

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 20V-0192T

IN THE MATTER OF THE PETITION OF THE NORTH AMERICAN NUMBERING PLAN
ADMINISTRATION ON BEHALF OF THE COLORADO TELECOMMUNICATIONS
INDUSTRY FOR RELIEF FOR THE 303/720 AREA CODE.

**RECOMMENDED DECISION OF
ADMINISTRATIVE LAW JUDGE
CONOR F. FARLEY
GRANTING PETITION AND CLOSING PROCEEDING**

Mailed Date: April 23, 2021

I. STATEMENT

A. Background

1. On May 4, 2020, the North American Numbering Planning Administrator (NANPA), filed the Petition referenced in the subject line on behalf of the Colorado telecommunications industry for the approval of an overlay relief plan to address the anticipated exhaustion of available telephone numbers in the 303/720 NPA (numbering plan area). Because the 303 and 720 area codes were projected to run out of numbers in the second calendar quarter of 2023, NANPA requested that the Commission approve a nine-month implementation schedule that allows a new NPA (area code) to be implemented six months prior to the projected exhaustion date. NANPA requests that the Commission issue its decision no later than the fourth quarter of 2021.

2. On August 6, 2020, the Commission issued Decision No. C20-0576-I that referred the proceeding to an Administrative Law Judge (ALJ). The proceeding was subsequently assigned to the undersigned ALJ. In Decision No. C20-0576-I, the Commission

noted deficiencies in the information contained in the petition including the lack of specific dates for implementation of the plan, granted permissive intervention to Qwest Corporation, doing business as CenturyLink QC, joined as parties for all providers that are currently assigned telephone numbers in the 303/720 NPA, and required NANPA to work with the parties to this proceeding to jointly develop and file, within 45 days of the issuance of Decision No. C20-0576-I, a proposed plan (including specific implementation dates) that addresses the Commission's concerns.¹

3. In Decision No. C20-0576-I, the Commission also stated:

Adding a new area code is an uncommon and noteworthy endeavor, and one in which the public ought to have the opportunity to be heard. So, we direct the Administrative Law Judge to provide a reasonable opportunity for affected individuals or entities to provide feedback on the overlay relief plan.²

4. On September 10, 2020, NANPA sent an invitation to the other parties in the proceeding to participate in a meeting on September 17, 2020, at which the questions raised by the Commission in Decision No. C20-0576-I would be addressed and a report would be developed addressing those questions.

5. On September 17, 2020, NANPA and 42 of the 54 parties added by the Commission participated in the meeting.

6. On September 21, 2020, NANPA and the 42 parties that participated in the September 17, 2020 meeting filed a Joint Response to Decision No. C20-0576-I (Joint Response). In the Joint Response, those parties seemingly agree on the plan stated therein, including the dates for milestones in the overlap implementation process, the medium and

¹ Decision No. C20-0576-I at 2 (¶¶ 3-4).

² *Id.* at 4 (¶ 10).

methods that will be used in the customer education process, and who will bear the costs of that process.

7. On November 10, 2020, the ALJ issued Decision No. R20-0798-I that set a deadline of December 23, 2020: (a) for any party to file a written response to the Joint Response in this proceeding; and (b) for any member of the public to submit written comments regarding the overlay relief plan and/or the Joint Response through the Commission's website at <https://puc.colorado.gov/> by clicking on the "FILE A COMMENT OR COMPLAINT" link.

8. The Commission has received 38 comments from members of the public. 32 commenters requested that the new area code be 420. Some of those commenters requested 420 to commemorate Colorado's "importance in the history of marijuana legalization"³ or something to that effect. Others did not expressly identify their reasoning for choosing "420" as the new area code. Three comments were submitted recommending that the new area code be 461, 953, and 686. The commenter who requested 953 stated that it was "tentatively assigned" to Colorado by NANPA approximately ten years ago and "would still be a good logical choice."⁴ Area code 686 was requested as the new area code because "686 spells MTN, the abbreviation for MOUNTAIN on the telephone keypad."⁵ The commenter who requested 461 did not specify a reason for that choice.⁶

³ Comment submitted on November 20, 2020.

⁴ Comment submitted on November 20, 2020.

⁵ Comment submitted on December 1, 2020.

⁶ Comment submitted on November 2, 2020.

9. On April 22, 2021, NANPA filed a document stating that the 303 and 720 area codes are now projected to run out of numbers in the fourth quarter of 2022 (Revised Forecast). Based on the Revised Forecast, NANPA requests the Commission to issue its decision no later than the second quarter of 2021. NANPA also states that the revised forecast “does not change the implementation intervals set forth in the petition.”⁷

B. Proposed Plan

10. The parties have agreed to the following implementation dates for the overlay plan:

<u>Event</u>	<u>Date</u>
Network preparation and customer education begins	February 5, 2022
Network preparation and customer education ends	November 5, 2022
In-service date of new NPA (earliest possible date of central office code activation)	November 5, 2022
Earliest date central office codes in the new NPA may be requested through NANPA	August 31, 2022

While the new overlay area code can be assigned with an effective date as early as the in-service date of the new NPA, the parties have agreed that central office codes in the new NPA will not be assigned until all codes in the 303 and 720 NPAs have been exhausted. The parties have also requested the authority to modify these dates based on significant changes to the projected date of exhaustion of existing numbers within the existing 303 and 720 area codes.

⁷ Revised Forecast at 2.

11. The medium or methods that the parties propose to use in the customer education, technical implementation, and E911 implementation processes are as follows:

<u>Customer Education Milestones</u>	<u>Responsibility</u>
1. Single customer notification through methods such as bill messages, bill inserts, direct mail, text messaging, email	All carriers
2. Issue initial press release	Commission
3. Send letters to Public Safety Answering Points (PSAPs) and Directory Publishers	Co-Chairs of industry committee
4. Update social media with information regarding additional overlay	All carriers (optional)
5. Update websites with information regarding additional overlay	All carriers
6. Issue second press release	Commission and all carriers (optional)
<u>Technical Milestones</u>	<u>Responsibility</u>
7. Obtain industry test code from NANPA and activate the test number	One volunteer carrier
8. Open the test code in carriers' network	All carriers
9. Establish NPA-specific type of trunks	All carriers (if needed)
<u>E911 Work Plan</u>	<u>Responsibility</u>
10. Confirm new Emergency Service Number/Numbering Plan Digit (ESN/NPD) has been established for the new NPA	Basic emergency service provider
11. Ensure Selective Routing Database (SRDB) table has new NPA built in	Basic emergency service provider
12. Notify PSAPs, Private Switch Automatic Location Information customers and County Coordinators	Basic emergency service provider
13. Review and submit CLEC trunk order requests to local provider if needed	All carriers
14. Update PSAP equipment	PSAPs
15. Trunk orders complete	Basic emergency service provider
16. Build E911 network/tandem translations	Basic emergency service provider
17. Verify that all PSAP work has been completed	PSAPs
18. Activate E911 network/tandem translations	Basic emergency service provider

12. According to the parties, the foregoing are the typical milestones necessary for the implementation of an overlay. However, the parties emphasize that these milestones may need to be modified as they progress through this specific overlay implementation. The parties also state that they will work together to develop general templates for customer education materials so that all customers get consistent messaging. Finally, the parties state that each telecommunications provider will be responsible for educating its customers and the costs thereof, which negates the need for shared cost allocations.

C. Analysis

13. No party opposes the Petition or the proposed implementation plan. In addition, NANPA and the other parties have established good cause to grant the Petition. Accordingly, the Petition and proposed implementation dates and customer education, technical implementation, and E911 implementation processes will be approved. As proposed by the parties, the costs of the customer education process will be borne by each telecommunications provider.

14. NANPA 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.

15. 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.

16. The ALJ appreciates the comments from members of the public. However, it is not clear whether it is possible for the proposed area codes requested by the public commenters to be assigned to the geographic area covered by the 303 and 720 area codes. Accordingly, the

ALJ will not order NANPA to assign any specific area code to be overlaid on top of the 303 and 720 area codes.

II. ORDER

A. The Commission Orders That:

1. The Petition of the North American Numbering Plan Administration on Behalf of the Colorado Telecommunications Industry for Relief for the 303/720 Area Code filed on May 4, 2020, is granted consistent with the discussion above.

2. Proceeding No. 20V-0192T 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)



ATTEST: A TRUE COPY

A handwritten signature in cursive script that reads "Doug Dean".

Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

CONOR F. FARLEY

Administrative Law Judge