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BEFORE THE

PUBLIC SERVICE COMMISSION OF WISCONSIN

Investigation of Area Code Relief for the 715 Area Code in Northern Wisconsin — 5-TN-100

FINAL DECISION

This is the Final Decision regarding the introduction of another area code in the portion of northern Wisconsin currently served by the 715 area code. This Final Decision requires the telecommunications industry to implement an all-services overlay in the geographic area currently served by the 715 area code.[1]

Introduction

NeuStar, in its role as the North American Numbering Plan Administrator (NANPA), is responsible for assigning new central office codes (NXX codes)[2] to telecommunications providers, for monitoring the usage of NXX codes within an area code and for forecasting when an area code will most likely exhaust and require relief.[3] The NANPA notifies the appropriate state regulatory commission, as well as the telecommunications industry, three years in advance of when an area code is expected to run out of available NXX codes.

The NANPA, in its role as a neutral third party administrator, and on behalf of Wisconsin's telecommunications industry (Industry), originally filed a petition for relief in the

[1] A map of the 715 area code is attached. NeuStar has informed the Commission that the new area code to be overlaid on the 715 area is area code 534.
[2] An NXX code or central office code is the first 3 digits of a standard 7-digit telephone number.
[3] Exhaust means that there are no assignable NXX codes left for use in an area code; relief means the addition of another area code to an area covered by an existing area code—either by splitting the current area code or by overlaying a new code over the existing area code.

715 area code on August 12, 2002. At that time, the 715 area code was expected to exhaust by the second quarter of 2005. However, conservation measures and more efficient mechanisms for allocating numbering resources were subsequently implemented, thus decreasing the demand for numbering resources in the 715 area code.[4]

On January 29, 2007, NANPA notified the Commission that area code relief planning activities needed to resume for the 715 area code. At that time, NANPA anticipated that the 715 area code would run out of available NXXs by the fourth quarter of 2009. This expected exhaust date has since shifted slightly; as of NANPA's November 2008 forecast, the 715 area code is expected to exhaust in the third quarter of 2011.[5]

The relief petition filed by NANPA reflected Industry's consensus decision[6] to recommend an all-services overlay as its preferred method of relief in the 715 area code. The

[4] Specifically, mandatory thousands-block number pooling was implemented in 25 of the 253 rate centers located in the 715 area code on August 6, 2003. Thousands-block pooling involves breaking up the 10,000 numbers in a NXX code into ten sequential blocks of 1,000 numbers. All of these numbers are assigned to a single rate center, but can be allocated to multiple service providers in thousands-block increments. NeuStar, in its role as the national Pooling Administrator (PA), estimates that these initial mandatory pooling efforts saved at least 67 central office codes in the 715 area code.

[5] Various number conservation efforts, including thousands-block number pooling, have proven to be valuable tools in achieving the postponement of relief planning, both in Wisconsin and across the nation. During the last year, Commission staff worked to expand industry participation in thousands-block number pooling by working with telecommunications providers on a case-by-case basis to recover numbering resources that might otherwise have been stranded. Staff also contacted all providers with numbering resources in Wisconsin to solicit widespread voluntary donations to the number pool in all five area codes. Finally, the Commission petitioned the Federal Communications Commission (FCC) for delegated authority to implement mandatory thousands-block number pooling in rate centers in which such action could possibly extend the life of the 715 and 920 area codes. The FCC granted Wisconsin's petition on August 24, 2007. On December 20, 2007, the Commission ordered all non-exempt providers in the 715 and 920 area codes to participate in mandatory thousands-block number pooling by May 1, 2008 (Implementation of Mandatory Thousands-Block Number Pooling in the 715 and 920 Area Codes in Wisconsin, Final Order, Docket 5-TN-109, Issued December 21, 2007). According to the Pooling Administrator, 764 thousand-number blocks (or the equivalent of 76 NXX codes) were recovered in the 715 area code from December 21, 2007, through July 31, 2008.

[6] Though submitted as the Industry consensus plan, some individual telecommunications providers in Wisconsin would prefer a split alternative.

petition also included five geographic split alternatives for the Commission's consideration, in the event that Industry's overlay recommendation was not selected.

The Commission conducted several public hearings on 715 area code relief and received comments from many dozens of consumers. The Commission considered this matter at its open meeting of November 6, 2008.

Findings of Fact

1. The combined effects of new technologies, new telecommunications providers requiring their own telephone numbering inventories and the increased demand for telecommunications services in general have strained existing telephone number resources.
2. Absent area code relief, the supply of available NXX codes in the 715 area code is expected to exhaust in the third quarter of 2011.
3. Area code relief is necessary in the 715 area code to ensure that an adequate supply of telephone numbers is available for assignment.
4. Area code relief is typically provided by implementing either an overlay or a geographic split. Both methods of area code relief satisfy the criteria for relief established by the FCC. [7]
5. "Industry-specific" or "wireless-only" overlays are prohibited by the FCC and are therefore not viable options for the Commission to consider in this proceeding.
6. An overlay is a reasonable method of area code relief; overlays have been successfully implemented in many other areas of the United States.

[7] 47 C.F.R. § 52.19.

7. An overlay does not create perceived "winners" and "losers" as all customers are treated equally and are allowed to retain their 10-digit telephone numbers.
8. An overlay allows for a more efficient use of numbering resources within the area code as NXXs from the new area code are available for assignment wherever demand exists.
9. A geographic split requires about half the customers of an area code to change their area code. Many customers therefore face the need to modify any written materials (advertising, letterhead, business cards, etc.) that include their telephone numbers. An overlay eliminates the potential financial hardship on those commercial customers who would be forced to change their area code if a split alternative were chosen.
10. With an overlay, the FCC requires that all calling, even local calling within an area code, be dialed on a 10-digit basis; callers must dial the area code for all calls.
11. An overlay can minimize the technical difficulties often associated with local number portability (LNP) requirements and the need to change wireless handsets when a geographic split is implemented.
12. The Commission has the authority to prescribe a relief plan that best meets the public interest. The public interest is best served in this proceeding by implementing an overlay to provide the necessary relief in the 715 area code.
13. Implementing area code relief can be a difficult transition for all affected customers. However, experience with other relief planning efforts, both in Wisconsin and across the country, has shown that allowing adequate time for network preparation and consumer education makes the introduction of any relief alternative easier for the public.

14. A period of approximately 19 months to implement an overlay of the 715 area code will enable the efficient introduction of a new area code in this part of the state. This implementation period will include 9 months for telecommunications industry network preparation and consumer education efforts, followed by a 9-month permissive dialing period. This implementation schedule will also allow for efficient coordination with the implementation of area code relief in the 920 area code, which is adjacent to 715.[8]
15. Industry is responsible for informing and educating consumers about this area code relief effort and schedule. The Commission staff will work with Industry and NANPA to develop needed education and information materials to assure effective notification to the public.

Conclusions of Law

1. The FCC has plenary jurisdiction over the North American Numbering Plan (NANP).
2. The FCC has delegated to this Commission the ability to oversee the selection and implementation of an area code relief plan.
3. The Commission has jurisdiction and authority under Wis. Stat. §§ 196.02 and 196.37, and as delegated by the FCC pursuant to 47 C.F.R. § 52.19, to make the above Findings of Fact and to issue this Final Decision.

Opinion

In recent years, the prevalence of telecommunications technologies in everyday life has increased tremendously. Many households no longer have a single telephone number for the

[8] Area code relief for the 920 area code is addressed by a Commission order in docket 5-TN-106.

entire family. Instead, customers often have multiple telephone lines, multiple cell phones and Internet access. Business customers also have many telephone number needs. The combined effects of new technologies (i.e., OnStar, Voice over Internet Protocol), new telecommunications providers requiring their own telephone numbering inventories to serve customers and the increased demand for telecommunications services in general (such as cellular phones, pagers, fax machines, modems, alarms and internet access) have strained existing telephone number resources, both in Wisconsin and across the country. This rapid growth in demand for telephone numbers has resulted, in many places, in a condition known as area code "exhaust." An area code reaches exhaust when all of the available NXX codes within that area code have been assigned to telecommunications providers.[9] Area code relief must then be implemented to ensure that an adequate supply of telephone numbers remains available for assignment.

FCC Area Code Relief Standards

The FCC has primary jurisdiction under the Communications Act over all matters related to telephone numbers. It has established rules on area code relief and, through delegation to industry working groups, has established guidelines that relate to how area code relief can and should be undertaken. The FCC has delegated authority to state commissions to resolve issues regarding the introduction of new area codes within their states. Such matters may include, but are not limited to: directing whether area code relief will take the form of a geographic split,

[9] Prior to the national rollout of mandatory thousands-block number pooling, NANPA assigned numbers to a telecommunications provider by full NXX code. As more NXX codes in the area code are assigned, the area code approaches exhaust, thus creating the need for relief. There are 792 NXX codes available for assignment in each area code. As of October 15, 2008, only 87 of 792 NXX codes remained available for assignment in the 715 area code.

boundary realignment or an overlay area code; establishing new area code boundaries; establishing dates for the implementation of area code relief plans and directing public education efforts regarding the area code changes.[10] Area code relief plans must ensure that numbering resources are made available in an efficient and timely basis; that a particular industry segment or group of customers are not unduly favored or disfavored by the relief method selected and that one telecommunications technology is not favored over another.[11]

The FCC's rules specify that new area codes may be introduced through the use of a geographic area code split, an area code boundary realignment[12] or an all-services area code overlay. In this investigation, the Commission examined the overlay and geographic split options for 715.[13]

Methods of Area Code Relief

An overlay occurs when more than one area code serves the same geographic area. Relief is provided by introducing a new area code within the same geographic region as the area

[10] 47 C.F.R. § 52.19(a)
[11] 47 C.F.R. § 52.9
[12] Area code boundary realignment occurs when the boundary lines between two adjacent area codes are shifted to allow the transfer of some NXX codes from an area code with a significant number of NXX's available for assignment to an area code that has few or no NXX codes remaining. This alternative was not identified as a viable relief option in this proceeding because the area codes adjacent to the 715 area code (particularly 920) are also approaching exhaust. As of November 2008, the 920 area code is expected to exhaust in the second quarter of 2012, while the 608 area code is expected to exhaust in the first quarter of 2017.
[13] Perhaps the most common suggestion from the public facing the prospect of an area code change is to create an area code that is used only for wireless services, fax machines or other non-wireline, non-voice uses such as credit card verification. However, the FCC has indicated that this type of use for area codes is not permitted. The FCC restricts the ability of states from approving area code relief plans that exclude a particular type of telecommunications service from an area code or those relief plans that segregate services and/or technologies into different area codes. The FCC's decision sought to protect new telecommunications services from discrimination or disadvantage. For example, if a new area code were assigned only to cellular services, all local calls between a cellular customer and a wireline customer would require 10-digit dialing, while a wireline-to-wireline call could be made by dialing 7 digits. Such a dialing disparity was found to favor wireline customers at the expense of cellular customers. Also, through LNP, wireline numbers can now be ported to a wireless service provider and vice versa. This co-mingling of numbers and technologies effectively prevents these services from being separated by area codes.

code that is exhausting. With an overlay, all current customers keep their area code and 7-digit telephone numbers. Eventually, in some locations, telephone numbers with the new area code will be assigned to new customers requesting service, as well as to existing customers ordering additional lines. Because both area codes will reside within the same geographic area, all local calls must be dialed using the area code and the 7-digit telephone number (commonly referred to as "10-digit dialing").[14] In addition:

- Overlays avoid the need for public and political involvement concerning split boundaries and determining which side of the split line should retain the old area code.
- An overlay will not require existing customers to change their area code. There is no need to revise stationery, business cards and advertising unless these printed materials contain only 7-digit telephone numbers.
- An overlay may require some customers to adjust their automatic dialers, other telephone equipment or call forwarding arrangements to incorporate the area code on all dialed calls.
- Calling areas and rates are not impacted by an overlay. Calls that were considered local before the introduction of the new area code will remain local calls. Calls that were considered long distance before the new area code will remain long distance calls.

[14] The FCC's rules, 47 C.F.R. § 52.19(c)(3)(ii), require 10-digit dialing when an overlay is implemented. This mitigates a dialing disparity between those customers assigned telephone numbers in the old area code and those assigned numbers in the new area code. The 10-digit dialing requirement also avoids disadvantaging newer providers (and their customers) and promotes the goal of having a numbering system that is competitively neutral.

If an overlay is selected, the new area code is introduced in four steps. These steps allow for a network preparation period and are designed to guide consumers by familiarizing them with the new area code and the dialing changes that will be required with an overlay.

1. **Network Preparation Period:** During the network preparation period, Industry prepares the telecommunications network for the necessary modifications to accommodate the overlay and develops its customer education materials.
2. **10-Digit Permissive Dialing:** During a permissive 10-digit dialing period, customers are educated (through advertising, bill inserts, media sources and public announcements) about the upcoming changes and are encouraged to begin using the current area code and the 7-digit number to place all local calls within the area code. However, during the permissive period, local calls will still complete if a caller dials only the 7-digit number. During this transitional period, all impacted customer-owned equipment such as life safety systems, alarms, PBX's, fax machine calling lists, speed dialers, private entry access systems, auto-dialers and dialing lists on personal computers should be reprogrammed.
3. **Mandatory 10-Digit Dialing:** Mandatory 10-digit dialing begins at the end of the formal permissive dialing period. Callers must use the area code and the 7-digit number for all local calls.[15] Calls incorrectly dialed using only 7 digits will be transferred to a recording that will inform the calling party that it is necessary to dial the area code and the 7-digit telephone number in order to complete the call.

[15] Although the manner in which local calls are made changes once mandatory 10-digit dialing begins in an overlay area code, the manner in which long distance calls are made does not. That is, except for the dialing plans of some wireless companies in which a "1" is not needed, long distance calls still require the caller to dial 1 + the area code + the 7-digit telephone number.

4. **Introduction of the New Area Code:** Numbers with the new overlay area code may start being introduced shortly after mandatory 10-digit dialing begins.

An overlay is Industry's preferred method of relief. Industry argued that an overlay would create a simple, uniform dialing plan throughout the 715 area code, reduce customer confusion and minimize the impact of area code relief efforts on small business customers and Wisconsin's tourism industry. Industry recommended a 19-month implementation schedule that would allow for a 9-month network preparation and customer education period, followed by a 9-month permissive dialing period. NXX code assignments from the new area code may become effective one month after the permissive dialing period ends. An overlay of the 715 area code has a projected life of 22 years.

The second method of providing area code relief is a geographic split. With a split, the geographic area served by an existing area code is split into two smaller areas. One of the sections retains the existing area code while the other section receives a new area code. As a result, splits require an area code change for approximately one-half of the customers. Stationery, business cards, advertising and other written materials that include a telephone number need to be revised by those customers receiving the new area code. In addition:

- Splits maintain a single area code for each geographic area. This may minimize confusion for some callers from outside of the area.
- Geographic splits permit 7-digit local dialing within the area code.
- Though the area code for some customers is changed, there is no change to any customer's 7-digit telephone number.

- Calling areas and rates are not impacted by a split. Calls that were considered local before the introduction of the new area code will remain local calls. Calls that were considered long distance before the new area code will remain long distance calls.

If a split is selected, the new area code is introduced in four steps. These steps allow for a network preparation period and are designed to guide consumers, familiarize them with the new area code and facilitate the correct use of the new area code:

1. **Network Preparation Period:** During the network preparation period, Industry prepares the telecommunications network for the necessary modifications to accommodate the split and develops its customer education materials.

2. **Permissive Dialing:** During the permissive dialing period, callers can reach numbers in the area assigned the new area code, whether they dial the old area code or the new area code when placing calls. During this transitional period, customers are educated (through advertising, bill inserts, media sources and public announcements) about the upcoming changes and should make an effort to begin using the new area code. The permissive dialing period begins with the introduction of the new area code and generally lasts several months. This provides a "get acquainted" transition period for the new area code. During this time, all impacted customer equipment such as life safety systems, alarms, PBXs, fax machine calling lists, speed dialers, private entry access systems, auto-dialers and dialing lists on personal computers should be reprogrammed.

3. **Mandatory Dialing:** When permissive dialing ends, calls to customers in the new area code must be dialed using that new area code. When mandatory dialing goes into effect,

an intercept recording period will begin. At that time, callers must use the appropriate area code for the geographic area they are calling.

4. **Recorded Announcement Period:** Once mandatory dialing begins, incorrectly dialed calls will be referred to a recorded announcement informing the calling party that the new area code must be used in order to complete the call. After the recording period ends, callers who do not use the correct area code may reach a "not in service" recording or a wrong number.

Although the petition filed by NANPA reflected Industry's consensus decision to recommend an overlay as its preferred method of relief in the 715 area code (referred to in the petition as Alternative 1), the petition also included five potential geographic split alternatives for the Commission's consideration. The split options had differing delineation between the old and new area codes. NANPA identified the split options as Alternatives 2-6. Though favoring an overlay, Industry indicated that if the Commission chose a split option, it recommended Alternative 6. All five split alternatives are described in detail in NANPA's petition. Alternative 6 was selected by Industry because it approximates existing Local Access and Transport Area (LATA) boundary lines and is considered by Industry to be the least disruptive of all split plans. The proposed split boundary line for this alternative runs along rate center boundaries in a north to south direction west of Land of Lakes and curves north of Minocqua and Lac du Flambeau and then turns south and runs west of Tomahawk and north of Rib Lake, creating two new areas. The western area is referred to as "Area A" and the eastern portion is referred to as "Area B." Industry did not specify whether Area A or Area B should retain the existing 715 area code.

Area A has a projected life of 19 years to exhaust, while Area B has a projected life of 24 years to exhaust.

Public Comments

The Commission worked extensively to inform the public of the pending relief efforts in the 715 area code, to educate the public about the potential relief alternatives and to solicit both public and Industry comments in this proceeding.[16]

Commission staff, accompanied by Wisconsin's area code relief planner from NANPA, also conducted nine public hearings throughout the 715 area code during the week of September 17, 2007.[17] In addition to the input received at these hearings, 194 comments were filed directly with the Commission.[18] Of these comments, approximately 63 percent of the respondents favored a geographic split, 32 percent favored an overlay, 3 percent had no preference, and 2 percent suggested that the Commission consider a wireless overlay.[19] While the majority of the public comments supported a geographic split, it is not clear if these respondents would continue to favor a split if they were on the "losing" side of the split line and required to change their area code.

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[16] A Notice of Investigation was issued on August 31, 2007, requesting comments on the 715 area code relief efforts. The public was able to file comments in person, by U.S. mail, fax or electronically via the Commission's Electronic Regulatory Filing (ERF) System. Comments were originally due no later than October 5, 2007. However, a Supplemental Order was issued on October 3, 2007, extending the deadline to file comments to October 24, 2007. Staff continued to receive comments after October 24, 2007. Therefore, an order was issued on January 28, 2008, accepting late filings made between October 24, 2007, and January 27, 2008.

[17] Public hearings were held in River Falls and Eau Claire on September 17, in Wausau and Marinette on September 18, in Rhinelander and Ashland on September 19, in Hayward and Superior on September 20 and in Medford on September 21, 2007.

[18] These filings include public, Industry and legislative comments.

[19] As previously stated, FCC rules do not favor the implementation of area code relief plans that exclude a particular type of telecommunications service from an area code or those plans that segregate services and/or technologies into different area codes. Therefore, a wireless overlay is not a viable option for relief in the 715 area code.

Of those parties favoring a geographic split, most felt that a split would minimize customer confusion, especially for senior citizens, young children and those speaking English as a second language. Many felt that the benefits of maintaining 7-digit dialing, as well as maintaining a unique geographic identity, far outweighed the short-term inconvenience and expense that some customers will experience if their area code changed. Most felt that this alternative would involve a minimal adjustment period compared to the long-term consequences of 10-digit dialing and the confusion that may result from two area codes operating simultaneously within the same geographic area. Most respondents that supported a split did not express a preference about where the split line should be drawn, or which area should maintain the 715 area code.

Three individuals supporting a split alternative suggested that the Commission consider implementing a three-way split throughout the 715 area code to greatly expand the projected lives of each area code. However, just as there are a finite number of NXX codes within each area code, there are a finite number of area codes available in the NANP. Current projections suggest that the NANP may run out of assignable area codes by the mid 2030's. Therefore, new area codes are not assigned to a state unless a current need for that area code exists.[20] Three other individuals suggested that the Commission consider using major highway corridors, such as Interstate 94 or U.S. Highway 29, or county lines as potential area code boundary lines. However, established relief planning guidelines require area

[20] A two-way geographic split was the relief method under consideration in this proceeding. Although it is possible to do a three-way split (or more), thus delaying the need for future area code relief efforts in these areas, such action is not practical or favored for several reasons. First, it could arguably aggravate the confusion among the public by having two (or more) new area codes being introduced at the same time. Second, area codes themselves are a scarce numbering resource. Assigning more than one in a state, where it is not needed, could lead to a premature exhaust of area codes available in the NANP. Third, the forecasted demand for NXX codes in the 715 area code does not warrant a three-way split.

code boundaries to follow rate center boundaries, thus eliminating these suggestions from consideration.[21]

Of those parties who preferred an overlay, most felt that this alternative would minimize the financial impacts on local businesses.[22] Many respondents also believed it was unfair to force approximately half of existing customers in the 715 area code to experience the hardship and inconvenience of changing their area code simply to maintain 7-digit local dialing, especially in light of the widespread use of wireless services and unlimited long distance calling plans that may already utilize a 10-digit dialing scheme. Others pointed out that 10-digit dialing is probably inevitable[23] and that Wisconsin should make this transition now.

Of the 194 comments filed directly with the Commission, 9 comments were filed by telecommunications providers. Of these comments, 2 providers supported a split alternative while 7 providers supported an overlay.[24] The providers favoring a geographic split cited the following reasons:

- A spilt maintains 7-digit dialing for local calls made within the area code. The 10-digit dialing requirement with an overlay takes away from the "ease of use" valued by customers.
- A split maintains an area code's unique geographic identity, which is also valued by customers.

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[21] See ATIS-0300061, Alliance for Telecommunications Industry Solutions (ATIS), Industry Numbering Committee (INC) NPA Code Relief Planning and Notification Guidelines, Section 2.11, November 9, 2007.

[22] Although the business customers supporting an overlay frequently cited the potential financial hardships associated with a split (i.e., costs to change advertising, signage and paper products, as well as the potential for lost business), most did not quantify these costs.

[23] Overlays (and the 10-digit dialing) are becoming increasingly common across the country.

[24] Amery Telecom and Lakeland Communications would prefer a geographic split to provide relief in the 715 area code. Powercom, T-Mobile, AT&T, Level 3 Communications, Alltel, TDS, and Verizon support the Industry's recommendation for an overlay.

The 7 providers that support Industry's recommendation for an overlay cited the following reasons:

- An overlay is significantly less expensive to implement, for consumers and Industry alike.
- Implementation of an overlay can be accomplished on a much shorter timetable, if necessary, ensuring that numbering resources are available to all service providers when needed.
- Overlays eliminate the potential financial hardship on those commercial customers who would be forced to change their area code if a split alternative were chosen.
- An overlay does not create perceived "winners" and "losers" as all customers are treated equally and are allowed to retain their 10-digit telephone numbers.
- Overlays allow for a more efficient use of numbering resources within the area code, as NXXs from the new area code are available for assignment where demand exists.
- Overlays do not divide communities of interest.
- Experience with overlays implemented across the country has shown that customers easily adapt to 10-digit dialing. Once customers have made this adjustment, future relief efforts (if necessary) would be virtually seamless by implementing additional overlays.
- Overlays represent a progressive approach to introducing additional numbering resources and are fast becoming the preferred method of area code relief adopted by state commissions across the country.
- Overlays can minimize the technical difficulties often associated with LNP requirements when a split is implemented.

- With two Wisconsin area codes (715 and 920) projected to exhaust within nine months of each other, splits occurring concurrently in these area codes could present significant challenges to Industry and unnecessary confusion for consumers and business alike.
- With an overlay, wireless customers with older telephones that cannot be programmed "over the air" will not be required to manually re-program their telephones. (This re-programming may be needed in a split scenario as some wireless phones would need to be manually adjusted to reflect the new area code.)

Of the comments filed directly with the Commission, three were from legislators. One letter expressed strong support for a geographic split (Alternative 6) that maintains the 715 area code in the northwestern portion of Wisconsin. These legislators explained that due to the proximity to the Twin Cities, millions of people and businesses in Minnesota would be negatively impacted by any area code changes implemented in western Wisconsin. Further, they noted there is a strong economic link between the Twin Cities and western Wisconsin, as well as between Duluth and Superior. These legislators pointed out that the projected exhaust date for Area A (the western part of 715) is 19 years, while the projected exhaust date for Area B is 24 years. Because the residents living in Area A may be faced with another relief effort sooner than those residents living in Area B, it is appropriate for Area A to maintain the 715 area code.

Another legislative letter also expressed support for a split; however, this letter argued that the 715 area code should be assigned to the eastern part of 715. They noted that the northwestern region of Wisconsin is growing at an alarming rate and that commuting to the Twin Cities for work-related purposes has become commonplace. From a projected growth perspective, these legislators felt that the northwestern side of the state should receive the new

area code. These legislators pointed out that there are several large businesses located in central Wisconsin that would be negatively impacted by an area code change. In addition, this east-central part of the state is home to a growing population of residents who speak English as a second language. This part of the state also has the largest per-capita Senior Care enrollment. These legislators felt an area code change would cause undo confusion for this particularly vulnerable segment of the population.

A third legislative comment did not support any specific Industry alternative; however, it expressed strong support that the Northwood's area of Wisconsin retains the 715 area code. This comment cited the difficulties that an area code change would cause for large businesses and tourist attractions located in this northeastern part of the state, as well as the confusion that low-income residents and senior citizens would experience.

During the course of this investigation, the Commission staff learned that many energy and water utilities across the state use automatic meter readers (AMR) or other monitoring devices that transmit data over telephone lines or Digital Communications Devices. Because telephone calls are a part of some AMR processes, an area code change could have a direct impact on these systems. To learn more about the potential impacts of area code relief on Wisconsin's energy and water utilities, staff sent an inquiry on this subject to several utilities and organizations. Six utilities responded to staff's inquiry.[25] Each of these utilities has AMR and/or monitoring equipment that could be impacted by the Commission's area code relief efforts. All of the utilities indicated that it would be easier and less expensive (because re-programming of

[25] St. Croix Gas, the City of Ashland, Superior Water Power & Light, Wisconsin Public Service Corporation, the City of Kaukauna and Xcel Energy responded to staff's October 2007 inquiry.

dialers would not be needed) if their area code was not changed; two specifically stated their preference for an overlay.

Coincident Area Code Relief for 715 and 920

In addition to this docket that is exploring area code relief for 715, the Commission is also looking at the relief needs for the 920 area code. NANPA has indicated that the nearly coincidental exhaust of two adjacent area codes is unique to Wisconsin.[26] The 715 and 920 area code boundaries are contiguous for about two hundred miles, from Coloma to Peshtigo. The fact that relief may be needed within a close time frame for both area codes, the geographic proximity of these areas, the need for customer education efforts in both areas and the potential for dual permissive dialing periods may create some special concerns or technical issues related to the implementation of the new area codes, regardless of the relief method selected. Providers who addressed this issue[27] maintained their support for an overlay as the easiest and least disruptive method of relief for both area codes, especially given their proximity both on the map and on the calendar. All expressed the benefits that would be achieved if there is no overlap between the relief projects for these two area codes.[28]

Discussion

The Commission finds that the public interest is best served by an all-services overlay for 715 and is the best course of action to ensure that telephone numbers are available for

[26] As previously stated, as of the November 2008 forecast, the 715 area code is projected to exhaust in the third quarter of 2011, while the 920 area code is projected to exhaust in the second quarter of 2012.
[27] Staff sent a data request to Industry on May 16, 2008, seeking input on several possible relief scenarios. Six providers, including AT&T, Verizon, Verizon Wireless, CenturyTel, T-Mobile and Sprint responded to the data request.
[28] Industry cited a variety of potential problems if an overlap in relief efforts were to occur, including unnecessary customer confusion, internal workforce planning concerns and potential implementation problems associated with intermodal LNP.

assignment, to ease the impact on Industry and customers alike and to be competitively fair. The Commission notes that an overlay minimizes the potential technical problems that may occur with a split and allows for a more efficient use of numbering resources within the area code. In addition, overlays can be implemented faster than a split with less cost for industry. The Commission also finds that an overlay does not place an undue economic burden on those businesses that would have incurred the expense and confusion associated with changing their area code had a geographic split been ordered.

Regardless of the method of relief selected for the 715 area code, there will be a significant adjustment period for affected customers. Experience with other area code relief efforts, both in Wisconsin and around the country, has shown that allowing adequate time for Industry's network preparation and consumer education efforts makes the implementation of any relief alternative easier. The Commission adopts Industry's recommendation for a 19-month implementation period for 715, which consists of a 9-month network planning period, a 9-month permissive dialing and customer education period and a 1-month "waiting period" after mandatory dialing begins before the effective date of the first NXX code from the new overlay area code. The Commission also directs Industry to work with NANPA to develop a schedule that minimizes or eliminates the overlap of relief efforts in the 715 and 920 area codes.[29] Industry shall periodically report on the status of its planning efforts and include Commission staff in its implementation meetings.

[29] Industry guidelines require that relief is in place three months prior to the projected exhaust date of the current area code. Because the 715 area code is currently forecasted to exhaust in the third quarter of 2011, area code relief must be in place no later than the second quarter of 2011. In light of the benefits of minimizing or eliminating the potential overlap between relief efforts in Wisconsin, the overlay in the 715 area code may be completed by the summer of 2010.

Customer education is always an important component of any area code relief plan. Certainly, the nearly coincidental exhaust of two adjacent area codes makes customer education even more critical in this proceeding. Each telecommunications provider is ultimately responsible for educating its customers.[30] Industry also reaches out to local governments, the private payphone and alarm associations, directory publishers as well as the E-911 Public Service Answering Points to ensure a smooth transition. The Commission directs Industry to provide copies of its customer education materials (i.e., letters, notices, or bill messages) to Commission staff for review. In addition, the Commission staff will establish a public outreach and education plan to supplement Industry's customer education efforts.

Order

1. An all-services overlay shall be implemented to provide area code relief in the 715 area code.
2. Industry shall work with NANPA to establish an implementation schedule that minimizes or eliminates overlapping relief efforts in the 715 and 920 area codes.
3. NANPA shall submit its planning letter, specifying the area code relief implementation schedule, to Commission staff by January 15, 2009.
4. Industry shall provide copies of its customer education materials to Commission staff.
5. Industry shall periodically report on the status of its planning efforts and include Commission staff in its area code relief implementation meetings.

[30] Customer education is often done via bill inserts, customer notices, news outlets and public service announcements.

6. This Final Decision shall take effect the date of mailing.

7. Commission jurisdiction is retained.

Dated at Madison, Wisconsin, December 8, 2008

By the Commission:

Sandra J. Paske

Sandra J. Paske
Secretary to the Commission

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Attachment

See attached Notice of Rights

PUBLIC SERVICE COMMISSION OF WISCONSIN
610 North Whitney Way
P.O. Box 7854
Madison, Wisconsin 53707-7854

NOTICE OF RIGHTS FOR REHEARING OR JUDICIAL REVIEW, THE TIMES ALLOWED FOR EACH, AND THE IDENTIFICATION OF THE PARTY TO BE NAMED AS RESPONDENT

The following notice is served on you as part of the Commission's written decision. This general notice is for the purpose of ensuring compliance with Wis. Stat. § 227.48(2), and does not constitute a conclusion or admission that any particular party or person is necessarily aggrieved or that any particular decision or order is final or judicially reviewable.

PETITION FOR REHEARING

If this decision is an order following a contested case proceeding as defined in Wis. Stat. § 227.01(3), a person aggrieved by the decision has a right to petition the Commission for rehearing within 20 days of mailing of this decision, as provided in Wis. Stat. § 227.49. The mailing date is shown on the first page. If there is no date on the first page, the date of mailing is shown immediately above the signature line. The petition for rehearing must be filed with the Public Service Commission of Wisconsin and served on the parties. An appeal of this decision may also be taken directly to circuit court through the filing of a petition for judicial review. It is not necessary to first petition for rehearing.

PETITION FOR JUDICIAL REVIEW

A person aggrieved by this decision has a right to petition for judicial review as provided in Wis. Stat. § 227.53. The petition must be filed in circuit court and served upon the Public Service Commission of Wisconsin within 30 days of mailing of this decision if there has been no petition for rehearing. If a timely petition for rehearing has been filed, the petition for judicial review must be filed within 30 days of mailing of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition of the petition for rehearing by operation of law pursuant to Wis. Stat. § 227.49(5), whichever is sooner. If an *untimely* petition for rehearing is filed, the 30-day period to petition for judicial review commences the date the Commission mailed its original decision.[31] The Public Service Commission of Wisconsin must be named as respondent in the petition for judicial review.

If this decision is an order denying rehearing, a person aggrieved who wishes to appeal must seek judicial review rather than rehearing. A second petition for rehearing is not permitted.

Revised July 3, 2008

[31] *See State v. Currier*, 2006 WI App 12, 288 Wis. 2d 693, 709 N.W.2d 520.

Wisconsin 715 NPA and 534 NPA Overlay Rate Center Map

Produced by CDS Business Mapping, LLC 11/2008