

Decision No. R23-0772

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23V-0274T

IN THE MATTER OF THE PETITION OF THE NORTH AMERICAN NUMBERING PLAN
ADMINISTRATION ON BEHALF OF THE COLORADO TELECOMMUNICATIONS
INDUSTRY FOR RELIEF FOR THE 970 AREA CODE.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
AVIV SEGEV
GRANTING PETITION AND CLOSING PROCEEDING**

Mailed Date: November 20, 2023

I. STATEMENT

A. Background

1. On May 31, 2023, the North American Numbering Plan Administrator (NANPA), filed its Petition (Petition) on behalf of the Colorado Telecommunications Industry (Industry), for approval of an overlay relief plan to address the anticipated exhaustion of available telephone numbers in the 970 Numbering Plan Area (NPA).¹ Because the 970 area code is projected to exhaust its central office codes (CO or NXX codes) during the first quarter of calendar year 2026, NANPA requested the Commission approve a nine-month implementation schedule that allows a new NPA (numbering plan area or area code) to be implemented six months prior to the projected exhaustion date.²

¹ Petition at 2.

² *Id.* at 2; 5, also citing Proceeding No. 20V-0192T; 38.

2. NANPA requests that the Commission forego in-person meetings and hearings in favor of written comments and reply comments and issue its decision no later than June 30, 2024.³

3. On June 8, 2023, the Commission issued its Notice of Petition Filed, giving notice of the Petition and setting a 30-day intervention period.

4. On June 12, 2023, The Office of Utility Consumer Advocate (UCA) filed its Notice of Intervention of Right and Entry of Appearances of the Office of the Utility Consumer Advocate.

5. By Decision No. C23-0480-I, issued on August 1, 2023, the Commission joined as parties to this Proceeding the 61 telecom providers that are assigned telephone numbers in the 970 NPA, and referred this matter to an Administrative Law Judge (ALJ) for disposition. The Commission stated:

... all providers that are currently assigned telephone numbers in the 970 NPA will be impacted by the addition of a new area code. It is important that we can hear from those providers as to how the proposed overlay will affect them and to ensure that this Proceeding addresses any other issues that may arise from the proposed overlay.⁴

6. By Decision No. R23-0519-I, issued August 4, 2023, the ALJ scheduled a prehearing conference in this matter for August 15, 2023, at 9:30 a.m.

7. On August 15, 2023, NANPA, UCA, and 17 of the 61 telecom providers added by the Commission participated in the prehearing conference.⁵

8. By Decision No. R23-0548-I, issued on August 17, 2023, the undersigned ALJ set a deadline of September 27, 2023 for: (a) any party to make a filing addressing the merits of the Petition; and (b) for any member of the public to submit written comments regarding the Petition through the

³ *Id.* at 8.

⁴ Decision No. C23-0480-I issued August 1, 2023 at 2.

⁵ Decision No. R23-0548-I issued August 17, 2023 at 2.

Commission's website at <https://puc.colorado.gov/> by clicking on the "FILE A COMMENT OR COMPLAINT" link.

9. To date, the Commission has not received any comments from members of the public.

B. Proposed Plan

10. NANPA proposes using the following Industry-recommended dialing plan for the 970 All-Services Distributed Overlay:

<u>Type of Call</u>	<u>Call Terminating in</u>	<u>Dialing Plan</u>
Local call	Home NPA (HNPA) or Foreign NPA (FNPA) (including Extended Area Service (EAS) calls)	10 digits (NPA-NXX-XXXX)
Toll Call	HNPA or FNPA	1+10 digits (1+NPA-NXX-XXXX)
Operator Services: credit card, collect, third party	HNPA or FNPA	0+10 digits (0+NPA-NXX-XXXX) ⁶

11. NANPA indicates that the 1+10-digit dialing is permissible at each service provider's discretion.⁷

12. Instead of providing specific implementation dates, NANPA provided timeframes to identify the different phases of the implementation and explained that once the Petition is approved by the Commission, the Industry will select specific dates at an implementation meeting to ensure the milestone dates do not interfere with certain holidays, high traffic calling days, network freeze periods, or other NPA relief implementation activities occurring across the country.⁸

⁶ Petition at 5.

⁷ Id.

⁸ Id.

13. NANPA requests a nine-month schedule which was reached by consensus to implement the overlay with the new NPA to be effective six-months prior to the forecasted exhaust date of the 970 NPA.⁹

14. NANPA requests prompt approval of the Petition and adherence to the proposed implementation timeframe schedule to avoid the denial or delay of service to telecommunications providers' customers due to the unavailability of CO codes.¹⁰

15. According to NANPA, after the Commission issues the final decision, NANPA will require approximately 75 days to assign the new NPA, work with the Commission to issue a press release announcing the new NPA, schedule and facilitate an Industry implementation meeting, and publish a Planning Letter per NPA Relief Guidelines at §5.10.1.¹¹

16. The Industry will form a committee to begin implementation of the new area code approximately 15 months prior to exhaust of the 970 NPA.¹²

17. NANPA proposes the following implementation timeframes:

<u>Event</u>	<u>Timeframe</u>
Customer Education and Network Preparation Period ¹³	9 months
Earliest Activation of CO codes in the new NPA ¹⁴	At completion of Customer Education and Network Preparation Period and after

⁹ Id.

¹⁰ Petition at 5.

¹¹ *Id.* at 6.

¹² Id.

¹³ NANPA indicates there is no requirement for a permissive dialing period because mandatory 10-digit local dialing is already in place.

¹⁴ NANPA indicates that the CO codes in the new NPA will not be assigned until all available CO codes in the existing 970 NPA have been allocated.

	all 970 NPA CO codes are allocated – Six months prior to exhaust ¹⁵
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18. NANPA proposes the following methods for the customer education, technical and E911 milestone processes:

<u>Customer Education Milestones</u>	<u>Responsibility</u>
1. Issue single customer notification (e.g., bill messages, bill inserts, direct mail, test messaging, email)	All Service Providers
2. Issue initial press release announcing the new overlay NPA	Commission; Service Providers to the extent they are able to do so
3. Send Special letters to Directory Publishers	Co-Chairs of Industry Committee
4. Update social media with information regarding new overlay NPA	All Service Providers (optional)
5. Update websites with information regarding the new overlay NPA	All Service Providers
6. Develop language for use in Directories to alert the consumers of the new overlay NPA	Directory Publishers
7. Issue second press release just prior to the new NPA effective date	Commission; Service Providers to the extent they are able to do so

¹⁵ Petition at 6.

<u>Technical Milestones</u>	<u>Responsibility</u>
8. Obtain Industry test code from NANPA and activate the test number	One Service Provider Volunteer
9. Open the test code in carriers' network	All Service Providers
10. Establish NPA Specific type Trunks	All Service Providers (as needed)
<u>E911 Work Plan</u>	<u>Responsibility</u>
11. Confirm new Emergency Service Number (ESN)/Numbering Plan Digit (NPD) has been established for the new NPA	E911 Providers
12. Ensure SRDB table has new NPA built	E911 Providers
13. Notify PSAPs, PSALI customers and County Coordinators	E911 Providers
14. Notify Statewide 911 Coordinator	Co-Chairs
15. Review and Submit CLEC Trunk Order Requests to local provider if needed	All Service Providers (as needed)
16. Update PSAP equipment to recognize new NPA	PSAP's
17. Trunk Orders Complete	E911 Providers
18. Build E911 Network/Tandem Translations	E911 Providers
19. Verify if all PSAP work has been completed	PSAP's
20. Activate E911 Network/Tandem Translations	E911 Providers ¹⁶

¹⁶ Petition at 5-6.

19. NANPA notes that by agreement of the Industry members, modifications to the methods and processes may be required during the actual implementation meetings for the new overlay NPA of the 970 NPA.¹⁷

C. Analysis

20. NANPA has established good cause to grant the Petition. In addition, no party opposes the Petition or the proposed implementation plan. Accordingly, the Petition and proposed implementation schedule and customer education, technical implementation, and E911 implementation processes will be approved, as ordered below.

21. NANPA will work with the Commission to release the press releases noted above. NAPA will submit written requests to the Commission to release the press releases noted above 30 days before the preferred date of the release. Each written request must include the information that NANPA would like to be included in the applicable press release.

22. If the parties believe that one or more material changes are required to the implementation dates and/or the customer education, technical implementation, and E911 implementation processes, NANPA will file a notice and request for approval of such changes with the Commission.

II. ORDER

A. It Is Ordered That:

1. The Petition of the North American Numbering Plan Administrator on Behalf of the Colorado Telecommunications Industry for Relief for the 970 Area Code filed on May 31, 2023, is granted consistent with the discussion above.

¹⁷ *Id.* at 6.

2. Proceeding No. 23V-0274T is closed.
3. This Recommended Decision shall be effective on the day it becomes the Decision of the Commission, if that is the case, and is entered as of the date above.
4. As provided by § 40-6-109, C.R.S., copies of this Recommended Decision shall be served upon the parties, who may file exceptions to it.
 - a. If no exceptions are filed within 20 days after service or within any extended period of time authorized, or unless the decision is stayed by the Commission upon its own motion, the recommended decision shall become the decision of the Commission and subject to the provisions of § 40-6-114, C.R.S.
 - b. If a party seeks to amend, modify, annul, or reverse basic findings of fact in its exceptions, that party must request and pay for a transcript to be filed, or the parties may stipulate to portions of the transcript according to the procedure stated in § 40-6-113, C.R.S. If no transcript or stipulation is filed, the Commission is bound by the facts set out by the administrative law judge and the parties cannot challenge these facts. This will limit what the Commission can review if exceptions are filed.

5. If exceptions to this Decision are filed, they shall not exceed 30 pages in length, unless the Commission for good cause shown permits this limit to be exceeded.

(S E A L)



THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

AVIV SEGEV

Administrative Law Judge

ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Rebecca E. White".

Rebecca E. White,
Director