

COMMONWEALTH OF PENNSYLVANIA



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Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
445 12th Street, S. W.
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Washington, DC 20554

In the Matter of: Common Carrier Bureau
Seeks Comment On The Pennsylvania Public
Utility Commission's Petition For Delegation
Of Additional Authority To Implement
Number Conservation Measures
NSD File No. L-99-101
DA: 00-281; CC Docket 96-98

Dear Ms. Salas:

Enclosed please find an original and four copies of The Pennsylvania Office of Consumer Advocate's Comments in the above-referenced matter. Please also note that these Comments have been filed with the Commission electronically. The electronic version of these Comments does not include Attachment A which could not be sent electronically. Attachment A, however, is included in this document.

Please indicate your receipt of this filing on the additional copy provided and return it to the undersigned in the enclosed self-addressed, postage prepaid, envelope. Thank you.

Sincerely yours,

Joel H. Cheskis
Assistant Consumer Advocate

Enclosure

cc: Al McCloud, Network Services Division

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

In the Matter of	:	
	:	
Common Carrier Bureau Seeks Comment On	:	NSD File No. L-99-101
The Pennsylvania Public Utility Commission's	:	
Petition For Delegation Of Additional	:	
Authority To Implement Number Conservation	:	DA 00-281
Measures	:	

**COMMENTS OF THE
PENNSYLVANIA OFFICE OF CONSUMER ADVOCATE**

I. Introduction

The Pennsylvania Office of Consumer Advocate ("OCA") hereby submits these Comments in support of the Pennsylvania Public Utilities Commission's Petition for Delegation of Additional Authority to Implement Number Conservation Measures ("Pennsylvania Petition") as submitted to the Federal Communications Commission ("FCC" or "Commission") on December 27, 1999. The OCA is designated by Pennsylvania state law to represent public utility ratepayers before the Pennsylvania Public Utility Commission ("PA PUC"), federal agencies and state and federal courts. The OCA is actively involved in representing consumer interests in telecommunications issues in these venues. In particular, the OCA has represented the National Association of State Utility Consumer Advocates on the North American Numbering Council and in the Number Resource Optimization Working Group which drafted the North American Numbering Council Report Concerning Telephone Number Pooling and Other Optimization Methods that was submitted to the

Common Carrier Bureau on October 21, 1998.¹ The OCA is, therefore, familiar with the issues contained in the Pennsylvania Petition.

Because telephone number exhaust has had, and will continue to have, a tremendous impact on Pennsylvania consumers and because the Pennsylvania Petition has important generic implications, the OCA submits these Comments to support the Pennsylvania Petition which the FCC summarized in the Public Notice of February 14, 2000 as follows:

On December 27, 1999, the Pennsylvania Public Utility Commission (Petitioner) filed a petition requesting additional delegated authority pertaining to number conservation measures in the State of Pennsylvania. The Petitioner specifically requests authority to: (1) implement mandatory thousands-block number pooling; (2) establish utilization thresholds at the NXX and/or the thousands-block levels; (3) implement NXX code sharing; (4) reclaim NXX codes; (5) order the return of unused or underutilized portions of NXX codes; (6) revise rationing procedures (including authority to implement rationing plans prior to arriving at an area code relief plan, authority to require carriers to assign numbers from an NXX code to end users within six months of receiving the code, and authority to order continuation of a rationing plan for six months following implementation of area code relief); (7) order all LNP-compliant carriers to implement both unassigned number porting and individual telephone number pooling, and order carriers to expand deployment of local number portability; and (8) implement service-specific and technology-specific NPA overlays.

Petitioner states that the additional authority will enable Pennsylvania to act quickly to avoid the escalation of NXX shortages already being experienced and anticipated. Without these measures, Petitioner states that Pennsylvania will continue to experience chronic NXX code shortages as well as escalated social and economic burdens. Petitioner further states that with more efficient number resource utilization, Pennsylvania telecommunications consumers and

¹ The OCA worked with many other parties through the Number Resource Optimization Working Group (“NRO-WG”) to develop the initial report later approved by the North American Numbering Council, a federal advisory board for the FCC on numbering issues.

companies can be protected from the ordeal and expense of unnecessary area code relief measures. Moreover, Petitioner states that the exercise of this additional authority would allow Pennsylvania to more effectively participate in the ongoing efforts to preserve the dwindling national resource of area code and telephone numbers.

Notice, at 1-2. The OCA fully supports the Pennsylvania Petition and submits that the continuous introduction of new area codes as a means of alleviating numbering constraints in Pennsylvania has proven to be ineffective. Perhaps more importantly, the entire 10-digit North American Numbering Plan is now in jeopardy as the limited supply of 3-digit area codes is being squandered. Therefore, the OCA submits that the FCC should allow the PA PUC, and other state commissions, additional authority to implement number conservation measures. In support, the OCA files these Comments.

II. Summary

In 1994, there were four easily identifiable, geographically recognizable area codes in Pennsylvania. These area codes had been in existence in Pennsylvania since the inception of the North American Numbering Plan (“NANP”). On January 1, 1995, however, the 215 area code was split to create 610; in March, 1998, the 412 area code was split to create the new 724 area code; on April 8, 1999, the 717 area code was split and the 570 area code was implemented; on June 5, 1999, the 215 area code was overlaid with the new 267 area code and the 610 area code was overlaid with the 484 area code thus implementing mandatory ten-digit dialing in southeastern Pennsylvania; and on July 17, 2000, the 878 area code will be overlaid onto the 412/724 area codes thus implementing ten-digit dialing in southwestern Pennsylvania as well. Pennsylvania Petition at 8-9. Furthermore, plans are already in progress for two more area codes being overlaid on the 215/267

and 610/484 area codes even though many southeastern Pennsylvanians probably have never even dialed the new 267 or 484 overlay area codes.

Clearly, the introduction of more and more new area codes is not the answer to the numbering crisis in Pennsylvania. With twelve area codes and approximately twelve million residents, there will soon be more than seven telephone numbers for every man, woman and child in Pennsylvania. This is clearly excessive, unnecessary and unfortunate. This is particularly true when considering the societal and economic expense of implementing new area codes. The OCA emphasizes that the two major metropolitan areas in Pennsylvania, Philadelphia and Pittsburgh, are already, or are about to be, experiencing the delay and inconvenience of having to dial ten-digits for every phone call -- even to the next door neighbor. In fact, some Pennsylvania consumers are about to undergo their third area code modification in six years.

The OCA submits that it is evident that the problem is caused primarily by the antiquated method of distributing telephone numbers in 10,000 number blocks. This problem could be resolved by straight-forward solutions that should have been implemented already, except for regulatory lag and industry delay. The OCA adds that Pennsylvania is not alone in its efforts, as more than half the states have already petitioned the FCC for additional numbering authority to alleviate the number exhaust problems in their states. This nationwide situation serves to threaten the North American Numbering Plan and lead to further complications if numbering demands are not constrained. In fact, the Commission has acknowledged that "although the time frame for NANP exhaust cannot be determined with precision, the NANP [Administrator] developed two models that predict the NANP

will be exhausted in the 2006 to 2012 time frame.”² The Commission further notes that the “preliminary estimates of the total costs (telecommunications industry and societal combined) discussed at the February 1999 NANC meeting established a range of \$50 to \$150 billion.”³

III. Comments

A. Introduction

The OCA submits that to resolve the area code proliferation situation, the FCC should quickly take action to forestall or eliminate the premature exhaust of the NANP, and slow the introduction of new area codes as the costs to consumers increase rapidly with each successive area code application. The NANP allows customers to be called throughout the United States by a three digit area code and a seven digit telephone number. As area codes continue to be distributed at a rapid rate, this numbering system is increasingly at risk. The rapid growth in demand for new area codes is a symptom of underlying inefficiencies in the manner in which numbering resources are currently distributed. The longer these inefficiencies continue, the greater the viability of the NANP is undermined. Furthermore, the restrictions the FCC has placed upon state actions in this area have had a chilling effect on states that have not yet petitioned for additional numbering authority under the Pennsylvania Order.⁴ The restraints imposed under the Pennsylvania Order have hurt

² Notice of Proposed Rulemaking, In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, at ¶ 32.

³ Id at ¶ 34.

⁴ See, In the Matter of Petition for Declaratory Ruling and Request for Expedited Action on July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215 and 717; Implementation of the Local Competition Provisions of the

conservation efforts on a national basis and increased the need for speedy action in order to implement effective number conservation measures.

As the current Pennsylvania Petition recognizes, the accelerating growth of competing local telephone service providers under the Telecommunications Act of 1996 (“the Act”) has caused the traditional mode of assigning telephone numbers in blocks of 10,000 for each carrier per rate center to force a rapid, unnecessary and costly depletion of telephone numbers across the country. Pennsylvania Petition at 2, 11. Additionally, the inefficient use of those blocks of 10,000, or NXXs,⁵ has exacerbated the depletion of telephone numbers. Id at 2, 12-13. Many consumers have expressed their outrage that area codes have proliferated with little apparent management or control. The costs to consumers, as a result of this lack of effective controls, in terms of the addition of new area codes or the implementation of ten digit dialing, are enormous. The industry must deal with the serious area code problem that exists in an expeditious and thorough manner in order to complete pooling and other solutions as soon as possible. The OCA submits that the longer the area code crisis is left unresolved, the greater jeopardy the NANP is placed in, the closer we come to expanding the current dialing protocol, and the higher the cost becomes to consumers.

The OCA recognizes that the FCC issued its Number Resource Optimization Notice on June 2, 1999 and the OCA eagerly anticipates the action that results from that Notice. Furthermore, the OCA recognizes that the FCC has recently issued Orders regarding several of the individual state

Telecommunications Act of 1996, Memorandum Opinion and Order on Reconsideration, CC Docket No. 96-98, 13 FCC Rcd 19009, 19029-31 (September 28, 1998) (“Pennsylvania Order”).

⁵ An NXX is the number of an exchange; i.e., a block of 10,000 numbers in an area code. Similarly, an NPA is a Numbering Plan Area, or area code. Together, an NPA and an NXX identify a telephone number as NPA-NXX-XXXX.

petitions previously filed with the Commission wherein those individual states separately requested additional authority to implement number conservation measures within their respective states.⁶ The OCA applauds these actions and encourages the FCC to quickly act on the June, 1999 Number Resource Optimization Notice and the additional outstanding state petitions, such as the petition filed by the PA PUC, requesting similar authority as all consumers feel the consequences of area code proliferation. The PA PUC has shown great foresight in filing the Pennsylvania Petition in an attempt to slow the exhaust of area codes in Pennsylvania. The OCA submits that the FCC should grant the Pennsylvania Petition so that consumers in Pennsylvania can be relieved of the confusion, expense, and disruption caused by unnecessary area code proliferation.

B. Need to Control Area Code Proliferation Through Usage of Number Optimization Methods Such As Thousands Block Pooling To Reduce The Costs Of Frequent Area Code Changes On Consumers.

The Act gives the FCC “exclusive jurisdiction over those portions of the North American Numbering Plan that pertain to the United States.” 47 U.S.C. §251(e)(1). However, through the Pennsylvania Order, the FCC has delegated to state commissions portions of its number administration authority, particularly, the authority to implement area code relief. The OCA submits that the FCC should allow the PA PUC authority to perform number optimization procedures in compliance with any guidelines or rules established in an attempt to increase the efficiency of the use of telephone numbers in Pennsylvania.

⁶ See, Action by the Commission (CC Docket No. 96-98) by Orders on September 15, 1999 regarding Petitions by California, Florida, Massachusetts and New York, on September 28, 1999 regarding Maine and on November 30, 1999 regarding Petitions by Connecticut, New Hampshire, Ohio, Texas and Wisconsin.

In particular, the practice that exists today of assigning numbers, by full central office codes rather than by portions of NXXs or even individual telephone numbers, to meet new service providers' demand for numbers, threatens to exhaust existing area codes much sooner than prior projections by the NANP Administrator. The OCA supports the Pennsylvania Petition's request for authority to use number optimization methods such as mandatory Thousand Block Pooling,⁷ Pennsylvania Petition, at 11-12, in conjunction with establishing number assignment and utilization standards. The FCC has previously permitted Thousand Block Pooling in the Orders issued on September 15, 1999, September 28, 1999 and November 30, 1999 and should also allow the PA PUC to implement mandatory thousand number block pooling as well.

Between 1961 and December, 1994 the number of assigned area codes in the United States increased from 118 to only 134; however, between December, 1994 to January, 1998 the assigned area codes increased from 134 to 235⁸ and requests for additional area codes continue with no end in sight. This accelerating addition of area codes was addressed by Mr. Alan Hasselwander, then Chairman of the North American Numbering Council, in an address to the Numbering Solutions 1998 Seminar. In that address he explained:

To say we have reached a crisis in numbering in the US is probably too strong a statement. But we are approaching a crisis, and one will

⁷ Thousands Block Pooling involves the allocation of blocks of sequential telephone numbers within the same NXX to different service providers and potentially different switches which serve customers within the same rate area. All 10,000 numbers within each NXX continue to be assigned to one rate area, but are allocated among multiple service providers at the 1,000 block level.

⁸ Where Have All the Numbers Gone? Long-term Area Code Relief Policies and the Need for Short-term Reform, Economics and Technology, Inc. prepared for The Ad Hoc Telecommunications Users Committee and International Communications Association, March, 1998 at 3 ("ETI Study").

occur if effective action is not taken now. Many states have and are facing a frequency of NPA exhaust unknown in the past, and commissions are taking the heat that goes with the costs imposed on consumers by number exhaust.

The OCA submits with Mr. Hasselwander that we are approaching a numbering crisis, if we are not already in one. Number Pooling, Unassigned Number Porting⁹, Individual Telephone Number Pooling¹⁰ and establishing number assignment and utilization standards would be effective means of resolving the need for additional area codes in many circumstances and provide relief for consumers from area code changes in Pennsylvania.

The OCA submits that the cost of frequent area code changes upon consumers are substantial and could be avoided by the use of number optimization methods in many instances. A change in a consumer's area code often requires notifying friends and businesses of that change, and also reprinting stationery, advertising, etc. If callers are not aware of a new telephone number, important calls may not be completed. Reprogramming calling data bases and alarm monitoring devices can also be expensive. The cost of reprogramming network equipment for telecommunications carriers are also considerable. There may also be public safety concerns due to problems in the handling of 911 calls as a result of telephone number changes.

The OCA further submits that there are many unforeseen difficulties that may arise as a result

⁹ Unassigned Number Porting is a telephone number sharing and/or optimization method where available telephone numbers in one service provider's inventory are ported using Location Routing Number (LRN) methodologies to another service provider under the direction of a neutral third party coordinator.

¹⁰ Individual telephone number pools ("ITN") are the smallest geographic area used to distinguish rate boundaries and are referred to as a "rate area." ITN relies on the same network technology used to implement permanent Service Provider Number Portability.

of the proliferation of area codes. For example, some of the people and businesses who have been assigned new overlay area codes in the Philadelphia area have made a startling discovery: the area codes do not always work because some phone equipment around the country has not been programmed to recognize the new area codes.¹¹ Without the manual updating of the telephone network throughout the NANP so that new area codes can be recognized, calls to customers with the new area codes are not getting through to them. In southeastern Pennsylvania, in particular, this has meant that a mother in California has not been able to get through to her son attending graduate school in Philadelphia; an entire college in Pennsylvania was not getting calls through; and, a friend in San Francisco was unable to reach a friend in Philadelphia with the new 267 area code. Id. This is simply another unintended consequence of unchecked area code growth. Even though the new area codes should operate effectively, sometimes they do not and add to the hardship caused by new area codes.

According to the Philadelphia Inquirer, some people who have telephone numbers affected by this problem may not even know it because they may have no problem placing out-going calls themselves; but the calls that some of their friends, customers or others attempt to place to them are not getting through. Id. The problem being identified in the 267 and 484 overlays of the 215 and 610 area codes in Philadelphia and its suburbs is that every other local phone company must manually add new areas codes into their databases in every central office switch it has. Id. Additionally, the long-distance telephone companies must also add new area codes to their databases as well as private businesses, governments, apartment buildings and any other group with their own private telephone

¹¹ See, "Area-Code Overload Leaves Philadelphia Telephone Unreachable," Philadelphia Inquirer, November 7, 1999, p. A1. (Attached hereto as Exhibit A).

network. Id. As new area codes are continually being implemented, additional unforeseen problems may arise that have not yet been contemplated.

These real costs are exacerbated given the expected depletion of the entire NANP as early as 2006. See, footnote 2, supra. Complete exhaustion of the NANP could result in eleven or twelve digit dialing, thus causing an entirely new set of real costs to consumers, estimated to be between \$50 and \$150 billion, see, footnote 3, supra, as well as a massive amplification of those costs noted above. Thus, there are real costs imposed upon the public as a result of area code changes and the PA PUC is absolutely justified its efforts to conserve this resource. The PA PUC's willingness to implement number conservation measures in advance of national guidelines should be commended and its Petition here should be promptly granted.

C. Need To Control Area Code Proliferation Through Enforcement Of Current Number Assignment And Utilization Standards As Well As The Implementation Of Additional Efficient Number Use Practices And Management Processes.

The inefficiency of the existing numbering resource allocation approach can be seen by looking at current utilization rates. As the Pennsylvania Petition correctly points out, even if a carrier only has 10 customers, 10,000 numbers are still assigned in that area code causing 9,990 numbers to remain unused and unavailable. Pennsylvania Petition at 2. In Pennsylvania, Bell Atlantic-Pennsylvania has previously informed the PA PUC that its fill rate of NXX exchanges is roughly 42% while Bell estimates that its competitors' fill rate is approximately 25%. Id.¹²

¹² Quoting, The Joint Application of Bell Atlantic Corporation and GTE Corporation for Approval of Agreement and Plan of Merger, Pa. P.U.C. Docket Nos. A-310200F0002, A-311350F002, A-310222F0002 and A-310291F0003, p. 38.

Furthermore, according to data provided by the NANP Administrator, at the end of 1998, approximately only 34% of available numbers throughout the entire NANP (328.3 million telephone numbers out of 961.8 million) were assigned. Number Resource Optimization Notice, at footnote 364. The OCA, therefore, submits there is no shortage of numbers but that the chief source of the problem is the inefficient way in which numbering resources are administered. The OCA supports the Pennsylvania Petition's request for authority to establish utilization thresholds at the NXX and/or the thousands-block levels, implement NXX code sharing, reclaim unused and reserved NXX codes, order the return of unused or underutilized portions of NXX codes and revise rationing procedures. Pennsylvania Petition, at 1-2.

The OCA has frequently cautioned that whatever number optimization measures are implemented, either on a short-term or long-term basis, successful number administration requires more stringent standards for allocating numbers, as well as more effective enforcement, to ensure that the standards are met. A carrier should be required to demonstrate that its existing numbering inventory is inadequate to provide service to customers or that it has to rely on costly measures to supply service before it can receive a new NXX. At a minimum, carriers should be required to maximize the use of an NXX before another NXX is assigned. Furthermore, greater controls should be placed on the ability to reserve numbers which would further serve to make more telephone numbers available in lieu of opening a new NXX.

Controls on number reservations should include effective auditing to ensure compliance with number assignment and utilization requirements as well as high "fill rates" so that most of the NXX could be utilized. The OCA submits that the current system of allocating numbering resources was set up to be self-enforcing but no efforts were made to verify representations made by local exchange

carriers in instances where they may already have sufficient numbers within codes already assigned to them. The OCA submits that a substantial contributing factor to the pending exhaust of the NANP is the lack of uniform, planned and conservation-minded set of requirements for the reservation of telephone numbers. This lack of requirements has led to inconsistent assignment and inefficient utilization of numbering resources throughout the NANP and contributes to consumers' concern that area codes have proliferated with little apparent management or control. The unrestricted manner by which telephone numbers can be reserved by service providers increases the exhaust of area codes and should cause great concern to the optimization of telephone number usage. All numbering conservation measures proposed would be of little value if carriers or customers were able to hoard or warehouse (also known as stockpile or bank) telephone numbers which is possible if there are no effective controls on the process by which telephone numbers can be reserved.

Therefore, the OCA supports the Pennsylvania Petition's request for authority to establish utilization thresholds and order additional efficient number use practices within NXX codes, such as ordering carriers to return unused or under-utilized portions of NXX codes. In particular, the PA PUC should be allowed to establish fill rates and needs-based criteria for the acquisition of additional codes. The PA PUC should also be allowed to establish mandatory number utilization reporting requirements and procedures to audit carrier utilization reports. More specifically, the PA PUC should use Line Number Utilization Survey ("LINUS") and Central Office Code Utilization Survey ("COCUS")¹³ reporting which should be updated more frequently than annually so that a

¹³ The OCA is familiar with COCUS and LINUS issues through its involvement in the NROWG as discussed above in the Introduction. The OCA recognizes that the NROWG is working on revisions to COCUS which will be reviewed by the North American Numbering Council. The OCA submits that the PA PUC should also be able to use this hybrid plan upon approval.

more current basis for planning area code relief could be provided. Finally, the PA PUC should be able to order the NANP Administrator to reclaim codes which are being used in violation of FCC guidelines or state law including codes that have not been put in service within the time provided.

The OCA submits that the FCC has consistently permitted these number optimization efforts in the Orders issued September 15, 1999, September 28, 1999 and November 30, 1999, governing prior states' petitions and should also allow the PA PUC to implement these measures as well.

D. State Role In Number Optimization Implementation.

The OCA submits that states should have a strong role in numbering even when additional national guidelines are put in place. Number optimization methods, such as Thousands Block Pooling, Unassigned Number Porting and Rate Center Consolidation,¹⁴ should be subject to only general federal guidelines as approved by the FCC. Such guidelines should not restrict states in their implementation of number conservation methods but allow states flexibility to use the methods best geared toward resolving their local concerns. The FCC should generally permit states to implement number optimization methods where states decide this is appropriate. Additionally, in response to the FCC's Pennsylvania Order involving area code relief, the OCA submits that states should not be forced to individually petition and wait for the Commission to act before any number

¹⁴ Rate Center Consolidation can be used so that the number of rate centers could be reduced by combining or collapsing several existing rate centers into fewer rate centers which would maintain both the current call-routing and call-rating methods. This assumes that an NPA/NXX code need not be used to identify more than one switch so that carriers that have more than one switch in a consolidated rate center can still be assigned NPA/NXX codes at the switch level. Rate Center Consolidation alone, however, cannot substitute for other number resource conservation measures.

optimization actions are permitted. If general guidelines are developed in advance, such methods would then be available for state use whenever any such request is made. Implementation of these number conservation measures would increase efficiency and competitiveness in the telecommunications marketplace and should not be delayed until area code jeopardy or near-jeopardy situations appear.

As stated in the Pennsylvania Petition, since 1995, Pennsylvania has gone from four area codes to nine area codes with more area codes on the way. The 1999 COCUS and NPA Exhaust Study results indicate that the exhaust of Pennsylvania's area codes is accelerating. Furthermore, all but one Pennsylvania area code is expected to exhaust by the first quarter of 2003 even with code rationing occurring in five existing area codes. It is widely recognized that the earlier in the life of an area code that number conservation measures are implemented, the greater the benefit those conservation measures will have. Therefore, by acting now with FCC approval, the PA PUC may be able to forestall some of the pending area code exhaust. The OCA submits the PA PUC should be allowed to determine what is best for it to relieve the strain on Pennsylvania consumers created by area code exhaust.

The OCA cautions against FCC guidelines that would unduly restrict how number optimization measures can be implemented. States should be able to customize these optimization efforts to their own unique circumstances. Without additional authority, states are frustrated in efforts to timely address needed NPA relief before the costs to consumers increase. This authority needs to come in the form of both the ability to implement additional number optimization methods and to adopt enforcement mechanisms and audit requirements to achieve more efficient allocation and use of already existing numbering resources. The increasing rate of number assignments is

problematic and states' ability to implement number conservation measures and to explore alternatives to the current inefficient number assignment process are necessary to adopt more effective area code relief. Therefore, the OCA supports the Pennsylvania Petition's request for additional delegated authority to implement the measures discussed in the Pennsylvania Petition to ensure more effective numbering resource utilization.

IV. Conclusion

The ever-growing demand for telephone numbers resulting from the inefficient allocation of numbers is forcing Pennsylvania consumers to suffer needlessly from the cost and confusion of adding new area codes. The Pennsylvania Office of Consumer Advocate echoes the Pennsylvania Petition's conclusion that, absent the ability to deal with the situation, Pennsylvania, its citizens and its telephone network will continue to be in perpetual turmoil, barely able to reprogram a new area code before another is required. Perhaps more importantly, the entire 10-digit North American Numbering Plan is in jeopardy as we squander our limited supply of 3-digit area codes. This proliferation of telephone numbers might not be so bad if it served a valid public purpose. But when the great majority of numbers in some existing area codes are not even being used when they are supposedly 'exhausted' by an inefficient numbering allocation system, the costs to society are intolerable.

Therefore, the OCA requests the Federal Communications Commission to review these Comments as it considers what actions to take concerning the Pennsylvania Public Utility Commission's Petition for Delegation of Additional Delegated To Implement Number Conservation Measures. The OCA submits that the Pennsylvania Public Utility Commission should be given the authority it requests to establish appropriate criteria for the acquisition and utilization of number resources in Pennsylvania.

Respectfully submitted,



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Dated: March 14, 2000

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Area-Code Overload Leaves Philadelphia Telephones Unreachable

The Philadelphia Inquirer, Pennsylvania via NewsEdge Corporation : Nov. 7, 1999

Some of the people and businesses who have been assigned new area codes in the Philadelphia area have made a startling discovery: The area codes don't always work. The problem points to serious flaws in the nation's system for introducing new codes, which are in greater demand than ever because of new telecommunications services and companies.

People who have the problem may not even know. They have no trouble placing calls themselves. But the calls some of their friends, customers or others place to them just don't get through. It is largely left to the people or businesses assigned new codes to discover who can't reach them and get the glitches fixed. And no one -- not federal regulators, local phone companies or state regulators -- seems to have responsibility for making new area codes work nationally in a quick and efficient manner.

In fact, as far as Bell Atlantic and federal and state regulators are concerned, the area code adoption system works. "We think we've done a great job of being ready," says Dorothy Bruzek of Bell Atlantic. "If there is a sporadic problem we try to help our customers through."

But the system that is used to implement the new codes virtually assures that some customers will encounter problems -- especially if the new area code is a so-called overlay, in which a new area code is established in the same geographic area as an existing code. State telephone regulators, at the prodding of Bell Atlantic and other phone companies, have mandated the overlay the 267 area code in the 215 area and the 484 code in the 610 area.

The practice was introduced just in the last few years, as phone companies sought ways to add area codes without making millions of customers change their codes. Bell Atlantic does not know how many of its customers with the new area codes have been unable to receive calls, but acknowledges that some may have had problems. The company would not disclose how many of its customers had been assigned the new area codes.

The structure of the network makes it likely that any problem one person has with an area code will be shared by others with the same area code: If a phone company computer in, say, San Francisco can't complete calls to one customer in the new local area code, it usually can't send calls to any customers in that area code. "We are concerned about any problems because if one person is having a problem then it is likely others are

having a similar problem," said Lenora Best, manager of telecommunications policy and evaluation for the Pennsylvania Public Utility Commission.

Azeb Asplund of Palm Springs, Calif., refers to her son's 267 area code as "that stupid area code." For two months, she has been trying to call her son Alexander, an MBA student at the Wharton School. Her son moved to Philadelphia in early September and was assigned a phone number with the 267 area code. "I have called 80 times, 90 times, 100 times, and all I hear is that it is an incorrect number, incorrect, incorrect," she said. In all those calls, she said, she got through twice. She tried calling her son from several cities, on pay phones, a cell phone, her home phone and from work. "Finally, he called me and I told him. That is the only way to get in touch." On Friday, her son called Bell Atlantic, his local phone company, to explain his problems. Bell immediately offered him a new 215 number, which he accepted.

The problem stems from the vast nationwide network of switches and databases spread among myriad local and long-distance phone companies and businesses with private telephone systems. It is inherent in the deregulated local and long-distance industries, where instead of one telephone company there are hundreds. For Philadelphians, the problem could get worse: already, phone companies see the need for another new area code.

A new area code for South Jersey, 856, takes effect on Saturday, though it is not an overlay. The demand for area codes is so great that the current system could run out by 2007, experts say. To Bell Atlantic, the problems are normal. "[The level of problems] is not surprising," said Gina Downs, who oversees implementing new area codes for Bell Atlantic. "Every [telephone] service provider in the whole North American numbering plan -- Canada, the United States, Mexico and the Caribbean -- had to make the changes."

That so many phone systems around the country must be changed to recognize a new area code is one reason the overlays have proved problematic. Because overlays are introduced gradually -- only new customers get the new area codes -- there are not as many people missing calls as there would be if an entire region switched to a new code at one time. That means the problem can go unnoticed longer. There also is no initial trial period when new and old numbers both work.

"The likelihood is that months down the road there may be [systems] somewhere in the country that still haven't made the changes [to recognize 267 and 484]," Bell Atlantic spokeswoman Sharon Shaffer said. But, she pointed out, the two million people in the region who did not get a new area code when 267 and 484 were introduced are not having any problems. Still, for those customers who do get the new numbers, the problems are frustrating.

Consider the case of Muhlenberg College in Allentown, a 484 area code pioneer. Muhlenberg's problems began last August when it switched its more than 3,000 phone numbers from the 610 area code to 484. The college -- a liberal arts school with 1,900 undergraduates -- switched from 610 to 484 because it needed 3,000 new phone numbers as it upgraded its telecommunications network. After Bell Atlantic told the college it didn't have 3,000 of the 610 numbers available, Muhlenberg decided to switch entirely to 484 so the campus wouldn't have two codes. Fortunately for Muhlenberg, it kept key administrative phone numbers on 610, which it forwarded to 484 numbers, as a backup.

When the switch happened, most people trying to reach the college on 484 couldn't. They were told the 484 area code didn't exist or the phone number wasn't valid. Sometimes calls simply couldn't get through. The problem was particularly acute for anyone new to the college, such as potential students, who didn't know Muhlenberg's previous 610 numbers, which still worked. The switch happened the week before undergraduates arrived on campus. Many parents who had just dropped off their children for their freshman year couldn't reach them. "We did not render the campus inoperable at any time, but we certainly scared the heck out of people for a while," said Harry Miller, the school's director of information technology. "Fortunately, we kept our old numbers in place and forwarded them to our new numbers. Without that, it would have been a disaster."

Muhlenberg found little rhyme or reason in who could get through and who couldn't: a caller from Alaska could; those from neighboring communities couldn't. Its worst problems were in the first few weeks. Initially it traced problems to several major local and long-distance carriers, Miller said. As the college resolved those problems, it found more persistent ones, involving small, local phone companies as well as corporate and institutional private telephone systems. Some local phone companies told people who complained that the college, not the phone company, had to fix the problem. Even some of Bell Atlantic's own workers didn't recognize 484 when Muhlenberg contacted them. It took Muhlenberg around six weeks to correct most of the problems, Miller said, and occasionally callers still get rejected using 484.

Some pay phones in Bethlehem bill 484 numbers as toll calls instead of local, and even Miller's wireless carrier charges him a toll call for dialing 484 within Allentown. As Bell Atlantic's Downs explains, the system for making a new code work is tortuous. Every local phone company must manually add 484 into its databases for every central office switch it has. The long-distance companies, of which there are now hundreds, must also add 484 to their lists. And companies, governments, apartment buildings and any other group with its own private telephone network must add the area codes to their databases as well. If they don't, their own employees can't call anyone with a 484 area code.

Though there is a process for telling phone companies in advance to make the

changes, there is no centralized method for telling the uncounted businesses and other large institutions that may have private networks. Ariella Ben-Dov, who lives in San Francisco, tried to call a friend in Philadelphia with the new 267 area code. "I dialed her number, and got a recorded message saying do not dial a 1 before the number. I thought I had misread the number," Ben-Dov said. "So I did it again, and then I tried it without the one, and they said the number was disconnected ... I thought I was having a dyslexic brain hiccup." So Ben-Dov called the operator, who said the 267 number didn't exist. She called her long-distance company, which told her her local phone company had to fix its wiring. She called her local company, which said it was her long-distance company's fault. She finally had her long-distance company dial the number and reached her friend. "It is enough to make you go insane," Ben-Dov said.

It is unclear who, if anybody, is responsible for helping to fix area code rejection problems. The North American Numbering Plan Administrator, Lockheed Martin, says its job is only to assign and oversee the supply of area codes, not fix problems. The Federal Communications Commission says it is up to the phone companies and state public utility commissions to resolve problems. The Pennsylvania Public Utility Commission says it has the authority to make telephone companies in Pennsylvania adopt the new codes, but it has no authority out of state. Bell Atlantic says it has no authority to force other telephone companies or businesses to make the necessary changes. "Everyone expects some difficulty but they also expect some resources to address those difficulties on a timely basis," Miller said.

To fix its problems, Muhlenberg enlisted the help of vendors, parents, students, alumni and others to complain to their local phone companies or corporate telecommunications departments. "As I began to understand the difficulty," Miller said, "it could be there is no one agency or authority that could really affect the problem, unless you go on the 7 p.m. news on all shows and broadcast that 484 really is an area code and that anyone responsible should go back to the office and fix it." Bell Atlantic customers who think they may have problems with the new Pennsylvania area codes should call the phone company at 800-275-2355. ----- To see more of The Philadelphia Inquirer, or to subscribe to the newspaper, go to <http://www.philly.com> (c) 1999, The Philadelphia Inquirer. Distributed by Knight Ridder/Tribune Business News.

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

In the Matter of :
:
Common Carrier Bureau Seeks Comment On : NSD File No. L-99-101
The Pennsylvania Public Utility Commission's :
Petition For Delegation Of Additional :
Authority To Implement Number Conservation : DA 00-281
Measures :

I hereby certify that I have this day served a true copy of the foregoing document,
Pennsylvania Office of Consumer Advocate's Comments, upon parties of record in this proceeding.

Dated this 14th day of March, 2000.

Respectfully submitted,



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Assistant Consumer Advocate

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