

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
INVESTIGATION INTO EXHAUST RELIEF
FOR AREA CODE "513."

CASE NO. 21-873-TP-COI

OPINION AND ORDER

Entered in the Journal on December 15, 2021

I. SUMMARY

{¶ 1} The Commission adopts the proposed all-services distributed overlay plan for the purpose of area code exhaust relief in the "513" area code.

II. BACKGROUND

A. History

{¶ 2} In its November 5, 1998 Finding and Order (*Number Assignment Procedures Order*), *In re the Commission's Investigation into Numbering and Number Assignment Procedures*, Case No. 97-884-TP-COI (*Number Assignment Procedures* docket), the Commission established new policies and procedures regarding area code exhaust and the planning of relief for such future exhausts. In addition, the Commission, in its Finding and Order, described the history of area codes and the technical criteria related to telephone numbering in North America. A summary of this history is described below.

{¶ 3} Telephone numbering for all of North America is designed and administered according to the North American Numbering Plan (NANP). The NANP outlines the procedures and protocols for the assignment of central office codes (NXXs) and area codes or numbering plan areas (NPAs). The NANP is administered by the North American Numbering Plan Administrator (NANPA), currently SomosGov, Inc. (NANPA or SomosGov), and ultimately by the Federal Communications Commission (FCC). The NANPA is the federal body responsible for administering area codes and projecting area code exhausts.

{¶ 4} An area code is the initial three-digit prefix of a telephone number that identifies the first level of the call routing information. Historically, an area code had to begin with any digit 2-9, have a 1 or 0 for the middle digit, and end with any digit 0-9. Until the 1990s, the phrase “area code exhaust” was nearly nonexistent. Area codes were first introduced over 70 years ago. In the rare event when area code exhaust did occur, there were plenty of area codes remaining to distribute. However, the unimagined boom in telecommunications services that require telephone numbers has drastically altered the future of area codes and indeed even the NANP itself. The increase in second lines, pagers, facsimile machines, cellular telephones, and computer modems resulted in an exponential growth in the demand for telephone numbers.

{¶ 5} In 1996, the NANP was altered to allow NPAs to begin with any digit 2-9, have any digit 0-9 in the middle, and end with any digit 0-9. This greatly increased the number of available area codes and added life to the NANP. However, in the past number of years the introduction of local telephone competition and the continued exponential growth in telecommunications services requiring telephone numbers, such as point-of-sale terminals, ATMs, and internet services, has continued to drain the numbering resources at an alarming rate.

{¶ 6} An area code has a potential for approximately 8,000,000 assignable telephone numbers. Each area code has approximately 800 assignable NXXs in it. The first six digits of the number (or the NPA-NXX) identify the exact switch to which a call must be terminated. Originally, telephone numbers were required to be assigned on a NXX basis (blocks of 10,000 telephone numbers). Number pooling, introduced in the “513” NPA in March 2003, allows for the assignment of telephone numbers in blocks of 1,000 numbers (i.e., on a NXX-X basis). While number pooling has helped curtail area code exhaust, the demand for telephone numbers has continued, resulting in the current need for relief in the “513” NPA.

B. *Discussion of Area Code Relief Established in the Number Assignment Procedures Order*

{¶ 7} The policies and procedures established in the *Number Assignment Procedures* docket were issued pursuant to the FCC's delegation of authority to the states for the purpose of resolving matters involving the implementation of new area codes, including the consideration of both geographic split and overlay options. Each state's implementation method is subject to the FCC's guidelines for numbering administration. See *In re the Implementation of Local Competition Provisions of the Telecommunications Act of 1996*, CC Docket No. 96-98, Second Report and Order (FCC 96-333) (Aug. 8, 1996) at ¶269 (hereafter, *Local Competition Second Report and Order*).

{¶ 8} In its *Number Assignment Procedures Order*, the Commission determined that a Commission-ordered investigation into the relief of a particular area code should be commenced in advance of the projected exhaust for that particular code. A final order adopting a relief plan should be issued no later than six months after the date that the proposed plan(s) is filed with the Commission. Pursuant to this time frame, a minimum six-month permissive dialing period, if applicable, should be accomplished.

{¶ 9} Pursuant to its letter of February 5, 1998, in the *Number Assignments Procedure* docket, the Commission notified the NANPA that it intended to retain its full area code (NPA) relief planning oversight authority. In accordance with its letter of March 18, 2013, in the *Number Assignments Procedure* docket, the Commission requested that the NANPA take over primary responsibility for NPA relief planning on a going forward basis. Notwithstanding this request, the Commission, consistent with 47 C.F.R. 52.19, continues to maintain authority to review and approve NPA relief plans.

C. *National Area Code Guidelines*

{¶ 10} While the procedures established by the Commission in the *Number Assignments Procedure* docket are primarily based on geographic and community-related concerns, the applicable national guidelines (i.e., NPA Code Relief Planning and

Notification Guidelines [NPA Guidelines, July 2, 2021], focus on the existing telephone network and telephone exchange boundaries, as well as the desire to maintain balance between the existing and newly established area codes. The NPA Guidelines attempt to promote effective and efficient code utilization in order to help ensure the adequate supply of telephone numbers in an area code and the balancing of NXXs between two area codes, while taking into account future growth, customer confusion, and the balancing of the cost of implementation to all affected parties. Specifically, NPA Guidelines Section 5.0, requires that selected plans should result in all area codes in a given area exhausting at approximately the same time and that severe exhaust imbalances of more than 10 years should be avoided. In addition, NPA Guidelines Section 5.0 recommends that customers who undergo an area code change should not be required to incur a change for a period of 8-10 years. Further, all relief plans should cover a period of at least five years beyond the predicted date of exhaust. The FCC has also established that numbering administration should: (1) seek to facilitate entry into the communications marketplace by making numbering resources available on an efficient and timely basis; (2) not unduly favor or disadvantage any particular industry segment or group of consumers; and (3) not unduly favor one technology over another. *See Local Competition Second Report and Order* at ¶278.

D. Additional Ohio Authority

{¶ 11} In issuing its area code relief planning procedures in the *Number Assignment Procedures Order*, the Commission noted that its proposed treatment was premised on the belief that certain forecasting activities would be successfully pursued on the federal level. The Commission specifically stated that, “[I]n the event that such activities do not occur, the Commission reserves the right to readdress these issues in the manner it deems necessary.” *See Number Assignment Procedures Order* at 19. The Commission also called attention to the fact that area code relief must be considered closely and in conjunction with the issues of number administration and utilization. *See Number Assignment Procedures Order* at 20.

{¶ 12} Based on premature NPA exhausts in the state of Ohio, the Commission submitted an emergency petition for additional delegated authority to implement number

conservation measures to the FCC in CC Docket No. 96-98, *In re the Petition of the Ohio Public Utilities Commission for Delegation of Additional Authority to Implement Number Conservation Measures*.

{¶ 13} On November 30, 1999, the FCC adopted an order that conditionally granted the Commission the authority to set NXX code allocation standards; reclaim unused and reserved NXX codes and thousand-number blocks within codes where pooling was implemented; investigate and order the return of reserved and protected NXX codes; require sequential number assignment; and institute thousand-number block pooling trials. The FCC denied the Commission's request for the authority to adopt number rationing plans prior to reaching an area code relief decision, for the authority to implement service-specific and technology-specific overlays, and for authority to require carriers to assign numbers from NXX codes to end users within six months of assignment of an NXX code.

{¶ 14} On March 31, 2000, the FCC issued its Report and Order in CC Docket No. 99-200, *In re Numbering Resource Optimization* (hereafter *Numbering Resource Optimization First Report and Order*). The *Numbering Resource Optimization First Report and Order* was intended to create national standards to address numbering resource optimization. Although the *Numbering Resource Optimization First Report and Order* continued Ohio's authority over NPA relief measures, it eliminated Ohio's previously granted authority for several important conservation measures such as independent data collection and sequential number assignment.

{¶ 15} In its December 2001, Third Report and Order and Second Order on Reconsideration (*Numbering Resource Optimization Third Report and Order*), in CC Docket No. 99-200, *In re Numbering Resource Optimization*, 17 FCC Rcd 252, the FCC considered the potential adverse impact of service-specific and technology-specific overlays. In a service-specific overlay, numbering resources are assigned to carriers that provide a particular type of service or services, such as unified messaging and/or vehicle response services. In a technology-specific overlay, numbering resources are assigned to carriers that use a

particular type of technology or technologies, such as wireless. In both service-specific and technology-specific overlays, the requesting service providers would not be assigned telephone numbers in the underlying NPA but, instead, would be assigned numbers from a different NPA.

{¶ 16} In its *Numbering Resource Optimization* Third Report and Order, the FCC determined that, while in some instances service-specific and technology-specific overlays may place affected providers at a competitive disadvantage, the technologies may significantly contribute to numbering resource optimization by prolonging the life of the underlying area code, and thereby ease the cost and inconvenience of frequent area code relief. *See Numbering Resource Optimization* Third Report and Order, 17 FCC Rcd at 287. In order to minimize the potential discriminatory effects associated with service-specific and technology-specific overlays, the FCC set forth criteria designed to provide guidance to states as to the types of service-specific and technology-specific overlays that might be approved. *See Numbering Resource Optimization* Third Report and Order, 17 FCC Rcd at 288.

III. RELIEF PLANNING ACTIVITIES

{¶ 17} In its role of taking primary responsibility for NPA relief planning as the NANPA, SomosGov, on June 28, 2021, notified the telecommunications industry, comprised of current and prospective telecommunications carriers operating in or considering operations within the “513” NPA in Ohio, that NPA relief needed to be addressed. The NANPA also distributed relief planning materials to the industry, including proposed NPA relief alternatives for consideration. On July 27, 2021, the NANPA convened an industry NPA relief planning meeting via web conference to discuss the proposed relief alternatives and to allow the Ohio telecommunications industry to arrive at a consensus on the relief alternative to be recommended to the Commission. During this meeting, the industry reviewed an Initial Planning Document (IPD), which outlined three alternatives for relief: an all-services distributed overlay of the “513” NPA (Alternative 1); a boundary elimination

overlay of the “513” and “937” / “326”¹ NPAs (Alternative 2); and a boundary elimination overlay of the “513” and “937” / “326” NPAs with the addition of a new overlay NPA (Alternative 3).

{¶ 18} On August 26, 2021, the NANPA filed a petition on behalf of the Ohio telecommunications industry for relief of the “513” NPA (Petition). A copy of the July 27, 2021 meeting minutes, containing the full description of each overlay plan, as well as a discussion of pros and cons of the alternatives, is attached to the Petition as Exhibit A. A copy of the IPD reviewed during the July 27, 2021 meeting is attached to the Petition as Exhibit B. In the Petition, SomosGov stated that the April 2021 Numbering Resource Utilization/Forecast (NRUF) and NPA Exhaust Analysis (the April 2021 NRUF Report) published by the NANPA indicated that, absent NPA relief, the supply of central office codes (NXXs) in the “513” NPA would exhaust during the second quarter of 2024. The NANPA further noted, however, that due to an increase in NXX code requests in the “513” NPA, it declared a jeopardy situation on June 17, 2021, and issued a “delta NRUF” which revised the estimated “513” NPA exhaust date to the second quarter of 2023.

{¶ 19} Pursuant to the Entry of September 8, 2021, the Commission invited any interested person to file comments relative to the relief alternatives outlined by the NANPA in the Petition. A copy of this Entry was served upon the telephone industry listserv, the Ohio Telecom Association, the Office of the Ohio Consumers’ Counsel, all parties and interested persons of record.

{¶ 20} On October 22, 2021, the NANPA filed correspondence in this case docket to advise the Commission that on October 14, 2021, it published the October 2021 NRUF which changed the projected exhaust date of the “513” NPA to the fourth quarter of 2023. The

¹ The “326” NPA is currently overlaid in the “937” NPA pursuant to Case No. 17-2329-TP-COI, *In re the Commission’s Investigation Into Exhaust Relief for Area Code “937”*.

NANPA states that although the projected exhaust date has moved out two quarters, it still requests that the Commission grant the Petition as requested.

IV. DESCRIPTION OF PROPOSED PLANS

{¶ 21} In the Petition, the NANPA presents three alternative plans for exhaust relief of the “513” NPA: an all-services distributed overlay of the “513” NPA (Alternative 1); a boundary elimination overlay of the “513” and “937”/“326” NPAs (Alternative 2); and a boundary elimination overlay of the “513” and “937”/“326” NPAs with the addition of a new overlay NPA (Alternative 3). The NANPA represents that the industry reached a consensus that Alternative 1 should be the choice of relief.

A. *Alternative 1: All-Services Distributed Overlay of the “513” NPA*

{¶ 22} An all-services distributed overlay is a form of NPA relief wherein a new NPA is assigned to the same geographic area occupied by the exhausting NPA. Under Alternative 1, the new “283” NPA would be assigned to the same geographic area occupied by the existing “513” NPA. The NANPA would not assign NXX codes from the already assigned new overlay “283” NPA until all assignable NXX codes from the “513” NPA are exhausted. All existing customers would retain their current area code and telephone numbers. Codes in the new “283” NPA would be assigned upon request with the effective date of the “283” NPA. At exhaust of the “513” NPA, all future codes would be made in the “283” NPA. Alternative 1 has a projected life of 59 years.

{¶ 23} The NANPA acknowledges that this proposed plan would require the assignment of a new NPA, which could be viewed as a negative. However, as noted in the Petition, the NANPA identifies numerous benefits with the all-services distributed overlay, include the following:

- (a) All existing customers would retain the “513” area code and would not have to change their telephone numbers;

- (b) The plan does not discriminate against customers on different sides of a boundary line, as does a geographic split;
- (c) The plan will result in less customer confusion and an easier education process;
- (d) The plan will have less financial impact on business and residential customers because there is no need to update printed materials such as checks and websites, unless they only currently show a seven-digit number;
- (e) The plan will be easier for service providers to implement from a translations, billing, and service order system perspective;
- (f) The Commission would not have to decide which side gets the new NPA, so no “winners and losers”;
- (g) The plan will not split cities or counties into different area codes and, therefore, keeps communities of interest intact;
- (h) The plan will have no impact on wireless carriers that have to reprogram headsets manually;
- (i) The plan will have no technical impacts on number portability, text messaging, or multimedia messaging;
- (j) The plan will be easier to implement than a boundary elimination overlay; and
- (k) The plan will have a longer projected life than the boundary elimination overlay.

See Petition, Exhibit A at 6-7.

{¶ 24} The Petition further explains that under this proposed plan, 10-digit local dialing by all customers within and between NPAs in the affected area would be required. The NANPA notes, however, that by the time the new overlay is effective, customers in the “513” NPA will already have transitioned to mandatory 10-digit dialing as a result of the national implementation of the “988” abbreviated dialing code to reach the National Suicide Prevention Line. To that end, the industry also set forth a recommended dialing plan for Alternative 1’s “513”/“283” all-services distributed overlay, which is outlined on page 6 of the Petition.

{¶ 25} Concurrent with its selection of Alternative 1, the industry also reached consensus to recommend a nine-month implementation schedule for the “283” NPA overlay. This schedule, outlined in the Petition, does not contain specific dates, but provides timeframes for the phases of implementation (Petition at 7). Specific dates will be determined at an initial implementation meeting that will be scheduled following the Commission’s consideration of the Petition. Finally, the NANPA notes that there is no requirement for a permissive dialing period because it is expected that mandatory 10-digit local dialing will already have been implemented by the time the nine-month implementation schedule is completed.

B. *Alternative 2: Boundary Elimination Overlay of the “513” and “937”/“326” NPAs*

{¶ 26} Under Alternative 2, the boundary between the “513” NPA and the “937”/“326” NPA codes would be eliminated and the “513” NPA and the “937”/“326” NPAs would be assigned to the same geographic areas occupied by the existing “513” NPA and “937”/“326” NPAs. The “513” NPA and the “937”/“326” NPA customers would retain their current telephone numbers, however, 10-digit dialing for all calls by all customers within the “513” NPA affected area would be required. Available NXX codes in the “937”/“326” NPA would be assigned upon request in the “513” NPA area with the effective date of the new area code boundary and available “513” NPA NXXs could be assigned upon request in the “937”/“326” NPA area. At exhaust of the “513” NPA, all future NXX code

assignments would be made from the “937”/”326” NPA supply of NXXs. Alternative 2 would save one NPA and reunite the “513” and “937”/”326” NPAs that were previously split in 1996. Alternative 2 has a projected life of 25 years.

{¶ 27} While no specific benefits of Alternative 2 are outlined in the Petition, the NANPA relates that during the industry-wide planning meeting on July 27, 2021, it was noted that choosing Alternative 2 would “save” an NPA from use for 25 or more years, in which time Nationwide Number Portability may be a viable option to further delay implementing a new area code and extending the life of the NANP. However, comments were also made during this meeting that a boundary elimination overlay would require the re-programming of many more switches than a single overlay.

C. Alternative 3: Boundary Elimination Overlay of the “513” and “937”/”326” NPAs with Addition of a New Overlay NPA

{¶ 28} Under Alternative 3, the boundary between the “513” NPA and the “937”/”326” NPA area would be eliminated and the new “283” NPA code would be assigned to the same geographic area occupied by the existing “513” NPA and “937”/”326” NPAs with the effective date of the new area code boundary. The “513” NPA and “937”/”326” NPA customers would retain their current telephone numbers; however, 10-digit dialing for all calls by all customers within the “513” NPA affected area would be required. Available NXX codes in the “937”/”326” areas would be assigned upon request in the “513” NPA area with the effective date of the new area code boundary and available “513” NPA central office codes would be assigned upon request in the “937”/”326” NPA area. At the exhaust of the “513” and “937”/”326” NPAs, all future code assignments would be made from the “283” NPA. Alternative 3 would reunite the “513” and “937”/”326” NPAs that were previously split in 1996. Alternative 3 has a projected life of 52 years.

{¶ 29} As noted above, comments were made during the July 27, 2021 industry-wide planning meeting that a boundary elimination overlay would require the re-programming of many more switches than a single overlay.

V. PUBLIC COMMENTS

{¶ 30} As noted above, the Commission issued an entry on September 8, 2021, pursuant to which it established a process and procedure for affected customers and interested persons to file comments regarding the three proposed area code relief options outlined in the Petition. Initial comments were to be filed in the case docket by September 22, 2021, and reply comments were to be filed in the case docket by October 4, 2021.

{¶ 31} No initial or reply comments were filed in this proceeding.

VI. DISCUSSION

{¶ 32} The need for area code relief clearly reflects the advent of more competition in the telecommunications industry, the economic growth in the state of Ohio, and ongoing technological innovation (e.g., ATM machines and debit cards). All of these are clearly aspects of development which are consistent with the state's telecommunications policy embodied in R.C. 4927.02. Unfortunately, number exhaustion is an adverse consequence of these otherwise positive developments.

{¶ 33} In considering the appropriate resolution for this case, the Commission must be guided by the controlling federal law and policy in this area. Pursuant to 47 U.S.C. 251(e)(1), the FCC is conferred exclusive jurisdiction over those portions of the NANP that pertain to the United States, but the FCC is authorized to delegate to state commissions or other entities all or any portion of that jurisdiction. As stated above, the FCC has authorized states to resolve matters involving the implementation of new area codes subject to the federal guidelines for numbering administration.

{¶ 34} The "513" NPA is one of the original NPAs in Ohio and has been in service since 1947, serving Cincinnati and surrounding cities. In 1996, with the "513" NPA nearing exhaust, the Commission approved a geographic split of the "513" NPA, introducing the "937" NPA. Subsequently, with the "513" NPA again nearing exhaust, the Commission issued an order directing the industry to implement an all-services overlay for the relief of

the “513” NPA, and as a result of that order the “283” NPA code was assigned. *See In re the Commission’s Investigation Into Exhaust Relief for Area Code “513”*, Case No. 99-668-TP-COI, Opinion and Order (Sep. 28, 2000). Based on the representations of the NANPA, the Commission later determined that a decrease in the demand for NXX codes had delayed the need for area code relief in the “513” NPA and issued a subsequent order that indefinitely suspended the implementation of the new “283” NPA. *See In re the Commission’s Investigation Into Exhaust Relief for Area Code “513”*, Case No. 99-668-TP-COI, Entry (Mar. 14, 2002). The record in this case establishes that the “513” NPA is again nearing exhaust, with exhaust expected to occur in the fourth quarter of 2023. Therefore, timely approval of a final plan is necessary so that proper consumer education may commence prior to the implementation of the selected area code relief.

{¶ 35} Based on a review of the record in this case, the Commission finds that SomosGov and the industry have complied with the procedures developed in the *Number Assignment Procedures Order*, as modified by the Commission’s request that the NANPA take over primary responsibility for NPA relief planning on a going-forward basis. As discussed in the Petition, SomosGov distributed relief planning materials to the industry, setting forth relief plan options for consideration. During the July 27, 2021 industry-wide planning meeting, the industry came to a consensus decision in support of Alternative 1, the all-services distributed overlay plan. Specifically, the Commission finds that Alternative 1 meets the criteria for assignment as set forth in the National Guidelines.

{¶ 36} Upon reviewing the proposed plans and considering all of the *Number Assignment Procedures* and NPA Guidelines, the Commission finds that Alternative 1, the all-services distributed overlay plan recommended by SomosGov in the Petition, is the most equitable and efficient plan proposed. The Commission notes that the NANPA garnered industry wide consensus to recommend this relief plan and the Petition filed in this case outlines a multitude of positive features to recommend Alternative 1 over the other options. The Commission is interested in selecting a plan that, when considering all subscribers in the existing “513” NPA, will provide an equitable solution. Consistent with this desire, the

Commission finds that Alternative 1 treats all existing “513” NPA customers equally by allowing each existing customer to retain the “513” NPA on all existing lines and, as necessary, assigning the new area code to new telephone lines established in the future. Through this approach, the Commission can provide equitable NPA exhaust relief without running the risk that current “513” NPA subscribers will have to incur premature additional area code changes. The Commission also highlights that the Petition describes how Alternative 1 will have less financial impact on both residential and business customers and also will be easier for service providers to implement from a translations, billing, and service order system perspective.

{¶ 37} The Commission notes that the all-services distributed overlay will not impact the rates for a call. All calls that are currently local will remain local and will be placed by dialing ten digits while those calls that are toll will be placed by dialing eleven digits, whether the call is placed within or between area codes. While the move to mandatory 10-digit local dialing by all customers within and between NPAs in the affected area could be viewed as disruptive, the Petition makes clear that this transition would occur even without approval of the overlay plan, as the “513” NPA is scheduled to transition to mandatory 10-digit local dialing by July 15, 2022, due to the national implementation of the “988” abbreviated dialing code to reach the National Suicide Prevention Line.

{¶ 38} As a result of the implementation of the all-services overlay plan, all telephone companies in the “513” NPA will have to reprogram their switches in preparation for the overlay of a new area code in the existing “513” NPA. Specifically, pursuant to the FCC’s directives, mandatory ten-digit dialing for all local calls within an area code is required for areas served by overlays to ensure that competition will not be deterred as a result of dialing disparity. See *Local Competition* Second Report and Order at ¶284. This dialing pattern will ensure that the same NXX codes will be functional within both the “513” NPA and the overlay area code. The Commission notes that subscribers have become more familiar with dialing ten digits on a daily basis due to the continued growth of wireless devices as subscribers’ primary communications device and the frequent need to dial ten digits in

order to complete calls to and from wireless telephone numbers. The Commission further notes that in the past five Commission area code relief cases (e.g., “330” NPA, “419” NPA, “614” NPA, “740” NPA, and the “937” NPA) overlays were ordered; thereby requiring mandatory ten-digit local dialing.

{¶ 39} The Commission notes that concurrent with its selection of Alternative 1, the industry also reached consensus to recommend a nine-month implementation schedule for the “283” NPA overlay. This schedule, outlined in the Petition, does not contain specific dates, but provides time frames for the phases of implementation. Specific dates will be determined at an initial implementation meeting that will be scheduled following the Commission’s consideration of the Petition. Finally, the NANPA notes that there is no requirement for a permissive dialing period because, as previously discussed, it is expected that mandatory 10-digit local dialing in the “513” NPA will be enforced by the time the nine-month implementation schedule is completed due to the rollout of the “988” abbreviated dialing code. To finalize the implementation plan, the industry should convene an implementation meeting for the purpose of establishing specific dates for the plan, as well as determining the earliest possible date that NXXs may be activated in the new area code. The determinations reached in the implementation meeting should be filed in this docket. If SomosGov further modifies the projected exhaust of the “513” NPA, the Commission will consider adjusting the implementation date of the required dialing patterns.

{¶ 40} Consistent with our Entry of January 6, 2000, in the *Number Assignment Procedures* docket regarding interNPA local dialing patterns, all local telephone companies, excluding commercial mobile radio service (CMRS) providers,² should take appropriate steps to ensure that all local (both flat- and measured-rate) and non-optional flat-rate and non-optional measured-rate extended area service calls may occur on a ten and eleven-digit basis. Although the capability for both ten- and eleven-digit dialing is required, the

² For the purpose of this Opinion and Order, CMRS is specifically limited to include mobile telephone, mobile cellular telephone, personal communications service, and specialized mobile radio service.

Commission believes that all local telephone companies, excluding CMRS providers, should still emphasize ten-digit dialing for these types of calls. Through this requirement, the Commission desires to have subscribers associate ten-digit dialing with local calls and eleven-digit dialing for toll calls, when possible. With respect to CMRS providers, the Commission notes that, consistent with our January 6, 2000 Entry in the *Number Assignment Procedures* docket, due to the unique manner in which CMRS providers distinguish between local and toll, they are not required to provide both ten- and eleven-digit dialing for all local and non-optional flat-rate and non-optional measured-rate extended area service calls.

VII. CONCLUSION

{¶ 41} After considering the Petition filed in this proceeding, the Commission concludes that Alternative 1, the all-services distributed overlay plan, is appropriate in order to provide the best long-term area code relief for the “513” NPA. The overlay plan should result in efficient number utilization in both the “513” and “283” NPAs. The Commission recognizes that with the accelerated exhaust of NPAs, overlay plans are becoming more prevalent in the state of Ohio and across the country. The overlay plan results in the least amount of disruption for existing subscribers throughout the “513” NPA.

{¶ 42} There is no question that the introduction of the new “283” area code will have an impact on business and residential subscribers; however, we firmly believe that the impact will be mitigated through customer education. As described above, based on a review of the advantages and disadvantages of the proposed plans, the Commission determines that the “All-Services Distributed Overlay Plan” is the preferred option compared to the other alternatives. In reaching this determination, the Commission highlights advantages of the overlay plan such as ensuring that existing “513” NPA customers retain their current telephone numbers, avoiding discrimination among customers along geographical boundaries, and a lesser financial impact on businesses and residential customers. The Commission recognizes that the implementation of the “988” abbreviated dialing code will result in mandatory 10-digit local dialing in the “513” NPA by July 15, 2022. See *In re Implementation of the National Suicide Hotline Improvement Act of 2018*,

WC Docket No. 18-336, Report and Order (rel. Jul. 7, 2020). Therefore, subscribers will already be familiar with this local dialing pattern by the time that the approved overlay in this case takes effect in the fourth quarter of 2023.

{¶ 43} All NXX code holders should work with the Commission's consumer education Staff in order to inform customers and communities of the pending overlay and the introduction of the "283" NPA. Following the filing of industry implementation time frames, each NXX code holder in the "513" NPA should file its consumer education plan in this docket.

{¶ 44} Finally, all telephone companies must take every necessary step to ensure that the applicable directory assistance service databases and directories are updated to reflect any changes resulting from this Opinion and Order.

{¶ 45} Although the Commission expects that programming changes will have already occurred as a result of the implementation of the "988" abbreviated dialing code, pursuant to the rollout of the all-services distributed overlay, customers may have to reprogram any autodialing equipment currently programmed to dial seven digits to dial ten digits. This equipment includes alarm systems, Public Safety Answering Points, security gates, Private Branch Exchanges, life safety systems, computer modems, voice systems, fax machines etc. Additionally, all telephone companies in the "513" NPA should have already worked with the various 9-1-1 systems to assist in the change of the local dialing patterns. All affected entities should make sure that any necessary reprogramming related to the requisite change in dialing patterns and the deployment of the "283" NPA occur consistent with the time frames established in this case.

VIII. FINDINGS OF FACT AND CONCLUSIONS OF LAW

{¶ 46} SomosGov has notified Staff that the "513" NPA is projected to exhaust by the fourth quarter of 2023.

{¶ 47} Pursuant to the guidelines established in the *Number Assignment Procedures* Order, as modified by the Commission's letter of March 18, 2013, SomosGov distributed relief planning materials to the industry on June 28, 2021.

{¶ 48} On July 27, 2021, SomosGov facilitated an industry NPA relief planning meeting via web conference to allow the telecommunications industry to come to a consensus on the area code relief alternative to recommend to the Commission.

{¶ 49} On August 26, 2021, SomosGov, on behalf of the Ohio telecommunications industry, filed its Petition with the Commission recommending adoption of Alternative 1, an all-services distributed overlay plan.

{¶ 50} Upon review of the record, the Commission finds that the all-services distributed overlay plan recommended in the Petition is an appropriate and equitable plan to address "513" area code relief.

IX. ORDER

{¶ 51} It is, therefore,

{¶ 52} ORDERED, That all telephone companies presently serving the "513" NPA should pursue the all-services distributed overlay plan outlined in the Petition and consistent with in this Opinion and Order. It is, further,

{¶ 53} ORDERED, That all telephone companies in the "513" NPA implement ten- and eleven-digit local call dialing consistent with this Opinion and Order. It is, further,

{¶ 54} ORDERED, That the industry convene an implementation meeting and file the relevant implementation dates, including the start of the issuance of telephone numbers in the new NPA. It is, further,

{¶ 55} ORDERED, That all "513" NPA code holders file their consumer education plans consistent with this Opinion and Order. It is, further,

{¶ 56} ORDERED, That all telephone companies update their directory service databases and directories in accordance with this Opinion and Order. It is, further,

{¶ 57} ORDERED, That all telephone companies should work with the 9-1-1 systems currently in the “513” NPA to assist with any transition resulting from the implementation of the overlay plan. It is, further,

{¶ 58} ORDERED, That all alarm companies perform the necessary reprogramming consistent with this Opinion and Order. It is, further,

{¶ 59} ORDERED, That a copy of this Opinion and Order be served upon the telephone industry listserv, the Ohio Telecom Association, the office of the Ohio Consumers’ Counsel, and all parties and interested persons of record.

COMMISSIONERS:

Approving:

Jenifer French, Chair
M. Beth Trombold
Lawrence K. Friedeman
Daniel R. Conway
Dennis P. Deters

DMH/JSA/kck

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Case No(s). 21-0873-TP-COI

Summary: Opinion & Order adopting the proposed all-services distributed overlay plan for the purpose of area code exhaust relief in the "513" area code electronically filed by Heather A. Chilcote on behalf of Public Utilities Commission of Ohio