

Convention Floor Resolution No. 2

**Resolution Concerning
Numbering Plan Area Code
Overlays, Boundary Realignment and Splits**

WHEREAS, State Commissions have historically had input into Numbering Plan Area (NPA) Code overlays, boundary realignments and splits because of the intensely localized impact of such actions, the desire for local proceedings involving the affected parties, and the States' undeniable parens patriae concerns; and

WHEREAS, On July 29, 1994, Ameritech Illinois (Ameritech) filed a Petition for Approval of NPA Relief Plan for 708 Area Code by Establishing a 630 Area Code with the Illinois Commerce Commission; and

WHEREAS, On August 4, 1994, Mobile Media Communications, Inc., Page Mart, Inc., and Paging Network, Inc., (Petitioners) filed a Request with the Federal Communications Commission (FCC) for Declaratory Ruling and Interlocutory Order on an Ameritech Proposed 708 Relief Plan and 630 Numbering Plan Area Code; and

WHEREAS, Petitioners asked the FCC to issue a declaratory ruling that the Proposed 708 Relief Plan take-back of telephone numbers assigned to the petitioners on behalf of their customers and the simultaneous implementation of the proposed new 630 NPA code by Ameritech constituted unjust and unreasonable practices in violation of Section 201(b) of the Communications Act and were unreasonably discriminatory in violation of Section 202(a) of the Act; and

WHEREAS, Ameritech, as Central Office Code Administrator for the State of Illinois, has recently reached a non-unanimous settlement on an industry compromise relief plan for the 708 NPA code and the introduction of the 630 NPA code that would overlay the geographic area of the 708 and 312 NPA codes in the Chicago area; and

WHEREAS, The compromise 708 NPA code relief plan includes: an all-service overlay; no forced number takebacks but limited voluntary givebacks; assignment to wireless carriers of only 630 and 312 NXXs; assignment to other carriers of up to 10-708 NXXs each; and eventual mandatory 11-digit dialing for the 708 and 630 NPAs; and

WHEREAS, There is opposition to the proposed settlement by the City of Chicago and other parties, and the Illinois Commerce Commission has scheduled a second hearing on the numbering relief plan on November 15, 1994; and

WHEREAS, Ameritech's original 630 NPA code overlay plan has some similarities with the initial implementation proposals by Pacific Bell for a new NPA code (562) to overlay the 310 NPA code

in the Los Angeles area, and NPA code splits, boundary realignments, and overlay solutions are and will continue to be required in other areas as NPA code exhaustion occurs; and

WHEREAS, NPA overlays, boundary realignments and splits may involve many state specific variations in local dialing patterns that may be responsive to local geographic circumstances or certain local customer expectations; and

WHEREAS, State commissions are uniquely positioned to understand, judge and determine local circumstances and customer expectations; and

WHEREAS, Any FCC decision on Petitioners' requests could also impact any future NPA code split, boundary realignment or overlay implementation proposals; be it, therefore

RESOLVED, That the Executive Committee of the National Association of Regulatory Commissioners (NARUC), convened at its 106th Annual Convention in Reno, Nevada, recommends that State Commissions be allowed to continue their roles in oversight of NPA code splits, boundary realignments, and overlays; and be it further

RESOLVED, That State Commissions should continue to provide direction to the parties involved in NPA code splits, boundary realignments and overlays based upon each State's consideration and determination of local circumstances, including the impact on competition; and be it further

RESOLVED, That state commissions are uniquely positioned to understand, judge and determine appropriate dialing pattern changes and other changes that may be required with NPA overlay, boundary realignments and splits; and be it further

RESOLVED, That, should the FCC feel compelled to take some action in this matter, the action be limited to broad policy statements, leaving the details of NPA code splits, boundary realignments, and overlays to the State Commissions; and, be it further

RESOLVED, That the NARUC General Counsel be directed to file and take any appropriate action to further the intent of this resolution.

Sponsored by the Committee on Communications

Adopted November 16, 1994

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