

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.

**INTERIM COMMISSION DECISION JOINING
PARTIES, GRANTING INTERVENTION,
REQUIRING FILING, AND REFERRING THE
PROCEEDING TO AN ADMINISTRATIVE LAW JUDGE**

Mailed Date: August 6, 2020

Adopted Date: July 22, 2020

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I. BY THE COMMISSION

A. Statement, Findings, and Conclusions

1. On May 4, 2020, the North American Numbering Planning Administrator (NANPA), filed this Petition 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).

B. The Petition

2. Based on a recent report of the utilization of telephone numbers, the 303 and 720 area codes are projected to run out of numbers in the second calendar quarter of 2023. Through the Petition, NANPA requests 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, and that the Commission issue its decision no later than the fourth quarter of 2021.

3. The Petition recommends a nine-month implementation period that would include Customer Education and Network Preparation. The proposed schedule does not include specific dates, and NANPA requests that the Commission allow the Colorado telecommunications industry to select specific implementation dates. Additionally, the Petition does not address certain important details regarding the customer education process. In particular, the medium or methods to be used as well as how the costs of such outreach are to be distributed or allocated among the telecommunications providers are not discussed. The Petition is also silent as to when the new telephone numbers should begin to be assigned (for example, when the new numbers are available or when all available numbers in the 303 and 720 area codes have been exhausted).

4. We agree that specific implementation dates should be selected by the Colorado telecommunications industry, to the extent such dates are reasonable. Therefore, we direct the parties to this proceeding to jointly develop and file, within 45 days of this Decision, a proposed plan with specific implementation dates that addresses the concerns outlined in the preceding paragraph.

C. Qwest's Intervention and Joinder of Current Number Holders

5. On June 2, 2020, Qwest Corporation, doing business as CenturyLink QC (Qwest) filed a Notice of Intervention in this proceeding seeking to intervene as of right and seeking permissive intervention in the alternative.

6. As support for its notice of intervention as of right, Qwest states the proceeding directly affects its legally protected rights and obligations as a certificated provider of telecommunications services, information services, and basic emergency services. Based on Qwest's filing we are unconvinced that Qwest is an intervenor of right in this Proceeding.

7. However, Qwest makes a compelling argument for permissive intervention. It indicates that its telecom and 9-1-1 service will be impacted by the addition of an area code, and that the company has participated in the industry workshops leading up to the Petition. The filing indicates the addition of the area code could impact Qwest's interest in continuing its services without disruption, and states that its interests would not otherwise be adequately represented. Accordingly, we find Qwest meets the permissive intervention standard in Commission Rule 1401(c), 4 *Code of Colorado Regulations* (CCR) 723-1 of the Commission's Rules of Practice and Procedure. Qwest is granted permissive intervention and is a party to this Proceeding.

8. Additionally, all providers that are currently assigned telephone numbers in the 303/720 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. Therefore, we join those providers as parties to this proceeding under Commission Rule 1200(a)(VI), 4 CCR 723-1. The list of joined providers is attached to this Decision as Appendix A.

D. Referral to an Administrative Law Judge and Public Involvement

9. We refer this proceeding to an Administrative Law Judge to oversee the development of the overlay relief plan and to ultimately make a recommendation as to whether the plan should be approved and the Petition granted.

10. 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.

II. ORDER

A. It Is Ordered That:

1. The June 2, 2020 motion for permissive intervention filed by Qwest Corporation, doing business as CenturyLink QC, is granted.

2. Current providers that are assigned telephone numbers in the 303/720 NPA are joined as parties to this proceeding (see the list in Appendix A).

3. Parties to this Proceeding are directed to jointly develop and file a proposed plan for the implementation period, consistent with the discussion above, within 45 days of this Decision.

4. The Petition is referred to an Administrative Law Judge.

5. This Decision is effective on its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
July 22, 2020.**

(S E A L)



ATTEST: A TRUE COPY



Doug Dean,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

JEFFREY P. ACKERMANN

JOHN GAVAN

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Commissioners