

STATE OF MICHIGAN
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter to consider implementation of a relief	)	
plan for the 313 numbering plan area.	)	Case No. U-21337
_____	)	
	)	
In the matter, on the Commission's own motion, to	)	
consider implementation of a 313 area code relief	)	Case No. U-12880
plan.	)	
_____	)	

At the January 19, 2023 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Daniel C. Scripps, Chair
Hon. Tremaine L. Phillips, Commissioner
Hon. Katherine L. Peretick, Commissioner

ORDER AND NOTICE OF HEARING

The 1999 Central Office (CO) Code Utilization Survey's projected demand for new CO codes (referred to as NXX codes) indicated that the still-available NXX codes in the 313 numbering plan area (NPA or area code) could be exhausted by the first quarter of 2000. Based upon the projected exhaustion date and an unanticipated increase in the demand for NXX codes within the 313 area code, the North American Numbering Plan Administrator (NANPA) (which, at that time, was a company called NeuStar, Inc. (NeuStar)), notified the Commission on May 28, 1999, that relief planning for the 313 area code needed to be addressed as soon as possible.

On July 14, 1999, members of the telecommunications industry met with NeuStar to discuss long-term relief alternatives for the 313 area code. Those alternatives included proposals to

implement various geographic splits or overlays.¹ As a result of that meeting, and on behalf of both itself and the industry, NeuStar prepared a petition for 313 area code relief (the 2000 petition) in which an all-services distributed overlay was recommended as the preferred means of relief.

Because the state statutes then in effect did not allow the Commission to assert jurisdiction over the proposed area code relief plan, on April 20, 2000, NeuStar submitted the 2000 petition to the Federal Communications Commission (FCC) for review and approval. However, on July 17, 2000, Governor John Engler signed into law Public Act 295 of 2000, which amended the Michigan Telecommunications Act, 1991 PA 179, MCL 484.2101 *et seq.* (MTA). Among other things, the amendments granted the Commission authority to address proposed area code changes in Michigan. In light of that extension of the Commission's authority, the FCC forwarded the 2000 petition for 313 area code relief to the Commission for its consideration by letter dated July 28, 2000.

On March 29, 2001, the Commission issued an order in Case No. U-12880 setting public hearings on the 313 area code relief plan and providing an opportunity for interested persons to file written comments.

On September 7, 2001, the Commission issued an order addressing the 2000 petition (September 7 order). The Commission found that an all-services distributed overlay should be used to provide relief when it is ultimately needed in the 313 area code. September 7 order, p. 7. The Commission found that it should impose a single overlay over both the 313 and 734 area

¹ A geographic split refers to situations in which the geographic area served by an area code in which there are few or no NXX codes left for assignment is split into two or more geographic parts, each with a separate area code. In contrast, an overlay provides relief by opening up a new area code covering the same geographic area as the area code requiring relief.

codes at that time.² The Commission stated as follows:

[T]he Commission is keenly aware of the inconvenience and confusion that area code relief can entail. It will therefore continue to aggressively exercise the legislative authority it was granted last summer to minimize the need for, as well as the adverse consequences arising from, future area code relief. For example, it will continue the NXX code reclamation efforts that, following issuance of its November 2, 2000 order in Case No. U-12703, have resulted in the Commission reclaiming formerly stranded codes (each containing 10,000 telephone numbers). Furthermore, in light of the FCC's recent grant of authority to this Commission to implement thousands-block number pooling, the Commission will work as expeditiously as possible to get a pooling trial under way in the 313 area code. In addition, the Commission will continue to investigate the potential use of rate center consolidation to reduce the need for future area code relief and pursue the possibility of getting the FCC to lift its ban on technology-specific overlays, all in hopes of limiting the adverse effect that future area code relief may have on customers.

September 7 order, p. 9. The Commission further found that it was “neither technically nor economically feasible to split or otherwise reconfigure the 313 area code precisely along county lines.” *Id.*, p. 10.

Turning to the issue of when to put the 313 relief plan into operation, the Commission found that:

(1) NeuStar should continue to monitor both the number of available NXX codes in the 313 area code and their rate of usage, (2) if and when NeuStar determines that the 313 area code is within 12 months from actual NXX code exhaust, it should notify the Commission of that fact and meet with relevant members of the industry to establish a schedule for the implementation of permissive and mandatory dialing, (3) any implementation schedule established by NeuStar and the industry should provide for the activation of the new overlay and the commencement of permissive dialing in the 313 area code six months prior to NXX code exhaust, and (4) absent a future Commission order setting specific implementation dates, the schedule established by NeuStar and the industry should neither initiate permissive dialing before September 7, 2002 nor commence mandatory dialing prior to March 8, 2003.

² The 734 NPA relief plan was addressed in the September 7, 2001 order in Case No. U-12743. Because the 734 area code is not expected to exhaust until the first quarter of 2027, it is not addressed in the instant order.

Id., p. 11. The Commission required filings from NeuStar addressing progress and customer education, and directed telecommunications providers to enter into discussions with alarm service providers and emergency dispatch operators. The Commission further found that, to reduce customer confusion, the industry should rely solely on 10-digit dialing rather than a combination of 10- and 11-digit dialing, to make clear that customers would not be assessed toll charges unless they dialed 11 digits. *Id.*, p. 12.

On September 28, 2001, NANPA informed the Commission by letter that it had adopted the 679 area code for the overlay, in conformance with the September 7 order. The Commission, NANPA, and the industry thereafter undertook the conservation efforts that were described in the September 7 order, with significant success.

On November 16, 2022, NANPA filed a petition in Case No. U-21337 (Petition) seeking relief for the 313 area code, which is again approaching exhaustion.³ NANPA notes that the FCC has delegated authority to the states to review and approve area code relief plans, citing 47 CFR 52.19. Petition, p. 1, n. 3. NANPA states that the Petition is filed on behalf of the Michigan telecommunications industry (Industry), which is comprised of “current and prospective carriers operating in, or considering operations within, the 313 NPA.” Petition, p. 1, n. 1. NANPA informs the Commission that the need for relief of the 313 NPA is imminent. NANPA states that, in the September 7 order:

the Commission approved a multiple area all-services overlay as the relief method for the 313 NPA, introducing the 679 NPA. Pursuant to the [September 7] Order, the overlay was to be implemented as a multiple-area overlay with certain restrictions and requirements as described in the Order. The [September 7] Order stated that when NANPA determined that the 313 area code is within 12 months of exhaust, NANPA shall notify the Commission and meet with the Industry to establish a schedule for implementation of permissive and mandatory dialing plans.

³ NANPA notes that SomosGov, Inc., has replaced NeuStar as the contractor serving as the NANPA, but refers to itself as “NANPA” throughout the Petition. Petition, p. 1, n. 2.

Consistent with the Commission's [September 7] Order and to update the record, NANPA hereby notifies the Commission that the 313 area code is currently projected to exhaust, absent relief, during the third quarter of 2025. After receipt of Commission approval, the Industry will take steps to implement the all-services distributed overlay approved in the [September 7] Order for the 313 NPA with the customer education and technical implementation plan and schedule herein described.

Petition, pp. 1-2 (citing the September 7 order).

By way of background, NANPA states that the 313 NPA originated in 1947 and served the entire southeastern quadrant of Michigan. It has been split twice, in 1993 to create the 810 NPA and in 1997 to create the 734 NPA. NANPA notes that, due to the efficacy of number conservation measures taken in the 313 area code, the new area code of 679 continues to be reserved for use and can be implemented as the relief area code. NANPA again relies on CO data to forecast need, and NANPA has determined that the 313 NPA will exhaust during the third quarter of 2025.⁴ NANPA observes that many topics covered by the September 7 order, including "customer education, dialing plan best practices, and technical milestones," have changed considerably in the intervening two decades, and states that the Industry requests that these requirements be brought up to date. Petition, p. 4. Describing its process, NANPA states that it issued a notice to the Industry on September 27, 2022, with a draft petition, and held a meeting on October 19, 2022, where the Petition was approved for filing.

Describing the proposed relief plan, NANPA states:

The all-services distributed overlay would superimpose the previously reserved 679 NPA over the same geographic area covered by the existing 313 NPA and is projected to last approximately 46 years. NANPA will assign CO codes from the new 679 overlay NPA once all assignable CO codes from the 313 NPA are assigned. All existing customers would retain their current area code in the overlay area and would not have to change their telephone numbers. However, all

⁴ See, October 2022 Numbering Resource Utilization/Forecast (NRUF) and NPA Exhaust Analysis (2022 NRUF Report), which can be found on the NANPA web site at https://nationalnanpa.com/reports/reports_npa.html (accessed January 11, 2023).

customers will be required to dial 10 digits for local calls within and between NPAs in the affected area.

Petition, p. 5. While noting that customer sensitivity to toll charges has waned over the last 20 years, NANPA explains that:

when mandatory 10-digit local dialing was recently implemented in Michigan's 616, 810, 906 and 989 NPAs, the dialing plan implemented for local calls was 10 digits with 1+10 digits permissive at each service provider's discretion. Relying exclusively on 10-digit dialing for local calls in the 313 and 679 NPAs may be more frustrating to customers whose 1+10-digit local calls are routed to an announcement instead of being completed. Thus, the Industry-recommended dialing plan set forth in the [table on p. 6 of the Petition] is consistent with the dialing plan recently implemented in the 616, 810, 906 and 989 NPAs.

Petition, p. 5. Thus, the Industry proposes that the dialing plan implemented for local calls be 10 digits with 1+10 digits permissible at each service provider's discretion, which is described as an Industry Best Practice. Petition, p. 6. NANPA proposes a 13-month schedule for implementation, which will allow the 679 NPA to be implemented 6 months prior to exhaust. After issuance of a final order, NANPA proposes 75 days to work with the Commission to issue a press release announcing the 679 area code, schedule and facilitate an Industry meeting with the Commission, and publish a Planning Letter. The entire schedule will require 19 months. Petition, p. 7.

NANPA proposes customer education milestones and technical milestones at pp. 8-10 of the Petition. NANPA seeks an order approving the recommended implementation plan, and states that "the Industry requests that the Commission forego in-person meetings and hearings in favor of written comments and reply comments." Petition, pp. 10-11.

Federal law provides that:

State commissions may resolve matters involving 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, an overlay area code, or a boundary realignment; establishing new area code boundaries; establishing necessary dates for the implementation of area code relief plans; and directing public education efforts regarding area code changes.

47 CFR 52.19(2). The MTA provides as follows:

The commission has the authority to approve or deny a proposed addition, elimination, or modification of an area code in this state. The commission shall give public notice and shall conduct a public hearing in the affected geographic area before an addition, elimination, or modification of an area code is made in this state.

MCL 484.2303(2). Thus, as in the September 7 order, the Commission finds that NANPA's Petition is within its jurisdiction, and that public notice and a public hearing in the affected geographic area are required before taking action on the Petition. To that end, the Commission has scheduled a public hearing, which will be held at 1:30 p.m. (Eastern time (ET)) on March 9, 2023, at Wayne County Community College, Curtis L. Ivery Downtown Campus, Frank Hayden Community Room #236, 1001 West Fort Street, Detroit, Michigan. Any person may attend the public hearing and may offer comments on the proposed relief plan. The Commission encourages interested persons to become involved in the proceedings.

The Commission further finds that any person may submit written comments regarding the proposed relief plan. The comments should reference Case No. U-21337 and should be received no later than 5:00 p.m. (ET) on March 20, 2023. Address mailed comments to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, MI 48909. Electronic comments may be e-mailed to mpscedockets@michigan.gov. Any person requiring assistance prior to filing may contact the Commission Staff at (517) 284-8090 or by e-mail at mpscedockets@michigan.gov. All information submitted to the Commission in this matter will become public information available on the Commission's website and subject to disclosure; and all comments will be filed in Case No. U-21337. NANPA and members of the industry who assisted in developing the relief plan will then be given ten days to file responses, if any, to the

substantive comments. To accommodate the potential 19-month schedule, the Commission will issue a final order no later than May 31, 2023.

THEREFORE, IT IS ORDERED that:

A. A public hearing concerning the 313 area code relief plan proposed by the North American Numbering Plan Administrator shall be held at 1:30 p.m. (Eastern time) on March 9, 2023, at Wayne County Community College, Curtis L. Ivery Downtown Campus, Frank Hayden Community Room #236, 1001 West Fort Street, Detroit, Michigan. The public hearing shall be legislative in nature and any person may present data, views, questions, and arguments regarding the proposed 313 area code relief plan. Statements may be limited in duration in order to ensure that all interested persons have an opportunity to participate in the proceedings.

B. Any person may submit written comments, suggestions, data, views, questions, and arguments concerning the proposed 313 area code relief plan. To be considered, all comments must be received no later than 5:00 p.m. (Eastern time) on March 20, 2023. The North American Numbering Plan Administrator and members of the telecommunications industry who assisted in developing the proposed 313 area code relief plan may file responsive comments no later than 5:00 p.m. (Eastern time) on March 30, 2023.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order pursuant to MCL 484.2203(12). To comply with the Michigan Rules of Court's requirements to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of Attorney General – Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General – Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION

Daniel C. Scripps, Chair

Tremaine L. Phillips, Commissioner

Katherine L. Peretick, Commissioner

By its action of January 19, 2023.

Lisa Felice, Executive Secretary

PROOF OF SERVICE

STATE OF MICHIGAN)

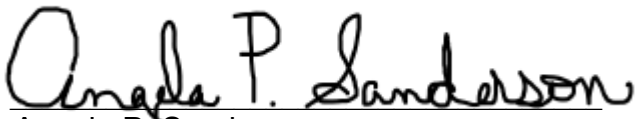
Case No. U-21337 *et al.*

County of Ingham)

Brianna Brown being duly sworn, deposes and says that on January 19, 2023 A.D. she electronically notified the attached list of this **Commission Order via e-mail transmission**, to the persons as shown on the attached service list (Listserv Distribution List).


Brianna Brown

Subscribed and sworn to before me
this 19th day of January 2023.



Angela P. Sanderson
Notary Public, Shiawassee County, Michigan
As acting in Eaton County
My Commission Expires: May 21, 2024

Service List for Case:

U-21337

Name	On Behalf of	Email Address
Florence Weber	North American Numbering Plan Administrator (NANPA)	fweber@nanpa.com
North American Numbering Plan Administrator (NANPA)	North American Numbering Plan Administrator (NANPA)	fweber@nanpa.com

U-21337 - Special Distribution List

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ACN Communication Services, LLC d/b/a Flash Mobile	Kim.McMillan@acninc.com
Air Advantage, LLC	dbraun@tecmi.coop
Airespring, Inc.	avi@airespring.com
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Allband Communications Cooperative	ron.siegel@allband.org
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Clear Rate Communications, LLC
Climax Telephone Company
COLI, Inc. d/b/a 186networks
Comcast Phone of Michigan, LLC, dba Comcast Digital Phone
Communications Venture Corporation, dba INdigital Telecom
ComTech21, LLC
Crexendo Business Solutions, Inc.
Crystal Automation Systems, Inc. dba Casair, Inc.
DayStarr, LLC, d/b/a DayStarr Communications
dishNET Wireline L.L.C.
DMCI Broadband, LLC
EagleNet, Inc.
Easton Telecom Services, L.L.C.
Entelegent Solutions, Inc.
Everstream GLC Holding Company LLC
First Communications, LLC
France Telecom Corporate Solutions L.L.C.
Frontier Communications of America, Inc.
Frontier Communications of Michigan, Inc.
Frontier Midstates Inc.
Frontier North Inc.
Fusion Cloud Services, LLC
Fusion, LLC f/k/a Network Billing Systems L.L.C. d/b/a Fusion
d/b/a Solex
GC Pivotal, LLC
Global Crossing Local Services, Inc.
Granite Telecommunications, LLC
Great Lakes Energy Connections, Inc.
Grid 4 Communications, Inc.
Hiawatha Telephone Company
High Speed Connect Michigan LLC
IDT America, Corp.
inContact, Inc.
Intellifiber Networks, LLC
Intrado Communications, LLC
Intrado Safety Communications, Inc.
JAS Networks, Inc.
Kaleva Telephone Company
KEPS Technologies, Inc., d/b/a ACD.Net and ACD Telecom, Inc.
LakeNet LLC
LDMI Telecommunications, LLC
Lennon Telephone Company
Level 3 Communications, LLC
Level 3 Telecom Data Services, LLC fka tw telecom data
Lingo Telecom, LLC fka Matrix Telecom, LLC.
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MassComm, Inc.
MCC Telephony of the Midwest, LLC
MCImetro Access Transmission Services LLC d/b/a Verizon
Access Transmission Services
McLeodUSA Telecommunications Services, L.L.C.
MEI Telecom, Inc.
Mercury Wireless Indiana LLC, dba Mercury Broadband
Metro FiberNet, LLC
Metropolitan Telecommunications of Michigan, Inc., dba
Michigan Central Broadband Company, LLC
Midway Telephone Company
Midwest Energy Cooperative d/b/a Midwest Energy &
Neo Network Development Inc.
Neutral Tandem-Michigan, LLC
New Horizons Communications Corp.
NextGen Communications, Inc.
NOS Communications, Inc.
Ogden Telephone Company
Ontonagon County Telephone Company
Onvoy, LLC
Osirus Communications, Inc.
PaeTec Communications, LLC
Peerless Network of Michigan, LLC
Peninsula Fiber Network Next Generation Services, LLC
Peninsula Fiber Network, LLC
Pigeon Telephone Company
PNG Telecommunications Inc. dba PowerNet
Point Broadband Fiber Holding, LLC
Presque Isle Electric & Gas Co-op d/b/a PIE&G CONNECT
QuantumShift Communications, Inc.
RCLEC, Inc.
Ringsquared Telecom, LLC fka Magna5 LLC
Sand Creek Telephone Company
Sigecom, LLC, dba WOW! Internet, Cable and Phone
Southwest Michigan Communications, Inc.
Spectrotel of the Midwest LLC
Springport Telephone Company
Starlink Services, LLC
Talk America, LLC
TC3 Telecom, Inc.
TDS Metrocom, LLC
TDS Telecom/Chatham Telephone Co.
TDS Telecom/Communications Corp. of MI (CCM)
TDS Telecom/Island Telephone Company (MI)
TDS Telecom/Shiawassee Telephone Co.
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