

**Resolution Opposing the Use of N11 Service Codes
for Enhanced Service Providers**

WHEREAS, The Federal Communications Commission (FCC), on May 6, 1992, released a Notice of Proposed Rulemaking (NPRM) inviting comment on proposed rules concerning the use of N11 codes and other abbreviated dialing arrangements; and

WHEREAS, The FCC tentatively concluded in the NPRM that there should be Federal rules governing the use of certain N11 service codes, that certain service codes should be available for use by Enhanced Service Providers (ESPs), and that local exchange carriers (LECs) should be permitted to select any reasonable code allocation method; and

WHEREAS, In the NPRM, the FCC invited comment on several subjects including recalling N11 codes from current or future uses, sale and transfer of N11 service codes, alternative dialing schemes, and the role of State commissions should have in the allocation of N11 numbers in the event demand exceeds supply; and

WHEREAS, N11 service codes, which are a subset of area codes, are a scarce numbering resource, with only eight (8) possible codes available, 211 through 911; and

WHEREAS, The use of any N11 code as a telephone number eliminates the potential use of the 8 million telephone numbers that normally subtend an area code thereby depleting this limited public resource; and

WHEREAS, N11 service codes may be needed for assignment as Number Plan Area (NPA) codes prior to the implementation of interchangeable NPAs in 1995; and

WHEREAS, The Administrator of the North American Numbering Plan (Bellcore) has recommended against the proposed use of the N11 service codes, for industry development of alternative abbreviated dialing capabilities, and for uniform use of 10-digit telephone numbers; and

WHEREAS, The use of N11 service codes and abbreviated dialing arrangements could lead to consumer confusion and complaints similar to those associated with 900/976 services; and

WHEREAS, The National Association of Regulatory Utility Commissioners (NARUC) proposed consumer safeguards for 900/976 services in its July 1991 "Resolution on 900 Pay-Per-Call Service"; and

WHEREAS, There may be Nationwide public service uses for N11 service codes, such as access to dual party relay services, that could be undermined if N11 service codes are used in an unwise manner; and

WHEREAS, The recall of an N11 service code from an Enhanced Service Provider (ESP) would lead to customer confusion and probable litigation; and

WHEREAS, The use of proposed N11 codes would be primarily for the provision of intrastate information and related services; and

WHEREAS, Regulation of intrastate information and related services, including end user access to those services, is within the jurisdiction of the States; and

WHEREAS, Other abbreviated dialing arrangements, such as NNX# or NXX#, could be used for assignment to ESPs; now, therefore, be it

RESOLVED, That the Executive Committee of the National Association of Regulatory Utility Commissioners (NARUC), convened at its Summer Meeting in Seattle, Washington, opposes the use of N11 service codes for individual ESPs; and be it further

RESOLVED, That the FCC join in a cooperative effort with the States to develop guidelines for the use of N11 service codes on a nationwide basis for public services; and be it further

RESOLVED, That the FCC initiate further inquiry into the expanded use of other abbreviated dialing arrangements, such as NXX# and NNX#; and be it further

RESOLVED, That, if the FCC chooses to make N11 service codes or any other abbreviated dialing arrangements available for use with intrastate enhanced/information services, the assignment of those codes shall be within the jurisdiction of the States; and be it further

RESOLVED, Should the FCC act to authorize the use of N11 service codes for abbreviated dialing arrangements or authorize any other type of abbreviated dialing plan, the FCC should adopt consumer safeguards like those proposed by the NARUC in its July, 1991 resolution on 900 Pay-Per-Call Service; and be it further

RESOLVED, That the NARUC opposes any Federal legislation or FCC Rules that would preclude States from enacting additional safeguards and/or more stringent rules for the use or N11 service codes or any other type of abbreviated dialing plan; and be it further

RESOLVED, That the NARUC General Counsel shall file papers and other documents supporting the policies of this resolution in the appropriate forums to further this recommendation.