

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Numbering Resource Optimization)	CC Docket No 99-200
)	
)	

**COMMENTS OF THE ALLIANCE FOR
TELECOMMUNICATIONS INDUSTRY SOLUTIONS**

The Alliance for Telecommunications Industry Solutions (ATIS) hereby submits these comments in response to the *Public Notice* released February 9, 2022, in the above-referenced docket. In the *Public Notice*, the Wireline Competition Bureau (Bureau) seeks comment on whether the public interest would be served if the Bureau were to issue a waiver that would forestall exhaustion of the single area codes used in Maine and North Dakota, area codes 207 and 701, respectively. As discussed more fully below, ATIS does not support such a waiver and believes that the public interest would be better served by compliance with the INC Guidelines.

I. BACKGROUND

ATIS is a global standards development and technical planning organization that develops and promotes worldwide technical and operations standards for information, entertainment, and communications technologies. ATIS’ diverse membership includes key stakeholders from the Information and Communications Technologies (ICT) industry – wireless, wireline, and VoIP service providers, equipment manufacturers, broadband providers, software developers, consumer electronics companies, public safety agencies, and internet service providers. ATIS is also a founding partner and the North American Organizational Partner of the

Third Generation Partnership Project (3GPP), the global collaborative effort that has developed the 4G Long-Term Evolution (LTE) and 5G New Radio (NR) wireless specifications. Nearly 600 industry subject matter experts work collaboratively in ATIS' open industry committees.

ATIS' Industry Numbering Committee (INC) is the industry's only open forum for addressing and developing solutions for numbering issues. INC addresses and resolves industry-wide issues associated with planning, administration, allocation, assignment, and use of the North American Numbering Plan (NANP) numbering resources within the NANP area. INC guidelines and recommendations are used by the North American Numbering Plan Administration (NANPA) and the Canadian Radio-Television and Telecommunications Commission (CRTC) in the management of numbering resources. INC also develops and maintains crucial industry standards pertaining to the appropriate use and allocation of numbering resources. Among others, INC maintains the Thousands-Block (NPA-NXX-X) & Central Office Code (NPA-NXX) Administration Guidelines and the NPA Code Relief Planning and Notification Guidelines,¹ both of which are relevant here as they pertain to the practical implications of granting the waiver proposed in the *Public Notice*.

II. COMMENTS

In the *Public Notice*, the Wireline Competition Bureau (Bureau) notes requests by Maine Public Utilities Commission and North Dakota Public Service Commission to participate in trials of individual telephone number pooling (ITN pooling) to avoid area code exhaust in these states. The Bureau proposes to deviate from the INC Guidelines and, instead, to modify the "planning/implementation interval for relief," as defined in the INC Guidelines and as applied to

¹ These guidelines are available at no charge from: https://access.atis.org/apps/group_public/.

the Jeopardy procedures, to begin from the release of a Commission order and end five years later.² The Bureau asks whether the public interest would be served by directing NANPA to deviate from the INC Guidelines.³

ATIS INC does not support the Commission directing NANPA to deviate from the INC Guidelines as outlined in the *Public Notice*. ATIS INC believes that the public interest would be better served by compliance with the INC Guidelines than by a waiver or deviation from the INC Guidelines. The relief planning and implementation process detailed in the INC Guidelines has been formulated with careful consideration, based on decades of history and experience on how long it takes to implement timely area code relief. Under that process, area code relief planning begins 36 months before the predicted exhaust date and culminates with the implementation of a state approved, consensus-based industry relief plan, six months prior to the projected exhaust date.

Under the process proposed by the Bureau in the *Public Notice*, the Commission would extend the exhaust date of the Maine and North Dakota area codes to five years while an ITN trial is conducted and then evaluated for success. This *Public Notice* proposes to ration central office codes for this extended period (i.e., five years), and the Commission would direct NANPA to declare jeopardy and conduct lotteries for the allocation of the remaining central office codes, at a rate as low as 0.6 central office codes per month.⁴ However, the Bureau itself acknowledges that “[e]xtending the rationing period to five years, particularly at the likely required levels, may impose undue hardships on service providers.”⁵ ATIS INC agrees that a rationing period of five years is likely to impose undue hardships on service providers and constituents of North Dakota

² *Public Notice* at p. 5.

³ *Public Notice* at p. 5.

⁴ *Public Notice* at p. 8.

⁵ *Public Notice* at p. 6.

and Maine. Under Commission rules, service providers may maintain a six-month inventory of telephone numbers in each rate center in which they operate,⁶ but rationing central office code assignments in these states at less than one code per month almost guarantees some service providers will be unable to maintain such inventory. With limited telephone numbers available during this time, customers seeking to add telephone numbers to a new or existing service may find that their current service provider is unable to provide new numbers in a timely manner. If a numbering lottery is held on alternate months, for example, a service provider could wait several months or more to get either initial or growth telephone numbers in one or multiple rate centers, depending on whether they are “lucky” in the lottery or another service provider is “lucky” and replenishes the pool so that thousands-blocks are available for assignment to other service providers. With less than one code allocated per month across 249 rate centers in Maine and 299 rate centers in North Dakota (many where thousands-block pooling is excluded), it is highly probable that some service providers will be unable to obtain numbering resources when needed. In addition to the lottery timeframe, applicants that are assigned a central office code must then wait the additional 66 days before the new central office code is activated in the Public Switched Telephone Network (PSTN) and available for customer use. Moreover, customers facing delays in obtaining numbers from their service provider of choice may be forced to turn to non-preferred service providers to obtain such services, which could result in increased costs to the customer and harm to competition.

Service providers’ inability to get necessary numbers could have broad impacts on end users, such as hospitals, call centers/customer service centers, hotels, banks, retail stores, educational institutions, and governmental agencies. This would also impact numbers needed to

⁶ 47 CFR §52.15 (g)(4)(iii).

meet short-term demands, such as election campaigns and as a response to events such as natural disasters or the ongoing COVID-19 pandemic. ATIS INC believes that the proposed changes to the existing procedures will harm consumers if those consumers are unable to obtain telephone numbers from their service provider of choice when needed.

ATIS INC strongly believes that NANPA should start the relief planning process immediately in Maine and at the 36-month mark in North Dakota,⁷ per the NPA Relief Planning Guidelines. The planning process is such that NANPA develops the Initial Planning Document with relief alternatives for the industry to consider, then convenes the industry where the industry reaches consensus on a relief method to recommend to the state commission. The state then approves a relief method and NANPA holds the initial implementation meeting with the industry. The regulatory process within each state is unique, with some taking much longer than others to issue an approval or decision.⁸ ATIS INC believes that the relief planning process should move forward, regardless of whether the Commission issues a waiver as proposed. The implementation of the approved relief plan can be suspended if it is not needed, but the relief planning should not be delayed or suspended.

ATIS INC notes that the Bureau's proposal in the *Public Notice* is based on the hope that ITN pooling trials will sufficiently slow the exhaust of numbering resources and prevent the near-term need for new area codes in Maine and North Dakota. While an ITN pooling trial might eventually show that the exhaustion of numbering resources could be delayed, the need to

⁷ The projected exhaust is currently 1Q2025 in Maine and 3Q2026 in North Dakota (see NANPA's October 2021 NPA Exhaust Analysis at <https://www.nationalnanpa.com/reports/October%202021%20NPA%20Exhaust%20Analysis.pdf>). Relief planning must start 36 months prior, so NANPA must start the relief planning process in Maine in 1Q2022 (i.e., now) and in North Dakota in 3Q2023.

⁸ ATIS INC notes that, because neither Maine nor North Dakota have been through the relief planning and implementation process, these state commissions might not have such a process well-defined yet.

implement a new area code may still be imminent at the end of the five-year period. Even if ITN pooling were to delay the need for area code relief, eventually all assignable central office codes in these area codes will be assigned and a new area code will be needed.⁹ Planning for that new area code should happen in accordance with the 36-month timeline set forth in the NPA Relief Planning Guidelines.

The Bureau also seeks comment on alternative, administratively simple means of extending the life of the Maine and North Dakota area codes.¹⁰ ATIS INC believes that there are alternatives to the proposed rationing and ITN trial, including:

- **Mandatory thousands-block pooling in all rate centers.** Thousands-block number pooling allows a central office code containing 10,000 numbers to be used more efficiently by allocating ten blocks of 1,000 numbers each to potentially multiple service providers. Current Commission rules require mandatory thousands-block number pooling only in the top 100 Metropolitan Service Areas (MSA). Some states have been delegated additional authority to expand thousands-block number pooling in their states beyond the top 100 MSAs. Requiring thousands-block pooling in all rate centers could further decrease the quantity of stranded and unused numbers.
- **Mandatory 10-digit dialing.** Mandatory 10-digit dialing is not currently required in all area codes. Requiring mandatory 10-digit dialing in Maine and North Dakota would allow some currently unavailable central office codes to be assigned.¹¹
- **Rate center consolidation.** Rate center consolidation, a process initiated by the state commissions and/or the incumbent service providers, involves combining two or more rate centers into a single rate center so that a service provider can use a single numbering resource inventory (e.g., a central office code or thousands-block) to serve any customer in the combined area, rather than requiring separate inventories to serve customers in each of the rate centers that were combined. Rate center consolidation can delay area

⁹ It is important to note that exhaust of an area code occurs when all assignable central office codes have been assigned, not when every single number within the area code has been assigned. Assigned central office codes may and often do still have available numbers when area code relief is implemented.

¹⁰ *Public Notice* at p. 7.

¹¹ For example, the 988 central office code is unavailable for assignment in both the Maine and North Dakota area codes, to avoid conflicts with the Commission's designation of "988" as a three-digit abbreviated dialing code to reach the National Suicide Prevention Lifeline (See <https://www.fcc.gov/document/designating-988-national-suicide-prevention-lifeline-0>). Once mandatory 10-digit dialing is implemented in an area code, the 988 central office code in that area code can be used without conflict. However, it should be noted that making a few additional central office codes available for assignment is not likely to have any significant impact on delaying the need for area code relief.

code exhaust by increasing the efficacy of how resources are allocated. For example, combining a rate center with high demand with a rate center with low demand could make more resources available to a greater number of customers and service providers. However, the state commissions would need to take great care in determining the impacts to tariffs and customer rates, operational support systems, and service provider revenues.

- **Increasing contamination levels for blocks to be donated.** Under the current Commission rules, all service providers that are required to participate in thousands-block number pooling shall donate thousands-blocks with ten percent or less contamination to the thousands-block number pool for the rate center within which the numbering resources are assigned,¹² unless the thousands-block is the service provider's footprint block¹³ or otherwise needed for its allowed six-month inventory.¹⁴ Increasing the contamination level to 25% in North Dakota and Maine, similar to what was done for area codes 310 and 909 in California,¹⁵ could increase the quantity of thousands-blocks that would be donated.¹⁶

ATIS INC notes that the efficacy of the above techniques may vary, depending on whether the demand for central office codes is for pool replenishment, a dedicated customer, or for location routing number (LRN) purposes. For example, neither mandatory thousands-block pooling nor ITN pooling would eliminate the need for a central office code for LRN purposes. Voluntary code transfers for LRN purposes are a way to prevent new codes from being assigned but are only feasible if thousands-block pooling is available in the rate center, the current code holder does not have a technical need to be the code holder (e.g., already has an LRN established in the central office code or some other technical need such as Temporary Local Directory Numbers or Mobile Station Roaming Numbers), there are thousands-blocks available from the

¹² 47 CFR §52.20(c)(1).

¹³ 47 CFR §52.20(c)(2)

¹⁴ 47 CFR §52.15(g)(4)(iii)

¹⁵ See *Commission Order*, CC Docket No. 99-200 (Rel August 11, 2003), which increased the contamination level for area codes 310 and 909 from 10% to 25% on an exception basis because timely area code relief had not yet been implemented. While this solution had a minimal impact on delaying exhaust in California, it may be more effective in other situations as the effectiveness of this approach will vary based on how many blocks are added back to the pool and future demand for those blocks.

¹⁶ Although there may be some benefit in terms of slowing area code exhaust, ATIS INC cannot predict how long this measure will extend the life of the NPA, and it should not be used as a substitute for timely area code relief.

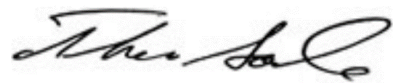
code in the pool, and the current code holder is willing to do the necessary work to ensure its customers do not lose service when the code is transferred to the service provider needing to establish an LRN. On the other hand, if a pool has no thousands-blocks and needs to be replenished there is no way to avoid opening a new code (unless service providers with assigned or retained thousands-blocks still have eligible blocks and are able to donate them to the pool). ATIS INC notes that many of the unutilized telephone numbers in North Dakota are assigned in single service provider rate centers, therefore whether the numbers are distributed individually via ITN or in thousands-blocks is moot because there is only demand for those numbers from the sole service provider operating in that rate center.

Finally, ATIS INC does not believe that changes to its guidelines are necessary to address any of the issues noted in the *Public Notice* and therefore is not proposing changes to the INC Guidelines at this time. ATIS INC reiterates that the NPA relief planning process should be initiated in accordance with the INC Guidelines. If a waiver is nonetheless granted, ATIS INC recommends that the Commission direct NANPA to assign only one central office code per month under the interim jeopardy procedures until the industry reaches consensus on the final jeopardy procedures.

III. CONCLUSION

ATIS appreciates the opportunity to provide its input to the *Public Notice* and urges the Bureau to consider the concerns above and abandon any notion of prolonged rationing to enable ITN pooling trials.

Respectfully submitted,



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