

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 plan.	)	
_____	)	Case No. U-12880
	)	

At the May 18, 2023 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

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

**ORDER**

Background

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 exhaust 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. NeuStar explained that, though the 313 area code will remain in place and no existing phone numbers will change, new phone numbers within that area code may no longer be assigned because they will run out.

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.<sup>1</sup> 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, Public Act 295 of 2000 was signed into law, 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. *See*, MCL 484.2303(2). 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

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<sup>1</sup> 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. A geographic split tends to be a more disruptive solution to NXX exhaust than an overlay.

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 codes at that time.<sup>2</sup> 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

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<sup>2</sup> 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 third quarter of 2028, it is not addressed in the instant order. *See*, April 2023 Numbering Resource Utilization Forecast and NPA Exhaust Analysis (April 2023 NRUF Report), p. 3, available at <https://nationalnanpa.com/reports/2023-1NPAExhaustProjectionsFinal.pdf> (accessed May 3, 2023).

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.

*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 reserved 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. For the next 21 years, the problem of the impending exhaustion of numbers for the 313 area code was addressed through numbering conservation measures.

On November 16, 2022, NANPA<sup>3</sup> filed a petition in Case No. U-21337 (Petition) seeking relief for the 313 area code, which is again approaching number exhaust. 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

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<sup>3</sup> 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.

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. 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 overlay relief area code. NANPA again relies on CO data to forecast need and (based on the October 2022 NRUF Report) NANPA had determined that the 313 NPA would exhaust during the third quarter of 2025. 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 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 six months prior to exhaust. After issuance of a final order by the Commission, 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 explains that, once the Commission issues an order on the Petition, NANPA and the Industry will form the Industry Implementation Committee (IIC) to oversee the implementation process. Petition, p. 7, and Exhibit B, pp. 7-8 (applying natural pagination). 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). And Section 303(2) of 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, on January 19, 2023, the Commission issued an order in the instant dockets (January 19 order) finding that NANPA’s Petition is within its jurisdiction, and that public notice and a public hearing in the affected geographic area are required under MCL 484.2303(2). The Commission set a public hearing for March 9, 2023, at Wayne County Community College, and invited written comments on the proposed relief plan to be filed no later than March 20, 2023, and responsive comments from NANPA and members of the industry to be filed no later than March 30, 2023. The Commission stated that, to accommodate the potential 19-month schedule, it would issue a final order no later than May 31, 2023. January 19 order, pp. 7-8.

On March 9, 2023, the public hearing took place and one comment was received from Mr. Corey L. Bowers suggesting that the 616, 676, and 741 area codes should be changed. 1 Tr 12. The Commission also received 12 comments from the public in the Case Comments section of the docket between January 20 and March 15, 2023. Most of those comments express a preference for maintaining the 313 area code. Other comments suggest that the 313 area code should be dispensed with, that a different prefix should be applied, or that the new 679 area code should be used only in suburban areas. On March 31, 2023, one responsive comment was received from Cellco Partnership, d/b/a Verizon Wireless and MCI Metro Access Transmission Services LLC, in support of NANPA's Petition.

On April 21, 2023, NANPA filed a letter in the Case No. U-21337 docket indicating that, based on new forecasting, the exhaust date for the 313 NPA is now the second quarter of 2026, but that the change to the projected exhaust date does not change the implementation intervals included in the Petition.<sup>4</sup> Case No. U-21337, filing #U-21337-0007.

### Discussion

After consideration of the proposed relief plan and the public comments, the Commission finds that, pursuant to 47 CFR 52.19(2) and MCL 484.2303(2), NANPA's proposed plan to address the exhaust of available phone numbers in the 313 area code should be approved. The April 2023 NRUF Report shows that the 313 NPA will run out of phone numbers to assign to new users in the second quarter of 2026. The Commission emphasizes that the 313 area code will still remain in place and will continue to cover its current geographic area, and 313 telephone numbers could still be assigned after implementation of the 679 overlay; however, new customers could

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<sup>4</sup> See, April 2023 NRUF Report, p. 2, available at <https://nationalnanpa.com/reports/2023-1NPAExhaustProjectionsFinal.pdf> (accessed May 3, 2023).

also receive a telephone number beginning with the 679 area code, particularly starting in late 2026. The IIC will continue to monitor the NRUF exhaust forecasts to incorporate any necessary changes to the implementation plan as updated forecasts become available. The Commission continues to find that use of the 679 area code as an overlay is preferable to a geographic split of the 313 area code. September 7 order, pp. 7-10. The Commission approves the dialing plan proposed by NANPA which provides for local calls to be 10 digits (with 1+10 digits being permissible at each provider's discretion) and toll calls will continue to be 1+10 digits. The Commission expresses its preference for basic local exchange service providers to implement their plan so that 10-digit dialing is associated with local calls and 1+10-digit dialing with long distance calls, whenever possible. *See*, Petition, pp. 5-6. This plan is consistent with what is currently in place in the 616, 810, 906, and 989 area codes. The Commission also approves the 19-month schedule along with the educational and technical milestones proposed by NANPA, which will provide ample time for the remaining preparation activities and will address the information needs of customers affected by the overlay and of the general public. Petition, pp. 6-10.

While monthly progress reports and updates on technical milestones were required to be filed in the Case No. U-12880 docket (per the September 7 order), the Commission observes that the reporting process has changed significantly over the 21 years since the Commission last ruled on area code relief. Service provider responsibilities are noted in the Petition and the status of the implementation process is now disclosed through the IIC. The Commission Staff (Staff) will participate in the IIC meetings to receive regular status updates. Thus, the Commission finds that additional reporting in either docket is not required. The Commission simply directs NANPA and service providers to provide additional information or reports on the progress of their relief efforts, including educational and technical milestones, as requested from time to time by the Staff, to

ensure providers are complying with their responsibilities for implementation of the area code overlay.

THEREFORE, IT IS ORDERED that:

A. The November 16, 2022 petition filed by the North American Numbering Plan Administrator for the relief of the 313 area code is approved.

B. The North American Numbering Plan Administrator and affected service providers shall provide additional information or reports on the progress of their relief efforts, including educational and technical milestones, at times as requested by the Commission Staff, to ensure providers are complying with their responsibilities for implementation of the area code overlay.

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 [mpscdockets@michigan.gov](mailto:mpscdockets@michigan.gov) and to the Michigan Department of Attorney General – Public Service Division at [pungpl@michigan.gov](mailto: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

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Daniel C. Scripps, Chair

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Katherine L. Peretick, Commissioner

By its action of May 18, 2023.

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Lisa Felice, Executive Secretary


# PROOF OF SERVICE

STATE OF MICHIGAN )

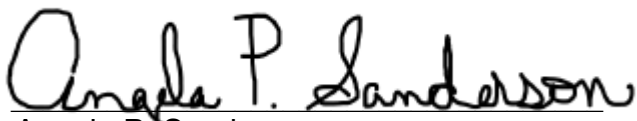
Case No. U-21337 *et al.*

County of Ingham )

Brianna Brown being duly sworn, deposes and says that on May 18, 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 18<sup>th</sup> day of May 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**

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<b>Name</b>	<b>On Behalf of</b>	<b>Email Address</b>
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

**Company Name**

123.Net, Inc. dba Local Exchange Carriers of Michigan, Inc.  
Access One, Inc.  
Ace Telephone Company of Michigan, Inc.  
ACN Communication Services, LLC d/b/a Flash Mobile  
Air Advantage, LLC  
Airespring, Inc.  
Airus, Inc. fka IntelPeer  
Allband Communications Cooperative  
Alpha Connect, LLC  
American Broadband and Telecommunications Company  
Aspire Networks 1, LLC dba Highline Internet  
AT&T Corp.  
AT&T Michigan  
ATI Networks, Inc.  
Bandwidth.com CLEC, LLC  
Baraga Telephone Company  
Barry County Telephone Company  
BCM One, Inc.  
BCN Telecom, Inc.  
Big River Telephone Company, LLC  
Blanchard Telephone Co.  
Bloomingdale Telephone Company, Inc. dba Bloomingdale  
Communications, Inc.  
Borderland Communications, LLC  
Bright House Networks Information Services (Michigan), LLC  
Brightspeed Broadband, LLC d/b/a CenturyLink Broadband  
Brightspeed of Central Michigan, Inc., f/k/a CenturyLink  
Brightspeed of Michigan, Inc., f/k/a CenturyLink  
Brightspeed of Northern Michigan, Inc., f/k/a CenturyLink  
Brightspeed of Upper Michigan, Inc., f/k/a CenturyLink  
Broadview Networks, Inc.  
Broadvox-CLEC, LLC  
Broadwing Communications, LLC  
Buckeye Telesystem, Inc.  
BullsEye Telecom, Inc.  
Campus Communications Group, Inc.  
Carr Telephone Company  
CBTS Technology Solutions LLC f/k/a Cincinnati Bell Any Distance Inc.  
CenturyLink Communications, LLC d/b/a Lumen Technologies Group  
Chapin Telephone Company  
Charter Fiberlink - Michigan, LLC  
Charter Fiberlink CC VIII, LLC  
Cherry Capital Connection, LLC  
City of Coldwater Telecommunications Utility  
Clear Rate Communications, LLC  
Climax Telephone LLC, d/b/a CTS Telecom, d/b/a MetroNet  
COLI, Inc. d/b/a 186networks  
Comcast Phone of Michigan, LLC, dba Comcast Digital Phone  
Communications Venture Corporation, dba INdigital Telecom

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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

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Great Lakes Energy Connections, Inc.  
Grid 4 Communications, Inc.  
Hiawatha Telephone Company  
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 services llc  
Lingo Telecom, LLC fka Matrix Telecom, LLC.  
Liquid Web, LLC  
Lynx Network Group, Inc.  
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.  
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Mercury Wireless Indiana LLC, dba Mercury Broadband  
Metro FiberNet, LLC  
Metropolitan Telecommunications of Michigan, LLC, dba MetTel  
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Telecom Management, Inc., dba Pioneer Long Distance	rmartens@pioneertelephone.com
Telecom One, Inc. f/k/a TCO Network, Inc.	blinsmeier@telecom-one.net
Teleport Communications America, LLC	richard.howell@att.com
Teliix, Inc.	daldworth@teliix.com
Telnet Worldwide, Inc.	mark.iannuzzi@telnetww.com
The Deerfield Farmers Telephone Company	victoria.stevens@d-pcomm.com
Thumb Electric Cooperative of Michigan, dba TEC Fiber	dbraun@tecmi.coop
Time Warner Cable Information Services (Michigan), LLC, dba Time Warner	Tim.Goodwin@charter.com
Cable II	
TouchTone Communications Inc.	regulatory@touchtone.net
Tri-County Electric Cooperative	tmanting@homeworks.org
U.S. Metrotel, LLC, dba S7 Digital Communications	ashonamon@icsdata.com
Uniti Fiber LLC	jeffrey.strenkowski@uniti.com

Upper Peninsula Telephone Company dba Michigan Broadband Services	phil.truran@michbbs.com
US Signal Company, L.L.C.	bbshoven@ussignalcom.com
US Xchange of Michigan, L.L.C.	nicole.winters@windstream.com
Utility Network Authority MI, LLC	AssetManagement@mobilitie.com
Velocity, A Managed Services Company, Inc.	chip@velocity.org
Vero Fiber Networks, LLC	sbeer@veronetworks.com
Voyant Communications, LLC f/k/a Zayo Enterprise Networks, LLC	Andy.Lancaster@inteliquent.com
Waldron Telephone Company	mark@waldrontel.com
Westphalia Broadband, Inc.	zach.bollinger@4wbi.net
Westphalia Telephone Company	zach.bollinger@4wbi.net
Wholesale Carrier Services, Inc.	cbarton@wcs.com
Wide Voice, LLC	anickerson@widevoice.com
Windstream KDL, LLC	nicole.winters@windstream.com
Windstream New Edge, LLC f.k.a. EarthLink Business, LLC	nicole.winters@windstream.com
Windstream Norlight LLC	nicole.winters@windstream.com
Winn Telephone Company dba Winn Telecom	mgraf@winncommunications.net
Xclutel, LLC	ssinclair@xclutel.com
Xiber LLC	stthomas@inteserra.com
XO Communications Services, LLC	iris.adams@verizon.com
YMax Communications Corp.	tina.tecce@magicjack.com
Zayo Group, LLC	regulatorytax@zayo.com