

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 606 Session of 2010

INTRODUCED BY MUNDY, McCALL, CARROLL, EACHUS, FABRIZIO,
FAIRCHILD, FLECK, GEIST, GOODMAN, HARKINS, HORNAMAN, KOTIK,
McILVAINE SMITH, PASHINSKI, SAINATO, SIPTROTH, STERN, WATSON
AND GRELL, JANUARY 27, 2010

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JANUARY 27, 2010

A RESOLUTION

1 Memorializing the Federal Communications Commission to grant the
2 Pennsylvania Public Utility Commission's 2009 petition for
3 delegated authority to implement mandatory number pooling in
4 telecommunications rate centers in the Commonwealth of
5 Pennsylvania to increase the number of NXX codes available
6 for assignment and to make adjustments in the 570, 814 and
7 717 area codes that have been forecasted to become exhausted.

8 WHEREAS, The ready availability and use of numbering
9 resources by communications service providers is essential to
10 the public's receipt of the communications services it wants and
11 needs, and the unavailability of numbers, or an inefficient
12 allocation of available numbers, could prevent or discourage
13 consumers from taking new services; and

14 WHEREAS, Unless telephone numbers are assigned in a more
15 efficient manner, growth in new services could accelerate
16 telephone number exhaustion in the North American Numbering Plan
17 (NANP); and

18 WHEREAS, The Pennsylvania Public Utility Commission
19 (Commission), the Federal Communications Commission (FCC), the

1 Commonwealth of Pennsylvania's telecommunications industry and
2 the North American Numbering Council (NANC) have been working
3 together to implement various telephone numbering conservation
4 and optimization measures to promote a more efficient method of
5 assigning telephone numbers; and

6 WHEREAS, The premature implementation of new area codes
7 forces consumers and small businesses to go through the expense
8 and frustration of changing telephone numbers and dialing
9 patterns earlier or more often than necessary; and

10 WHEREAS, Section 251(e)(1) of the Communications Act of 1934,
11 as amended by the Telecommunications Act of 1996, gives the FCC
12 exclusive jurisdiction over the NANP in the United States and
13 permits the FCC to delegate any portion of that jurisdiction to
14 state regulatory commissions; and

15 WHEREAS, The FCC recognized that state commissions are
16 uniquely positioned to understand local conditions and the
17 potential effects associated with new area code or numbering
18 plan area (NPA) implementation and has authorized the states to
19 resolve various matters involving the implementation of new area
20 codes, subject to FCC rules and guidelines governing the
21 administration of telephone numbers; and

22 WHEREAS, The Pennsylvania Public Utility Commission has long
23 recognized the need for action on numbering issues and has
24 previously petitioned the FCC and has been granted additional
25 delegated authority to better conserve numbering resources
26 within the Commonwealth of Pennsylvania; and

27 WHEREAS, According to the October 2009 Number Resource
28 Utilization Forecast and Area Code Exhaust Analysis, the 570
29 area code is projected to exhaust all available NXX codes during
30 the third quarter of 2011 and the 570 area code was declared to

be in jeopardy on April 1, 2009, pursuant to current NPA jeopardy procedures; and

WHEREAS, The same October 2009 Number Resource Utilization Forecast and Area Code Exhaust Analysis projected the 814 area code to exhaust all available NXX codes during the first quarter of 2012; and

WHEREAS, The same October 2009 Number Resource Utilization Forecast and Area Code Exhaust Analysis projected the 717 area code to exhaust all available NXX codes during the third quarter of 2012; and

WHEREAS, In July 2009, Neustar filed petitions on behalf of the Commonwealth of Pennsylvania's telecommunications industry with the Commission requesting approval of the industry reached consensus to implement an all services distributed overlay for the geographic areas covered by the 570 and 814 area codes, which would create two new area codes to service both calling areas; and

WHEREAS, In October 2009, Neustar filed a petition on behalf of the Commonwealth of Pennsylvania's telecommunications industry with the Commission requesting approval of the industry-reached consensus to implement an all-services-distributed overlay for the geographic areas covered by the 717 area code, which would create a new area code to service the calling area; and

WHEREAS, The implementation of new area codes has been the primary relief measure employed in geographic areas experiencing numbering resource shortages brought on by the rapid growth in demand for central office codes or NXX codes; and

WHEREAS, If authorized by the FCC, the Commission will be permitted to implement a system that uses numbering resources in

1 the 570, 814 and 717 area codes more efficiently; and

2 WHEREAS, The efficiencies realized will reduce the need to
3 introduce new area codes, protect Pennsylvania's consumers,
4 small businesses and telecommunications companies from the
5 expense, trouble and dislocation that area code relief entails
6 and will prevent the premature exhaustion of all Pennsylvania's
7 area codes; therefore be it

8 RESOLVED, That the Pennsylvania Public Utility Commission is
9 best suited to make area code relief decisions in Pennsylvania
10 because of its unique position to ascertain and weigh the very
11 local and granular information, geography and consumer and small
12 business concerns inherent in the 570, 814 and 717 area code
13 relief decision-making processes; and be it further

14 RESOLVED, That the House of Representatives of the
15 Commonwealth of Pennsylvania support the Pennsylvania Public
16 Utility Commission's petition before the Federal Communications
17 Commission to better manage Pennsylvania's numbering resources
18 through mandatory pooling to minimize the impact to consumers
19 and small businesses of the unnecessary implementation of
20 additional area codes; and be it further

21 RESOLVED, That the House of Representatives of the
22 Commonwealth of Pennsylvania memorialize the Federal
23 Communications Commission to expeditiously approve the
24 Pennsylvania Public Utility Commission's petition to implement
25 mandatory number pooling in Pennsylvania's telecommunications
26 rate centers to better manage current area code resources and to
27 extend the life of 570, 814 and 717 area codes; and be it
28 further

29 RESOLVED, That copies of this resolution be transmitted to
30 the Chairman and Commissioners of the Federal Communications

1 Commission, the President of the United States and to the
2 presiding officers of each House of Congress and to each member
3 of Congress from Pennsylvania.