 additional overlay area code relief plan, the overlay area code geographic boundaries, and the new overlay area code for issue within the 213/323 area code overlay region. Post CPUC news release to CPUC website and social media platforms. | All customers | Industry and CPUC staff | 8.5 months after ISD | 10/15/2024 |
| 12 | Provide to CPUC Communications Division third email or written confirmation from the California Telecommunications Industry identifying media coverage (including local broadcast television stations) of the 213/323 | Industry | Industry | 9.5 months after ISD | 11/15/2024 |

| Activity | Description | Target Audience | Shared or Individual Service Provider Effort | Completion Date | Recommended Due Date |
|-----------------|--|------------------------|---|------------------------|-----------------------------|
| | additional area code overlay. | | | | |
| 13 | Published Directories: Add information on cover to alert customers in 213/323 overlay area codes about the new additional overlay area code | All customers | Individual service provider | 9 months after ISD | 11/1/2024 |
| 13 | Single customer notification runs for two bill cycles: Announce the new additional area code overlay to the existing 213/323 overlay, indicate the affected areas, and the new area code effective date. | All customers | Individual service provider | 9 months from ISD | 11/1/2024 |
| 14 | New NPA/Area Code effective and implementation completed | | | 9 months from ISD | 11/1/2024 |

(END OF ATTACHMENT A)