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STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE PETITION OF )  
NEUSTAR, INC., ON BEHALF OF THE ) CAUSE NO. 44233  
INDIANA TELECOMMUNICATIONS )  
INDUSTRY, FOR APPROVAL OF NPA ) APPROVED:  
RELIEF PLAN FOR THE 812 NPA ) JUL 31 2013

ORDER OF THE COMMISSION

**Presiding Officers:**

**Larry S. Landis, Commissioner**  
**David E. Veleta, Administrative Law Judge**

On August 3, 2012, Petitioner, NeuStar, Inc. (“Neustar”), the North American Numbering Plan Administrator (“NANPA”) filed its petition (“Petition”) with the Indiana Utility Regulatory Commission (“Commission”) initiating the above-captioned Cause. On September 7, 2012, Neustar filed its amended verified petition (“Amended Petition”) with the Commission. In the Amended Petition, NeuStar, in its role as the neutral third party Numbering Plan Area (“NPA”) Relief Planner for Indiana under the North American Numbering Plan and on behalf of the Indiana telecommunications industry (the “Industry”), petitioned the Commission to approve the Industry’s consensus recommendation for an all-services distributed overlay of the 812 NPA as the preferred form of relief for the 812 NPA. The recommendations to the Commission were based upon NANPA’s projections that absent NPA relief, the supply of central office codes (often referred to as “CO” or “NXX” codes) for the 812 NPA will be exhausted during the second quarter of 2015.

Indiana Bell Telephone Company Incorporated d/b/a AT&T Indiana (“AT&T Indiana”), the Indiana Telecommunications Association (“ITA”), T-Mobile Central, L.L.C. and PowerTel/Memphis, Inc., both doing business as T-Mobile (“T-Mobile”), MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (“Verizon”), and Sprint Spectrum L.P., (“Sprint”) filed Petitions to Intervene, all of which were granted by the Presiding Officers in docket entries.

On January 22, 2013, the Presiding Officers issued a Docket Entry setting a schedule for ten public field hearings to be conducted by the Commission, throughout the 812 NPA service area in Southern Indiana.

Pursuant to notice, duly published as required by law, public field hearings were held on March 4, 2013 in Terre Haute, Indiana; March 7, 2013 in Bloomington, Indiana; March 11, 2013 in Jeffersonville, Indiana; March 19, 2013 in Evansville, Indiana; March 20, 2013 in Vincennes, Indiana; April 1, 2013 in French Lick, Indiana; April 2, 2013 in St. Meinrad, Indiana; April 10,

2013 in North Vernon, Indiana; May 2, 2013 in St. Leon, Indiana; and May 6, 2013<sup>1</sup> in Bedford, Indiana. At each of the public field hearings, the OUCC introduced the public's oral and written comments on the area code relief plans. In all, the Presiding Officers, Commission staff and OUCC representatives logged a total of over 1,596 miles traveling across south central and southern Indiana traveling to these sites.

In accordance with the established procedural schedule, on April 24, 2013, Petitioner Neustar prefiled direct testimony and exhibits, constituting its case-in-chief. On May 15, 2013, AT&T Indiana, T-Mobile, Verizon, and Sprint (collectively the "Filing Parties"), the OUCC, and the ITA prefiled direct testimony constituting their respective cases-in-chief. On May 29, 2013, the ITA prefiled responsive testimony.

Pursuant to notice and as provided for in 170 IAC § 1-1.1-15, proof of which was incorporated into the record by reference and placed in the official files of the Commission, the Commission convened an evidentiary hearing in this Cause at 9:30 a.m. on June 18, 2013 in Room 222 of the PNC Center, 101 West Washington Street, Indianapolis, Indiana. Neustar, AT&T Indiana, the ITA, T-Mobile, Verizon, Sprint, and the OUCC appeared and were duly represented by counsel. No members of the general public appeared or sought to testify at the evidentiary hearing.

Having considered the evidence of record and the applicable law, the Commission now finds:

1. **Notice and Jurisdiction.** Due, legal and timely notice of these proceedings was given as required by law. NANPA filed the Petition on behalf of the Indiana telecommunications industry participants, who are Communications Service Providers and public utilities, as those terms are defined in Ind. Code chs. 8-1-2 and 8-1-2.6 and subject to the jurisdiction of the Commission in the manner and to the extent provided by the laws of the State of Indiana. The Commission has jurisdiction over the subject matter of this Cause in the manner and to the extent provided under state and federal telecommunications laws, including, but not limited to Ind. Code ch. 8-1-2.6, 47 U.S.C. § 251(e)(1), and 47 C.F.R. § 52.19.

2. **Summary of the Evidence Presented.**

A. **Petitioner's Case in Chief Evidence.** NANPA sponsored the Direct Testimony and Exhibits of Mr. D. Wayne Milby, Senior Numbering Plan Administrator for the Eastern Region of the North American Numbering Plan. Mr. Milby testified that relief planning for the 812 NPA first began in 2006 when the 2005 Number Resource Utilization Forecast ("NRUF") and NPA Exhaust Analysis indicated that the 812 NPA would exhaust during the first quarter of 2009. NANPA notified the Industry and the Commission that relief planning needed to be addressed. On March 29, 2006, NANPA facilitated an Industry meeting, via conference call, for the purpose of presenting NPA relief alternatives to the Industry and to ultimately allow Industry members to come to consensus on a single relief plan to be presented to the

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<sup>1</sup> Rescheduled from March 25, 2013 due to inclement weather.

Commission. During the relief planning meeting, Industry members proposed two additional relief alternatives.

Mr. Milby testified that the seven relief alternatives are an all-services distributed overlay, three two-way geographic splits and three concentrated overlays. Two of the concentrated overlays were proposed by Industry members. At the March 29, 2006 meeting, the Industry discussed the pros and cons of each of the seven relief alternatives and reached consensus to eliminate all alternatives except for Alternative #1, the all-services distributed overlay. After reaching consensus on the recommended relief plan, the Industry decided to delay filing the relief plan and continue to monitor the projected exhaust of the 812 NPA. Subsequently, the Industry met via conference call on June 13, 2012 after the April 2012 NRUF report was published and, based upon the projected exhaust date of the second quarter 2015, decided to file the Amended Petition with the Commission.

Mr. Milby's testimony summarized the descriptions of all of the relief alternatives. Alternative #1, the all-services distributed overlay, would overlay a new NPA code over the same geographic area as the existing 812 NPA. All existing customers would retain the 812 area code and would not have to change their telephone numbers. The all-services distributed overlay has a projected life of 71 years. Consistent with Federal Communications Commission ("FCC") regulations, customers will dial 10 digits for all local calls. In the geographic split alternatives (Alternatives # 2, 3 and 4) a proposed split boundary line (which varies with each alternative) would run along rate center boundaries dividing the 812 area code into two geographic areas. One area would retain the 812 area code and the other would be assigned a new area code, requiring all customers in that area to change their telephone numbers. Seven digit local dialing would be retained. In the concentrated overlay alternatives (Alternatives 5, 6 and 7), a new NPA code would be assigned to only certain rate centers in the same geographic area occupied by the existing 812 NPA. Customers would retain their current telephone numbers; however, 10-digit dialing would be required by all customers within and between NPAs in the affected rate areas. Those customers not located within the overlay would retain seven-digit local dialing until the remaining 812 CO codes were assigned. The overlay then would be extended to all rate centers in the 812 NPA. All remaining 812 CO codes would be assigned only to the area outside of the overlay. At exhaust of the 812 NPA, all future code assignments will be made in the overlay area code.

Mr. Milby explained that Alternative #2 creates an imbalance in projected lives of each of the proposed NPAs and therefore violates the NPA Relief Planning Guidelines which state that severe imbalances of more than 10 years are to be avoided.

According to Mr. Milby, the Industry reached consensus to recommend to the Commission Alternative #1, the all-services distributed overlay, as the preferred means of relief for the 812 NPA. He also testified that the industry participants also reached consensus to recommend to the Commission a 13-month schedule for implementing the all-services distributed overlay. The schedule includes recommended intervals for each implementation phase. The Industry recommended six months for network preparation and customer education

followed by six months for permissive 10-digit dialing and continued customer education. Mandatory dialing would begin at the end of the permissive dialing period. The first code activation for codes assigned from the new overlay NPA would take place one month after mandatory 10-digit dialing begins.

Mr. Milby sponsored exhibits reflecting that the Industry members discussed the pros and cons of each alternative at the relief planning meeting and reached consensus to eliminate all alternatives except for Alternative 1, the all-services distributed overlay. The Industry reached consensus to eliminate Alternatives 2, 3 and 4, the two-way geographic splits, because they would require approximately half the customers to change their telephone numbers and affected businesses to change their advertising to accommodate the new telephone numbers. The boundary lines divide Extended Area Service ("EAS") routes and the projected lives of the proposed NPAs are somewhat unbalanced. In eliminating Alternative 3, the Industry noted that the boundary line would divide certain exchanges for existing host remote configurations. Also, the time zone change discrepancy would affect both sides of the split line for Alternative 3 and 4. The Industry rejected the concentrated overlays, Alternatives 5, 6, and 7 because the alternatives offer only a very short time delay before the expansion of the overlay is required. Implementing essentially two overlays within a short time will require two phases of customer education thereby increasing the opportunity for customer confusion. Service providers will need to implement two full relief efforts. Also, a concentrated overlay would require difficult and complicated translations for service providers who use one switch to service multiple NPAs. The overlay boundary line splits host-remote arrangements and EAS routes. Additionally, the time zone change discrepancy would affect customers in both area codes. Specifically for Alternative #7, the Industry noted this concentrated overlay would require more customers initially to dial ten digits and would split the time zones of Oakton, Sandburg and Freelandville.

**B. Filing Parties' Case in Chief Evidence.** The Filing Parties jointly sponsored the direct testimony of Mr. George Guerra which provided the Commission with information regarding the pros and cons of the seven options for 812 NPA exhaust relief currently under consideration in this proceeding. On behalf of the Filing Parties, Mr. Guerra supported NANPA's recommendation that the Commission approve the Industry's unanimous consensus proposal for an all-services distributed overlay as the preferred form of relief, as well as the 13-month implementation schedule proposed by NANPA.

Mr. Guerra testified that he has been employed by AT&T (or one of its predecessor companies) since 1987, and that he currently works as Senior Network Support Manager-Network Operations-Network Operation Center Planning. He described his responsibilities as area code relief planning and implementation, and policy development for numbering issues on both the state and federal levels.

Mr. Guerra explained that the 812 NPA will soon run out of numbers and outlined the seven potential alternatives for accomplishing area code relief. The first (which he identified as strongly preferred by the Industry) is an all-services distributed overlay, in which a new NPA code would cover the exact same geographic area currently served by the 812 NPA. Mr. Guerra

explained that with an overlay, all current customers keep their existing 812 numbers and new customers receive phone numbers from the new NPA code once the supply of 812 numbers is exhausted. Mr. Guerra explained that with an overlay, consistent with FCC regulations, all customers would be required to dial all ten digits when placing a local call.

Mr. Guerra described the next three options as different versions of a two-way geographic split. He explained that in a geographic split, the geographic area is divided into two parts, with one part retaining the 812 area code (and customers in that geographic territory keeping their existing numbers), and the other receiving a new area code (requiring customers in that geographic area to change their numbers). Mr. Guerra noted that if the Commission were to select one of the split options, it would also have to decide how best to divide the 812 geographic region, as well as decide who would keep their number and who would have to change their number, thereby picking “the winners and the losers.”

Finally, Mr. Guerra outlined the remaining three options, which are different versions of a concentrated overlay. He stated that a concentrated overlay is a relief alternative in which a new NPA code would be assigned only to certain rate centers in the same geographic area served by the existing 812 NPA. Customers would retain their current telephone numbers; however, ten-digit dialing would be required by all customers within and between NPAs in the affected rate areas. Those customers not located within the overlay would retain seven-digit dialing for local calls within the 812 NPA until the remaining 812 CO codes were assigned. The overlay then would be extended to all rate centers in the 812 NPA.

Having described the various options, Mr. Guerra testified that the Filing Parties strongly support NANPA’s recommendations that the Commission approve an all-services distributed overlay as the preferred form of area code relief for the 812 NPA, and that it adopt a 13-month implementation schedule so that the supply of CO codes can be replenished prior to exhaust of the 812 NPA in the second quarter of 2015.

In describing why the Filing Parties support this approach, Mr. Guerra explained that there are several advantages to implementing the all-services distributed overlay rather than a geographic split: (1) it is the most equitable approach to area code relief because all customers are treated equally and all existing customers can keep their 812 numbers; (2) it can be easily implemented and adapted to by consumers because they do not have to change their numbers and are already familiar and comfortable with ten-digit dialing due to the proliferation of wireless communications, where ten-digit dialing is the common practice; (3) it avoids certain technical local number portability (“LNP”) implementation problems associated with geographic splits; (4) it eliminates a number of technical implementation issues that can arise for wireless consumers and carriers when a geographic split is implemented, including caller ID customer confusion, problems with text and multi-media messaging completion, impacts to smart phone applications that rely on ten-digit numbers, problems with handset reprogramming, and unwanted impacts on administrative numbers; and (5) it provides additional benefits, including offering the best, simplest and most efficient long-term relief plan, preserving the current geographic identity of the 812 NPA, avoiding division of communities of interest, and avoiding impacts on non-

telephone company databases that use ten-digit phone numbers as search criteria. Mr. Guerra testified that over the past eight years, state utility commissions have nearly unanimously (with just one exception in 2006) found overlay relief to be the most preferred and least disruptive relief option, confirming the superiority and efficiency of this recommended approach.

Mr. Guerra also outlined why the Industry-endorsed 13-month implementation schedule was appropriate, noting that based on the Industry's past experience with implementing overlays, providing six months of customer education and network preparation, followed by six months of permissive seven or ten-digit digit dialing, followed by one month of mandatory ten-digit dialing before activating the new NPA provides adequate time for preparation and customer education, resulting in smooth implementation.

Mr. Guerra emphasized why it is so important for customers to be allowed to keep their existing telephone numbers, one of the key advantages of the all-services distributed overlay. He explained that a geographic split would impose on residential customers the burden of notifying friends and family of their new numbers, and stressed that businesses would bear an even greater burden, since they would have to incur the costs of changing such items as their advertising literature, business cards, website information, and social media postings. In addition, Mr. Guerra stated that businesses could potentially lose calls (and therefore business) because customers may continue to dial the businesses' old numbers. The all-services distributed overlay approach avoids these impacts.

Mr. Guerra noted that the most significant impact of an all-services distributed overlay is its effect on local dialing patterns, since it would require mandatory ten-digit dialing for local calls within both the existing and overlay NPAs. However, Mr. Guerra explained that this impact is minor in today's telecommunications environment, where customers are already comfortable with making local calls between area codes and dialing ten digits as part of their routine calling patterns.

Mr. Guerra also outlined the pros and cons of a geographic split, explaining that its principal advantage is preserving seven-digit local dialing within each NPA. He reiterated that its disadvantages include half of customers losing their current telephone numbers and incurring the costs and burdens associated with changing their numbers, and particular harms to business customers. Mr. Guerra testified that in addition to this issue, geographic splits require a considerably longer implementation period (twenty-two months) and more system reprogramming. He also described the various criteria that would need to be considered to select the boundary line for a geographic split.

In the interests of completeness, Mr. Guerra described concentrated overlays and the conditions under which they may be appropriate (where the need for the majority of the new telephone numbers is expected to be concentrated in one section of the existing NPA), as well as their pros and cons. However, he concluded that concentrated overlays are less effective and efficient than the all-services distributed overlay he recommends, since concentrated overlays essentially require service providers to implement the equivalent of two full relief efforts,

doubling the time, effort and cost of the all-services distributed overlay approach. He also stated that concentrated overlays are more confusing and difficult for customers, who are not all treated equally due to the staggered implementation of ten-digit dialing.

Finally, Mr. Guerra confirmed that the public expressed support for the all-services distributed overlay approach at the ten field hearings held by the Commission in a variety of locations throughout central and southern Indiana. Those who participated at the field hearings by providing testimony overwhelmingly and unanimously endorsed the all-services distributed overlay as the preferred method of relief, and no one spoke in favor a geographic split.

For these reasons, on behalf of the Filing Parties, Mr. Guerra recommended that the Commission adopt the consensus position of both the Industry and public commenters at the field hearings supporting an all-services distributed overlay relief plan for the 812 NPA, including NANPA's suggested 13-month implementation period.

**C. The ITA's Case in Chief Evidence.** Mr. Alan I. Matsumoto's direct testimony described the Industry's consensus recommendation of an all-services distributed overlay of the 812 NPA as the preferred form of relief. The all-services distributed overlay would superimpose (overlay) a new NPA over the same geographic area of the existing 812 NPA and all current customers would retain the 812 area code and keep their existing telephone numbers. One month after mandatory 10-digit dialing goes into effect, new numbers may be assigned from the new overlay area code. Mr. Matsumoto described the 13-month implementation period. Mr. Matsumoto testified that the ITA supports the Industry's consensus recommendation for an all-services distributed overlay and the associated 13-month implementation period.

Mr. Matsumoto's responsive testimony noted that the direct testimony of all of the parties support the Industry's consensus recommendation for an all-services distributed overlay of the 812 NPA as the preferred form of relief for the 812 NPA. He noted the direct testimony of the parties was complementary in their support for the all-services distributed overlay. The Filing Parties provided detailed technical advantages of the all-services distributed overlay solution over any of the other six potential alternatives. The OUCC discussed its participation in the public field hearings and included a 95-page attachment to its testimony of additional public comments it received. The ITA described its role in the ten public field hearings and the advantages to providers and customers of the all-services distributed overlay.

With all parties supporting the all-services distributed overlay as the appropriate form of relief for the 812 NPA, including the OUCC as statutory representative of the public, Mr. Matsumoto reiterated his recommendation for the all-services distributed overlay and respectfully requested that the Commission approve the consensus recommendation as the method for 812 NPA relief.

**D. The OUCC's Case in Chief Evidence.** Mr. Keen testified the OUCC participated in meetings and workshops with the Petitioner and representatives of Indiana's

telecommunications industry. Mr. Keen testified that as a direct result of the OUCC's work with NANPA and the Industry, and based on input received from the public, the OUCC believes an overlay is the best alternative for area code relief for the 812 NPA. Mr. Keen summarized the public comments sent directly to the OUCC and submitted as Attachment 1 to his testimony. The majority of comments favor the overlay of a second area code on the existing 812 NPA.

Mr. Keen described the OUCC's participation in all ten of the Commission's public field hearings. Mr. Keen supported Commission approval of the recommended overlay. At the evidentiary hearing, the OUCC offered into evidence public comments received after Mr. Keen's written testimony was filed.

### **3. Commission Discussion and Findings.**

**A. Relief Alternatives for the 812 NPA.** The Commission is persuaded by Mr. Milby's testimony that the Industry members thoroughly discussed the pros and cons of each alternative at the relief planning meetings to reach a consensus for the all-services distributed overlay. The Commission agrees with the Industry decision to eliminate Alternatives # 2, 3, and 4, the two-way geographic splits, because they would require approximately half the customers to change their telephone numbers and affected businesses to change their advertising to accommodate the new telephone numbers. Further, the boundary lines would divide EAS routes, create time zone discrepancies and the projected lives of the proposed NPAs are left somewhat unbalanced. As Mr. Guerra testified, if the Commission were to select one of the split options, we also would have to decide who would keep the 812 NPA and who would have to change their number, thereby choosing "winners and losers."

We note the significance of Mr. Milby's testimony that the Industry dismissed the concentrated overlays, Alternatives 5, 6, and 7 because these alternatives offer only a very short period of relief before expansion of the overlay would be required. Implementing essentially two overlays within a short time will require two phases of customer education thereby increasing the opportunity for customer confusion. Mr. Guerra supported the conclusion that concentrated overlays essentially require service providers to implement the equivalent of two full relief efforts, doubling the time, effort and cost of the all-services distributed overlay approach. He also stated that these are more difficult for customers, who are not all treated equally due to the staggered implementation of ten-digit dialing. Mr. Guerra also testified that over the past eight years, state utility commissions have nearly unanimously (with just one exception in 2006) found overlay relief to be the most preferred and least disruptive relief option.

Based on the record evidence, we are persuaded that the all-services distributed overlay permits customers to keep their existing telephone numbers and find that it is the best option for 812 NPA relief. We agree with the OUCC, the Filing Parties, and the ITA that the all-services distributed overlay minimizes the inconvenience, costs, and burdens on customers and service providers. Therefore, we find that the Industry's consensus recommendation of the all-services distributed overlay as the preferred means of relief for the 812 NPA should be approved.

**B. Implementation Schedule.** Mr. Milby testified that the Industry reached consensus on a 13-month schedule for implementing the all-services distributed overlay. He stated the schedule includes recommended intervals for each implementation phase. According to Mr. Milby, the Industry recommended six months for network preparation and customer education followed by six months for permissive 10-digit dialing and continued customer education. Mandatory 10-digit dialing would begin at the end of the permissive dialing period. The first code activation for codes assigned from the new overlay NPA would take place one month after mandatory 10-digit dialing begins. Mr. Guerra outlined why the Industry-endorsed 13-month implementation schedule was appropriate, noting that based on the Industry's past experience with implementing overlays, the recommended intervals for each implementation phase provide adequate time for preparation and customer education, resulting in smooth implementation. Mr. Matsumoto also testified in support of the 13-month implementation period.

We agree with the OUCC, the Filing Parties, and ITA that the 13-month schedule for implementing the all-services distributed overlay is appropriate. We note the Industry's recommended intervals for each implementation phase are based on its past experience with implementing overlays and therefore we approve the implementation schedule. Further, we find it is appropriate for the Commission to be apprised of customer education efforts and the progress of relief implementation as these procedures will potentially generate inquiries to the Commission. Therefore, we direct the Industry to formulate an implementation plan describing at a high level the technical and communications aspects of implementation and to submit such a plan to the Commission and the OUCC within forty-five (45) days of the date of this Order. Further, the Industry should submit quarterly progress reports on the status of implementation.

**C. Customer Education.** We direct the Industry to formulate a customer education plan for the implementation of the area code overlay for affected customers and to submit such a plan to the Commission and to the OUCC within forty-five (45) days of the date of this Order. This plan shall specifically include: best practices recommended by the Industry which are flexible enough to accommodate different types of communications service providers, and sufficiently robust to reach the multiple stakeholders impacted; clearly identified procedures and contacts within each company charged with responsibility of responding to customer area code questions, together with a means for communicating them to customers and other key stakeholders; and provisions by each company for direct communications with emergency dispatch operators, other first responder entities and alarm service providers, as well as other users for whom they provide service, in order to address any concerns or transitional problems unique to these customers.

**IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:**

1. Consistent with the findings above, Neustar's Petition on behalf of the Indiana telecommunications Industry for the consensus recommendation of an all-services distributed overlay of the 812 NPA as the preferred form of relief for the 812 NPA is hereby approved.

2. Consistent with our findings above, the Industry's recommendation of a 13-month schedule for implementing the all-services distributed overlay is hereby approved. The Industry responsible for the implementation of such plan is directed to begin immediate preparations for the implementation of this plan in accordance with the findings set forth herein.

3. We direct the Industry to formulate an implementation plan describing at a high level the technical and communications aspects of implementation and to submit such a plan to the Commission and the OUCC within forty-five (45) days of the date of this Order. Further, the Industry should submit quarterly progress reports on the status of implementation.

4. We direct the Industry to formulate a customer education plan for the implementation of the area code overlay for affected customers and to submit such a plan to the Commission and to the OUCC within forty-five (45) days of the date of this Order.

5. This Order shall be effective on and after the date of its approval.

**ATTERHOLT, BENNETT, LANDIS, MAYS AND ZIEGNER CONCUR:**

**APPROVED: JUL 31 2013**

**I hereby certify that the above is a true  
and correct copy of the Order as approved.**

  
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**Brenda A. Howe**  
**Secretary to the Commission**