

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

At a session of the Public Service
Commission held in the City of
Albany on January 23, 2025

COMMISSIONERS PRESENT:

Rory M. Christian, Chair
James S. Alesi
David J. Valesky
John B. Maggiore
Uchenna S. Bright
Denise M. Sheehan
Radina R. Valova

CASE 24-C-0314 - Petition of the North American Numbering Plan
Administrator on Behalf of the New York
Telecommunications Industry for Relief of the
347/718/917/929 Numbering Plan Area.

ORDER DIRECTING OVERLAY OF THE 347/718/917/929
NUMBERING PLAN AREA SUBJECT TO CONDITIONS

(Issued and Effective January 24, 2025)

BY THE COMMISSION:

INTRODUCTION

By petition filed on May 22, 2024, the North American
Numbering Plan Administrator (NANPA or Numbering Administrator),
on behalf of the New York telecommunications industry
(Industry), requests relief related to the projected exhaust of
numbering resources in the geographic region served by the
347/718/917/929 Numbering Plan Area (NPA or area code), which
serves the Bronx, Brooklyn, Queens, Staten Island, and the
Marble Hill Section of Manhattan. According to the petition,
the Industry recommends that an all-services distributed overlay
with the addition of a new NPA be implemented over a nine-month
schedule, as relief of the exhausting 347/718/917/929 area code.

Through this Order, the Commission approves the petition filed by NANPA. In accordance with the authority delegated by the Federal Communications Commission (FCC),¹ the Commission concludes that additional numbering resources in the 347/718/917/929 area code should be provided through overlaying a new area code over the entire existing 347/718/917/929 geographic area and directs that network modifications and public education efforts regarding the new area code should be undertaken. As set forth below, the Commission's decision to authorize an all-services distributed overlay area code is fully consistent with the guidance provided by FCC regulations and with the Commission's statutory responsibility to assure that telephone service provided to New York customers is just, reasonable, efficient, adequate, and in the public interest.²

BACKGROUND

North American Numbering Plan

The North American Numbering Plan (NANP or Numbering Plan) was established in 1947 to facilitate the growing need for long distance telephone service and the related need for an integrated nationwide telephone network. The Numbering Plan provides the basic numbering scheme for telephone networks in the United States and its territories. The geographic area subject to the NANP was originally subdivided into 86 zones, and each zone was identified by a three-digit code. These three-digit codes are now referred to as NPAs or area codes.³

¹ 47 C.F.R. §52.19.

² Public Service Law (PSL) §§97(1), 97(2).

³ In the Matter of Numbering Resource Optimization, CC Docket No. 99-200, FCC 00-104, Report and Order and Further Notice of Proposed Rule Making (rel. Mar. 31, 2000), n. 2.

Pursuant to the Numbering Plan, each telephone is assigned a ten-digit phone number. Of these ten digits, the first three digits are the area code, and the second three digits are the central office code. The final four digits identify a particular telephone or telephone line in a given central office within the specified area code. Although there is a mathematical maximum of 1,000 area codes available under the Numbering Plan, as a practical matter, certain area codes (for example, those beginning with "0" or "1") are not available for assignment. Similarly, there is a mathematical maximum of 1,000 central office codes available within each area code; and, within each unique area code/central office code combination, there is a mathematical maximum of 10,000 numbers (often referred to as a "ten-thousands-block") to which a specific telephone device may be assigned. However, as a practical matter, certain central office codes and four-digit numbers are unusable under the plan; therefore, the total of available central office codes and four-digit numbers will be somewhat less than the maximum number of three- or four-digit combinations.

Area Code Relief Methods

An impending area code exhaust is projected to occur when NANPA⁴ determines that the approximately 750 utilizable central office codes associated with a particular area code are

⁴ NANPA is the neutral third party responsible under FCC regulations for administering the NANP and managing projects such as NPA relief planning, Numbering Resource Utilization and Forecast (NRUF) data collections, and NPA and NANP exhaust projections. See 47 C.F.R. §52.13(c)(4) and (5).

expected to be assigned within 36 months.⁵ Historically, the Commission has authorized two methods to provide area code relief in New York State. The original area code relief method that was utilized split the geographic territory served by the exhausting area code into two separate geographic areas. In one of the two areas, customers retained the same ten-digit telephone number they had before the geographic split was implemented, and their dialing pattern remained the same, i.e., they were not required to dial more than seven digits when calling a number within their area code. Customers requesting new telephone lines in that geographic area were assigned numbers from the existing area code. The customers located in the other geographic area retained their seven-digit telephone numbers but were assigned a new area code. The customers in the new area code region were also not required to dial more than seven digits when calling a number within their area code. However, customers in the new area code region were required to dial ten digits to reach customers in the old area code region, and vice versa.

The second and more recent area code relief method used has been to overlay the exhausting area code region with a new area code, resulting in multiple area codes serving the same geographic area. The overlay method provides additional numbering resources over the entire geographic area for which impending area code relief is required. As carriers request new

⁵ The Commission notes that when an area code approaches the end of its normal life cycle the demand for central office codes may spike before relief can be fully implemented. To maintain an adequate supply of central office codes for service providers, certain code conservation procedures known as a "jeopardy" can be implemented. The jeopardy process provides a means to manage the limited supply of unassigned central office codes to ensure a fair and equitable allocation to service providers.

numbering resources, the requests are filled from the resources associated with the new area code once the existing area code is exhausted. Because the same geographic area is served by more than one area code, it is possible that a customer assigned to both the old and new area codes will share the same seven-digit telephone number comprising the identical three-digit central office code (NXX) and four-digit telephone line identifier (XXXX). To enable proper call routing (e.g., all telephone numbers to reach all other numbers), customers served by both the old area code and the new area code must dial all ten digits of the telephone number they are trying to reach.⁶ Without "ten-digit dialing", calls cannot be completed even if the physical addresses of the called and calling parties are just down the street or even in the same apartment building.⁷

Since the introduction of the Numbering Plan in 1947, the original five area codes assigned to New York State have been increased to 22. Of the 17 new area codes, six were implemented through geographic splits, while the remaining eleven have been provided through overlays. The last geographic split was approved in 2000; since then, all eight instances of area code relief were accomplished through overlay codes.

Procedural History

The 347/718/917/929 NPA serves the boroughs of the Bronx, Brooklyn, Queens, Staten Island, and the Marble Hill section of Manhattan. In 1984, the 718 NPA was created

⁶ FCC regulations require that "[n]o area code overlay may be implemented unless there exists, at the time of implementation, mandatory 10-digit dialing for every telephone call within and between all area codes in the geographic area covered by the overlay area code." 47 C.F.R. 52.19(c)(3)(ii).

⁷ In an overlay scenario, all customers dial ten digits on calls terminating in their NPA, and 1 + ten digits for calls terminating outside their NPA.

following an area code split from the 212 NPA, which was established in 1947 and is one of New York's original five area codes. In 1992, the 917 NPA was created and used as the first overlay area code in the United States and overlaid both the 718 and 212 NPAs. Then, in 1999, facing a numbering exhaust, the Commission approved an overlay of the 718/917 NPA to add the 347 area code. In 2011, again facing exhaust, the Commission approved another overlay of the 347/718/917 NPA to add the 929 area code.

PETITION

In the petition, NANPA describes two overlay alternatives for 347/718/917/929 area code relief, i.e., a "boundary elimination overlay with the addition of a new overlay NPA" and an "all-services distributed overlay with a new overlay NPA" (all-services overlay). Under the boundary elimination overlay option, as described in the petition, the boundary between the existing 347/718/917/929 and 212/332/646/917 NPAs would be eliminated creating one overlay area, and spare central office codes from each of the NPAs would be available for assignment throughout the combined overlay area. Simultaneous with the boundary elimination, a new overlay NPA would be assigned to the entire seven NPA geographic area, creating an eight NPA overlay. Upon exhaust of the 212/332/347/646/718/917/929 NPAs, all future central office code assignments would be made from the new overlay NPA. Existing customers, regardless of landline or mobile service, would retain their current ten-digit telephone numbers. In accordance with FCC regulations, ten-digit dialing for all calls, whether local or long distance, would continue to be required. The petition estimates that this relief option has a projected life of approximately 14 years.

NANPA states that under the all-services overlay alternative, a new area code would be superimposed over the same geographic area covered by the existing 347/718/917/929 area code footprint, resulting in five area codes serving the entirety of the existing 347/718/917/929 region. According to the petition, all existing customers, with either landline or mobile service, would retain their current ten-digit telephone number, but all requests for new telephone numbers in the region would be assigned the new area code, once all 347/718/917/929 area codes are fully exhausted. In accordance with FCC regulations, both existing and new customers would be required to continue to use ten-digit dialing for all calls. NANPA estimates the life of this relief option to be approximately 11 years.

According to the petition, the Industry reached consensus to recommend for Commission approval the all-services overlay in the 347/718/917/929 area code, as the preferred form of relief, due primarily to its increased simplicity for providers to implement and mitigation of potential customer confusion. The Industry contends that the customer confusion and additional work required for the boundary elimination overlay alternative exceeds the benefit of the additional three years of life provided by this option. The petition also seeks Commission approval of a nine-month schedule, established by Industry consensus, to implement the all-services overlay relief plan. The Industry recommended dialing plan will require no change to the 347/718/917/929 NPA's existing dialing plan because this area code is already a multiple NPA overlay and therefore has 10-digit dialing in use. The petition states that, upon Commission approval, the Industry will convene to form an implementation committee (Implementation Committee) and select specific milestone dates that will allow the new area

code to be fully implemented by no later than the second quarter of 2026. This end date is in accordance with the NPA Code Relief Planning and Notification Guidelines, which require that relief be implemented six months prior to exhaust.⁸

LEGAL AUTHORITY

The FCC is authorized by statute to delegate to state commissions all or any part of its jurisdiction over the Numbering Plan. Through its regulations, the FCC has implemented its delegation for area code relief to the state commissions generally. These regulations state:

§52.19 Area code relief.

(a) 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.⁹

The action the Commission takes in this Order is made pursuant to and in furtherance of this delegation of federal authority.

PUBLIC NOTICE

Public input on the petition for 347/718/917/929 area code relief was solicited in various ways. First, pursuant to the State Administrative Procedure Act (SAPA) §202(1), a Notice

⁸ See ATIS-0300061, NPA Code Relief Planning and Notification Guidelines (October 28, 2024), §5.1. The Guidelines can be accessed on the ATIS website located at: <https://access.atis.org/higherlogic/ws/public/documents?view=ATIS-0300061>.

⁹ 47 C.F.R. §52.19.

of Proposed Rulemaking regarding NANPA's petition was published in the State Register on July 3, 2024 (SAPA No. 24-C-0314SP1). The time for submission of comments pursuant to the SAPA Notice expired on September 3, 2024. Moreover, on July 3, 2024, the Secretary issued a Notice Soliciting Comments. The Secretary's Notice sought comments by September 3, 2024. One public comment was received and is addressed below. Finally, Department of Public Service staff (Department Staff) conducted two virtual educational forums concerning the alternative relief options, held on October 1, 2024. Immediately following each forum, an Administrative Law Judge presided over a public statement hearing. Notice of these hearings was sent out by the Secretary on September 11, 2024, and the Department issued a press release on September 24, 2024, to further publicize the public statement hearings. Following the public statement hearing, the Administrative Law Judge established an additional public comment period, which expired on October 8, 2024. No further comments were received in response to this additional public comment period.

Comments

In a joint filing, AT&T Communications of New York, Inc., T-Mobile US, Inc., and Verizon New York Inc. (collectively, the Carriers) expressed support for the all-services overlay relief method. The Carriers submit that the Commission should approve the all-services overlay to provide long-term numbering relief for the 347/718/917/929 NPA as it is the most practical and effective form of area code relief available. They state that, although it is projected to provide three years less relief than the boundary elimination method, the all-services overlay method would minimize inconvenience to consumers, provide relief in the timeliest manner, and support the continuing trend of utilizing the all-services overlay as

the preferred form of area code relief. The Carriers add that the boundary elimination method would be more technically complex and require the Carriers to undertake significant efforts to modify billing and operational support systems.

DISCUSSION

Need for Relief

The need for area code relief is determined by NANPA pursuant to federal regulation.¹⁰ Semi-annually, NANPA receives projections of future numbering needs from carriers and uses the information to forecast area code exhaust. NANPA provides notice to the state commissions of impending exhaustion of area codes when it projects that the demand for central office codes in a region will exceed the known supply within 36 months. NANPA continuously monitors the projected exhaust date and adjusts it accordingly based on increases or decreases in demand trends.

Creation of new technologies and services continues to put pressure on numbering resources. Moreover, there are no longer additional conservation measures that can eliminate the need for area code relief in the 347/718/917/929 region or significantly extend the time when relief will be needed. Exhaust of existing 347/718/917/929 central office codes is on the horizon, i.e., by the fourth quarter of 2026, therefore preparation by carriers that requires changes to their networks must begin as soon as practicable.

All-Services Distributed Overlay as Relief Method

Based on the record in this proceeding, the Commission approves the Industry's request for approval of an all-services overlay as the preferred alternative for area code relief in the

¹⁰ 47 C.F.R. Part 52.

347/718/917/929 region. This decision comports with Industry consensus, Commission precedent,¹¹ and carrier preferences for the all-services overlay. An all-services overlay permits all existing telephone users in the region to keep their current phone numbers, including the 347/718/917/929 area codes and is projected to provide 11 years of relief. The all-services distributed overlay relief will affect only those customers in the 347/718/917/929 NPA. Although a boundary elimination overlay would provide relief for approximately 14 years, this method was ultimately not recommended by the Industry due to its increased complexity to implement and greater impact to customers as this alternative will affect customers in both the 347/718/917/929 NPA and also the 212/332/646/917 NPA.

Since the year 2000, the Commission has exclusively approved overlays in New York State, which have all been implemented successfully. In those cases, the Commission concluded that the all-services overlay alternative is less costly, less disruptive, less likely to frustrate customer acceptance, and more likely to enhance the public interest than the other identified alternatives.

Therefore, in accordance with the authority delegated by the FCC, the Commission concludes here that additional numbering resources to ensure the continued and ready availability of telephone numbers in the area currently served

¹¹ See, e.g., Case 21-C-0600, Petition of the North American Numbering Plan Administrator, on Behalf of the New York Telecommunications Industry, for Relief of the 845 Numbering Plan Area, Order Directing Overlay of the 845 Area Code Region Subject to Conditions (issued April 14, 2022) and Case 22-C-0358, Petition of the North American Numbering Plan Administrator on Behalf of the New York Telecommunications Industry for Relief of the 716 Numbering Plan Area, Order Directing Overlay of the 716 Area Code Region Subject to Conditions (issued October 13, 2022).

by the 347/718/917/929 NPA should be provided through an all-services distributed overlay. As discussed, the Commission's decision is fully consistent with the guidance provided by FCC regulations and with the Commission's statutory responsibility to assure that telephone service provided to New York customers is just, reasonable, efficient, adequate, and in the public interest.

Implementation and Outreach

The petition recommends that implementation of the new NPA be based upon a nine-month schedule that will consist of technical and customer education milestones and allow the new NPA to be fully implemented six months prior to the projected exhaust of the 347/718/917/929 NPA.¹² In earlier area code relief cases, the Commission has emphasized the importance and responsibility of incumbent and competitive carriers to coordinate efforts when making the necessary network modifications to activate the new overlay code. Therefore, the Commission will require all carriers assigned 347/718/917/929 numbering resources to begin preparing technical plans for introducing the new area code on a timely basis. As promptly as possible and no later than 75 days after the date of this Order, NANPA shall file on behalf of the New York Telecommunications Industry, a joint plan outlining the steps necessary to activate

¹² Although NANPA has recommended longer implementation schedules in previous petitions for area code relief, the implementation interval can be truncated here because there is no need for a permissive dialing period to educate callers about changes in dialing patterns because customers in the 347/718/917/929 NPA have already transitioned and become accustomed to ten-digit dialing well in advance of the new overlay area code's expected implementation.

a new area code, including milestone due dates, for the existing 347/718/917/929 NPA.¹³

The Commission acknowledges that it is in the best interest of all carriers operating within the 347/718/917/929 region to ensure that their customers are informed of the new overlay code. To better ensure that efforts are not wasteful, duplicative, or conflicting, the Commission will require the Implementation Committee to file, on behalf of the New York Telecommunications Industry, a joint plan outlining the steps necessary for education and outreach that each carrier will thereafter implement. This direction is consistent with the Commission's authority to implement area code relief and an appropriate burden upon any carrier that receives telephone numbers.¹⁴ In earlier area code relief cases, the Commission has clearly expressed the importance of such efforts and the responsibility of incumbent and competitive carriers to undertake such programs. The Commission will also do so here. As promptly as possible and no later than 120 days after the date of this Order, the plan to describe the outreach and

¹³ Once the regulator issues an order (or other written approval) for NPA relief, NANPA should be provided approximately 75 calendar days from the date of the order (or other written approval) to assign a new NPA, ensure a press release is issued to announce the new NPA, to schedule and facilitate an implementation meeting, and publish the Planning Letter. See ATIS-0300061: §5.10.1.

¹⁴ 47 U.S.C. §251(e) provides the FCC with plenary jurisdiction over numbering issues. Section 251(e)(1) allows the FCC to delegate to state commissions or other entities all or any portion of its jurisdiction over numbering administration. The FCC, in promulgating federal rule 47 C.F.R. §52.19(a), has granted state commissions the authority to direct the form area code relief will take (i.e., geographic split, overlay, or boundary realignment, establish dates for implementation, and direct public education efforts regarding area code changes).

education program, including the necessary action items with corresponding milestone dates, which will be implemented in support of the introduction of the new area code, shall be submitted by the Implementation Committee. All plans and preparations should be developed and carried out in consultation with Department Staff.

In addition, all carriers that provide telephone directories to their customers should include in their respective outreach and education plans provisions for ensuring that their directories provide information on the new area code regime in the region. The Commission notes that Department Staff will continue to play a role in coordination of outreach and implementation of this area code relief proceeding, as has been the case in past area code relief proceedings.

CONCLUSION

The Commission is advised by the North American Numbering Plan Administrator that area code relief is needed in the 347/718/917/929 NPA. After review of the alternative forms of relief that could be implemented and that are described by NANPA, the Commission concludes that the all-services overlay alternative is less costly, less disruptive, less likely to frustrate customer acceptance, and more likely to enhance the public interest than the other identified alternative. Therefore, the Commission approves the all-services distributed overlay as relief for the 347/718/917/929 area code as discussed in the body of this Order. The proposed implementation plan, including technical modifications and public outreach, should be conducted consistent with the discussion in the body of this Order.

The Commission orders:

1. The all-services distributed overlay is approved as area code relief for the 347/718/917/929 Numbering Plan Area as discussed in the body of this Order.

2. Consistent with the conditions and requirements set forth in the body of this Order, the North American Numbering Plan Administrator shall file on behalf of the New York Telecommunications Industry and within 75 days of the issuance of this Order, a joint plan outlining the steps necessary to activate a new area code, including milestone due dates, for the existing 347/718/917/929 Numbering Plan Area. The plan shall contain a reasonable period for all necessary network modifications, as well as a dialing plan that complies with established New York State dialing patterns and shall be submitted to the Secretary of the Commission for review and approval by the Director of the Office of Telecommunications. The carriers shall, thereafter, implement such plan.

3. Consistent with the discussion in this Order, the Industry Implementation Committee shall file on behalf of the New York Telecommunications Industry and within 120 days of the issuance of this Order, a joint plan for an outreach and education program that will acquaint customers with the establishment of the new area code and its operation, including provisions for ensuring that carriers' directories provide information on the new area code in the region. The plan shall be submitted to the Secretary of the Commission for review and approval by the Director of the Office of Consumer Services. The carriers shall, thereafter, implement such plan.

4. In the Secretary's sole discretion, the deadlines set forth in this Order may be extended. Any request for an extension must be in writing, include a justification for the

extension, and be filed at least three days prior to any affected deadline.

5. This proceeding is closed, pending compliance with Ordering Clauses 2 and 3.

By the Commission,

(SIGNED)

MICHELLE L. PHILLIPS
Secretary