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Attorney for the Commission Staff

## **BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	
<b>NEUSTAR, INC., ON HEBALF OF THE IDAHO</b>	)	<b>CASE NO. GNR-T-15-06</b>
<b>TELECOMMUNICATIONS INDUSTRY, FOR</b>	)	
<b>APPROVAL OF NUMBERING PLAN AREA</b>	)	<b>COMMENTS OF THE</b>
<b>RELIEF FOR THE 208 AREA CODE.</b>	)	<b>COMMISSION STAFF</b>
	)	

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**COMES NOW** the Staff of the Idaho Public Utilities Commission, by and through its Attorney of record, Brandon Karpen, Deputy Attorney General, and in response to the Notice of Application and Notice of Modified Procedure issued in Order No. 33355 on August 6, 2015, in Case No. GNR-T-15-06, submits the following comments.

### **BACKGROUND**

On July 21, 2015, Neustar, Inc. filed an Application seeking approval to implement a "Relief Plan" for the 208 area code, which has been projected to run out of available prefixes in mid-2018. Neustar made this Application in its capacity as the administrator of the North American Numbering Plan ("NANP"), and on behalf of the Idaho telecommunications industry ("Industry").<sup>1</sup> Neustar's proposed Relief Plan includes the addition of a new area code for the entire State of Idaho, which is currently served only by the 208 area code. Neustar further

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<sup>1</sup> Industry is composed of current and prospective telecommunications carriers operating in, or considering operations within, the 208 area code of Idaho.

recommends a 16-month implementation period. The proposed overlay relief plan will require all customers to dial 10 - digits for all local telephone calls and 1 + 10 digits for long-distance calls.

In April 2015, Neustar reported that the 208 number plan area (“NPA”) is projected to exhaust during the second quarter of 2018. Due to the projected exhaustion of available numbers, Neustar notified the Industry on April 14, 2015, that area code relief needed to be addressed. On June 9, 2015, Neustar conducted a conference call with Industry representatives to discuss relief alternatives. Specifically, two relief options were discussed: (1) overlaying a new area code for all services (“Overlay”); and (2) splitting the state into two or more area codes (“Split”).

With an Overlay, a new area code would be superimposed over the existing 208 NPA. All existing customers would retain their current 208 area code and their current phone number. With the Overlay, customers would be required to dial ten digits (area code + the telephone number) for all calls. Neustar claims that the Overlay alternative has a projected life of 66 years. *Id.* at 4.

With the Split alternative, Idaho would be split into two distinct geographic areas and a new area code would be assigned to one area. The other area would retain the 208 area code. The Split plan would require ten-digit dialing between different area code areas. However, within the same area code, seven-digit dialing would be permitted. The Idaho customers who receive the new area code would have to abandon their current 208 area code numbers and be assigned a new area code for their telephone number. Neustar stated in its Application that “the proposed boundary line would run along rate center boundaries starting at the Oregon border between Riggins and New Meadows rate centers and [would continue] east and then turn southward ending at the Nevada border between the Three Creek and Oakley rate centers.” *Id.* at 3-4. According to Neustar, the area north and east of the boundary line has a projected life of 68 years, and the southwestern portion has a projected life of 65 years. *Id.* Neustar has not proposed which geographic area would keep the 208 area code.

During the June conference call, Industry representatives discussed the attributes of both alternatives. Participants on the conference call included incumbent local exchange carriers, competitive local exchange carriers, cellular carriers, broadband carriers, Commission Staff, and Neustar Relief Planning experts. *See* Exhibit A at 9. At the conclusion of the call, a consensus

was reached to recommend that the Commission adopt the all-services overlay with a 16-month implementation schedule, as follows:

EVENT	TIMEFRAME	DATE
Total Implementation Period	16 months	-
Start Network Preparation and Customer Education	6 months	TBD
Start of Permissive 7-digit and 10-Digit Dialing Period (Calls within 208 NPA can be dialed using 7 or 10 digits) and continued Customer Education	9 months	TBD
Mandatory dialing at the end of the Permissive Dialing Period during 4Q2017	-	TBD
First Code Activation after end of Permissive Dialing Period (Effective date for codes from new NPA)	1 months	TBD

Neustar has indicated that the Commission has some flexibility in choosing implementation dates on the proposed schedule. *See Exhibit A at 7.* In setting dates, Neustar has encouraged the Commission to give serious consideration to what time of year is best to introduce dialing changes, as well as the length of time to allow for permissive dialing. Neustar recommends that the Commission avoid major holidays and tourism seasons. Finally, Neustar recommends that mandatory dialing begin six months prior to the forecasted exhaust for the 208 NPA, which would be fourth quarter 2017.

Neustar has requested that this Application be processed under Modified Procedure.

## STAFF REVIEW

Beginning in 2002, the Commission began a proactive approach to extending the 208 area code as it was approaching exhaust back then. Some of the actions taken by the Commission were rate center consolidation, mandatory Thousand-Block-Number Pooling and reclamation of unused blocks/uncontaminated numbers from carriers. This activity was able to stave off exhaust for 16 years. The current exhaust date is second quarter 2018, which in accordance with the NPA Code Relief Planning and Notification Guidelines, is typically thirty-

six months. Because of this requirement, Staff began its investigation into exhaust relief planning at that time.

For its review, Staff looked at public comments, national trends (geographic splits/all-services overlays), technological advances and associated requirements. Because Idaho has been successful at maintaining the 208 area code there was a large amount of national data to use when assessing what method would be the most beneficial for Idaho consumers.

### **Public Comments**

As of September 23, 2015, the Commission had received 39 written comments from the public. Of those commenters; 28% were in favor of an overlay, while 67% recommended a geographic split. Two public commenters proposed options that are technically not achievable. On September 22, 2015, the Commission received joint comments from sixteen Idaho carriers. The telecommunication carriers unanimously supported NANPA's overlay recommendation "as stated in the NANPA's July 21, 2015 application."

Most of the customers in favor of the geographic split have expressed a desire to keep their current 208 area code phone number and proposed that those customers outside of the split area be assigned the new area code. Customers in favor of the all-services overlay cite concerns of costs associated with geographic splits for businesses having to obtain new phone numbers, billing invoices, business cards, advertisement, signage on vehicles, etc. There were also arguments from residential customers concerned about the inconvenience if they were assigned a new area code.

Staff agrees with the customers and Telecommunications carriers who favored the all-services overlay. Staff believes it is fiscally sound to assign the new area code to new Idaho customers and to implement ten digit dialing. It also avoids the question of choosing which customers were to keep the 208 area code and who would have to change their numbers, which would be the case if a geographic split were favored. Moreover, a split may be cost prohibitive for businesses and inconvenient for half the states population.

### **National Trends - Geographic Split vs All-Services Overlay**

Staff has been reviewing the common practices throughout the United States. It has been eight years since a geographic split was implemented. Time has proven that with an all-services overlay customers have been able to adjust to ten digit dialing much more readily than those

states where a geographic split was used. For states that have enacted a geographic split, ultimately those decisions were reversed and an overlay was implemented.<sup>2</sup>

At the point when the vast majority of dialing plans are mandatory 10-digit dialing, the FCC accepted a “Best Practice” recommendation from the North America Numbering Council (NANC), wherein the NANC recommended that an overlay be the Commission’s position as it comports with the industry’s recommendation as a state’s option to choose the best means of implementing area code relief for its citizens. *See FCC Order DA 14-842*. The reasons cited for this recommendation were that the vast majority of dialing plans are mandatory 10-digit dialing and most customers no longer “dial” a number because the person/business being called are stored in mobile/smart phone applications.

From an industry standpoint, an overlay is much more efficient and technically sound. With a geographic split all carriers would have programming and translation challenges. The potential of a number being programmed incorrectly may result in a customer not being able to call out or receive calls. With an overlay, the potential for mistakes is significantly reduced and the process is much more efficient.

### **Technological Advances in the Telecommunications Industry**

Currently, many carriers are converting their networks over to all IP networks.<sup>3</sup> This is being done so that newer network routing technologies can be utilized for new technological service offerings such as Voice over Internet Protocol (“VoIP”). These new technologies are increasingly requiring 10-digit dialing platforms. The Federal Communications Commission has opened many dockets to address these technological advances and is currently investigating an eventual all IP network. Eventually, there will come a time where 10-digit dialing will be

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<sup>2</sup> West Virginia PSC (Case No. 00-953-T-PC), February 13, 2008, *Order Granting Petition for Reconsideration and Ordering an Overlay for 304 Area Code* “the Commission was persuaded by two key themes that were repeated in the requests to reconsider the Order: (i) the geographic split would have imposed a disproportionate economic burden on that portion of the state being required to switch to the new area code and (ii) those individuals and businesses familiar with the ten-digit dialing requirements imposed by other overlay plans in adjoining or other states indicated that the current technology and programming of phones and cellular phones alleviated most of the problems that formerly existed with ten-digit dialing and that ten-digit dialing becomes second nature within a short period of time.”

<sup>3</sup> The Internet Protocol. IP is the most important of the protocols on which the internet is based. The IP Protocol is a standard describing software that keeps track of the Internet’s addresses for different nodes, routes outgoing messages, and recognizes incoming messages.



required, therefore it is beneficial for Idaho to move toward this dialing platform in anticipation of the advances that are underway.

## STAFF RECOMMENDATIONS

There have been no geographic splits implemented since October 2007. The nation is already making progress in moving toward a consistent 10-digit dialing plan as area code overlays have become the prevalent method of area code relief implemented for almost a decade.

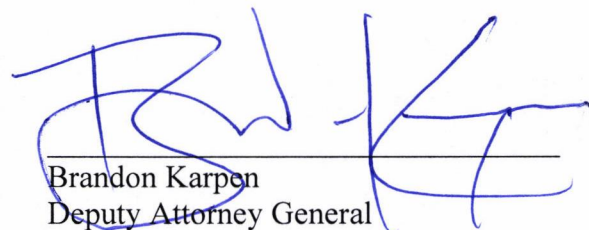
Overlays eliminate the need for consumer number changes, treat all consumers fairly, are simpler to implement from a technical standpoint and subsequent relief is easily implemented when needed through an additional overlay. Because 10-digit local dialing is a federal requirement for overlays, overlays essentially pave the way for an eventual nationwide 10-digit dialing plan.

Staff recommends the Commission adopt the all-service overlay presented in the North American numbering Plan Administrator's Relief Plan and supported by the Joint Telecommunications Carriers' comments.

Staff recommends that with the overlay, 10-digit mandatory dialing be implemented. Staff further recommends that all Telecommunications providers launch a comprehensive educational program for each companies' Idaho customers.

Finally, when the Industry finalizes its 16 month implementation plan, an informational notice be filed with the Commission.

Respectfully submitted this 5<sup>th</sup> day of October 2015.

  
Brandon Karpen  
Deputy Attorney General

Technical Staff: Carolee Hall

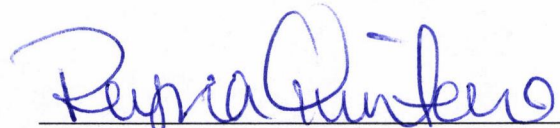
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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT I HAVE THIS 5<sup>th</sup> DAY OF OCTOBER 2015, SERVED THE FOREGOING **COMMENTS OF THE COMMISSION STAFF**, IN CASE NO. GNR-T-15-06, BY MAILING A COPY THEREOF, POSTAGE PREPAID, TO THE FOLLOWING:

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