Before the
MAINE PUBLIC UTILITIES COMMISSION

Inquiry into Preservation of the 207 Area Code	))))	Docket No. 2020-00026

COMMENTS OF CTIA

CTIA[1] respectfully submits the following comments in response to the Maine Public Utilities Commission's ("Commission's") Notice of Inquiry ("Notice") entered April 9, 2020 in the above-captioned docket.[2]

In the Notice, the Commission asks questions of providers and interested parties regarding steps to preserve the "207" area code statewide in Maine in light of the North American Numbering Plan Administrator's ("NANPA's") projection that the area code will exhaust in middle of the decade.[3] CTIA understands and appreciates the attachment some consumers have to their telephone number and area code as part of their identity. This is part of the reason that the wireless industry has worked to implement and support number portability, and has supported all-services overlays when area code relief is needed. However, the Commission must balance such feelings against the very real and significant harms potential

[1] CTIA – The Wireless Association ("CTIA") (www.ctia.org) represents the U.S. wireless communications industry and the companies throughout the mobile ecosystem that enable Americans to lead a 21st century connected life. The association's members include wireless carriers, device manufacturers, and suppliers as well as app and content companies. CTIA vigorously advocates at all levels of government for policies that foster continued wireless innovation and investment. The association also coordinates the industry's voluntary best practices, hosts educational events that promote the wireless industry and co-produces the industry's leading wireless tradeshow. CTIA was founded in 1984 and is based in Washington, D.C.

[2] While certain of the questions in the Notice apply more specifically to individual carriers, CTIA herein provides responses to the Commission's numbering conservation inquiries from an overall industry perspective.

[3] The Notice cited previous NANPA projections that the 207 area code would exhaust in 2024; NANPA's most recent projections have extended that date to 1st Quarter 2025. *See* 2020-1 NRUF and NPA Exhaust Analysis (April 2020), *available at* https://www.nationalnanpa.com/reports/2020-1_NPA_Exhaust_Projections_Final.pdf (last accessed May 8, 2020).

measures in the Notice would have on consumers – namely, the costs and waste that would result from attempts to delay the inevitable need for a second area code in Maine.

For that reason, CTIA supports an all-services overlay for the 207 area code in Maine, which is the best solution for numbering exhaust. An all-services overlay, which wireless carriers have implemented in numerous states across the nation, will minimize costs and confusion while still allowing existing consumers to maintain their 207 area codes. It also will help ensure that all types of service providers in Maine have efficient access to the numbering resources needed to serve new customers.

I. THE COMMISSION SHOULD ADOPT AN ALL-SERVICES OVERLAY FOR THE 207 NUMBERING AREA

CTIA urges the Commission's adoption of an all-services overlay as the best option for area code relief when such relief is needed. Such an overlay would add an additional area code "over the top" of the state, allowing new numbers to be assigned state-wide as demand requires.

This option offers the Commission significant advantages and few drawbacks. Foremost, an all-services overlay would immediately double the overall amount of numbers available to assign in Maine, solving the numbering exhaust problem for the foreseeable future without requiring the Commission to apply new "triage" measures in months or years. Further, costs for adding a new area code through an all-services overlay will be kept to the minimum. The industry has successfully implemented 40+ all-services overlays in the last 10 years alone[4] and has developed general best practices to ensure success. Adding a new area code through an all-services overlay does not require systems development, like the Commission's alternatives would.

[4] *See* NANPA, "NPAs Introduced over the Last 10 Years" (May 4, 2020), *available at* https://www.nationalnanpa.com/enas/npasOverLast10YearsReport.do (last accessed May 8, 2020).

Also, an all-services overlay is best for consumers. In addition to the cost savings, no current consumers would have to go through the inconvenience and potential costs of giving up their current telephone number in the 207 area code, unlike in a technology-specific overlay (as will be discussed further below). And a state-wide all-services overlay is easier to implement from a customer education perspective, because service providers do not have to describe the geographic area or technologies affected (*i.e.*, "new numbers will be available for all services state-wide" is a simpler message than any of the Commission's alternatives).

The advantages of an all-services overlay are why state commissions have uniformly adopted them as a solution to numbering exhaust for many years. In the past five years alone, Alabama, California, Florida, Idaho, Indiana, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Texas and Washington have all implemented all-services overlays to address numbering exhaust.[5] In fact, the New Hampshire Public Utilities Commission recently noted before the Federal Communications Commission ("FCC") that an all-services overlay is "the least disruptive new area code option" for businesses and residents.[6] Adoption of an all-services overlay would be consistent with other states, and would reduce the impact on consumers and industry by not attempting to implement a Maine-specific system.

The sole reason cited for considering the many stop-gap measures discussed in the Notice was the Commission's desire to protect Maine's "identity."[7] Maine will maintain its unique identity, however, even with an all-services overlay – as have the 40 states with multiple area

[5] *See id.* The Virginia State Corporation Commission has also adopted an all-services overlay for the 757 numbering plan area, but has not yet begun implementation. *See* VCC Docket No. PUR-2019-0005.

[6] Before the Federal Communications Commission, *In re: Numbering Resource Optimization*, Petition by the New Hampshire Public Utilities Commission for Additional Delegated Authority to Implement Number Optimization Measures in the 603 Area Code, CC Docket No. 99-200 (April 26, 2019) at 7.

[7] *See* Notice at 2.

codes,[8] including rural, formerly single area code states such as Idaho and West Virginia, each of which has added a second area code via an all-services overlay. In all, twenty-five states – half of the nation – have moved away from a single area code (and fifteen more never had one). Maine is far from the first state to require a second area code, and it will not be the last. In any event, the mobility of Americans in today's society means the use of multiple area codes in Maine surely is prevalent today and will continue to increase. Further, another cultural shift brought about by the move to wireless is a decreased recognition of area codes or phone numbers overall, as the availability of a contact list and the display of names on smartphones means the need to memorize a phone number is significantly less important to consumers.[9]

CTIA therefore urges the Commission to adopt an all-services overlay as the best solution for any numbering exhaust issues in Maine, and to do so first rather than enact inefficient temporary measures that would only delay the need to adopt it as the inevitable solution later.

II. STOP-GAP MEASURES TO TEMPORARILY PRESERVE A STATEWIDE 207 AREA CODE ARE UNFEASIBLE OR UNALLOWABLE AND WOULD HARM CONSUMERS

To the extent a sentimental attachment to the 207 area code and the nebulous economic benefits of maintaining a statewide area code are "evidence" the Commission should consider, that evidence must be balanced against the tangible and significant negative impacts on consumers and carriers that the Commission's considered relief measures would have.

[8] *See* NANPA, NPA Report (May 4, 2020), *available at* https://www.nationalnanpa.com/nanp1/npa_report.csv (last accessed May 8, 2020).

[9] A 2015 study by Kaspersky Labs showed that 50% of Europeans could not recall their kids' or office numbers without looking through a contact list. *See* Kaspersky Labs, "How to survive in the 'Digital Amnesia' world" (July 1, 2015), *available at* https://usa.kaspersky.com/blog/digital-amnesia-survival/5548/ (last accessed May 8, 2020).

All of the stop-gap measures the Commission inquired about in the Notice would carry greater costs than an all-services overlay. These costs could be significant, depending on the scope of the change and the size of the carrier's operations in Maine. The impact of such costs is accentuated by the fact that the changes would be implemented in only a single state within a nationwide service provider's territory. Increased costs will likely mean higher rates for Maine consumers, all for inefficient measures that would merely delay, not solve, the problem of numbering exhaust in Maine.

Most of these costs are described in an Alliance for Telecommunications Industry Solutions ("ATIS") white paper from 2014. Though the paper focuses on rate center consolidation, these costs are largely applicable to all of the Commission's proposals. The paper cites "extensive" impact to "carrier networks, carrier operating support systems, services offered, dialing plans, and the E911 network" "resulting in potential customer confusion/frustration and the substantial resource commitments that would be associated with the acceleration of equipment replacement, changes to industry rating and routing systems, and significant changes to carriers' back-office billing and provisioning systems."[10]

Widespread rate center consolidation in Maine would have major negative implications for carriers and consumers. The consumer impacts cited by ATIS are likely why since 2005, rate center consolidations have largely been limited in scope and/or to rate centers with the same or almost the same local calling scopes, so as to minimize those impacts.[11] The Notice, however, suggests the Commission is considering consolidating all 249 rate centers in the 207 area code

[10] *See* ATIS, "Large-Scale Rate Center Consolidation Considerations in the Transition from the PSTN to All-IP" (September 19, 2014), *available at* https://www.atis.org/01_legal/docs/INC/ATIS%20INC%20RCC.pdf (last accessed May 8, 2020) at 1, 3-4.

[11] *See* NANPA, "Rate Center Consolidations, 2005 to the Present" (June 20, 2018), *available at* https://www.nationalnanpa.com/number_resource_info/Summary-of-Rate-Center-Consolidations.pdf (last accessed May 8, 2020).

into one rate center,[12] which would represent a massive logistical undertaking and generate major costs.

A technology-specific overlay, which the Notice also inquired about,[13] is not likely to receive the necessary FCC approval to be implemented, and presents other concerns. Technology specific overlays were outright barred by the FCC prior to the end of 2001, and then only allowed in circumstances where a state commission petitions the FCC to do so *and* demonstrates that such an overlay would be superior to an all-services overlay.[14] That bar was only lifted because at that time, state commissions were not implementing timely area code relief and wireless carriers were desperate for numbers to serve their customers. Further, thousands-block number pooling was just starting to roll out for wireline carriers, and wireless pooling and intermodal local number portability were not in place yet.[15] It is illuminating to note that the only two times a state was granted authority by the FCC for a technology-specific overlay, neither ended up implementing one.[16] The significant improvements in the numbering system over the past two decades mean that an all-services overlay is now vastly superior to technology-specific overlays.

Moreover, a technology-specific overlay would force the Commission to conduct a difficult balancing act when choosing *which* services to overlay. If the Commission overlays lesser-used services and technologies, like fax and pager numbers, it would do little to solve

[12] *See* Notice at 7 (Question B6).

[13] See Notice at 8 (Questions D1-D4).

[14] *See* 47 C.F.R. § 52.19(c)(4), *see also In re: Numbering Resource Optimization et al.*, Third Report and Order and Second Order on Reconsideration, CC Docket Nos. 95-116, 96-98, 99-200, FCC 01-362 (Dec. 28, 2001), *available at* https://docs.fcc.gov/public/attachments/FCC-01-362A1.pdf (last accessed May 8, 2020) at para. 81.

[15] Intermodal number portability has been in place for more than 15 years now, so it makes no sense to segregate technologies into different area codes, preventing all consumers from enjoying its benefits.

[16] California (310 area code, 2005) and Connecticut (203 and 860 area codes, 2007).

Maine's exhaust problem while using only a tiny percentage of numbers available in the new area code – an extremely inefficient use of limited numbering resources. But overlaying more-used services, like voice, would have a major impact on Maine consumers, many of whom would have to surrender their numbers, and would defeat the Commission's entire purpose behind this proceeding.

Increasing pooling requirements and contamination thresholds, to the extent allowable, would strain resources and would only provide a temporary solution. While the "donation" measures contemplated in the Notice[17] could reclaim some numbers, there is no guarantee they will be productive, but they would put additional and repeated strain on Commission and carrier resources for limited gains. The Commission could also implement mandatory pooling across all of its rate centers, but would need to petition the FCC for additional authority to do so. Further, considering pooling is already mandatory in a majority of Maine's rate centers, it is unclear that such requirements would have a significant impact. The Commission would also have to seek FCC approval for a trial to raise its numbering block contamination thresholds, while documentation from the North American Numbering Council suggests that such measures are not worth the implementation effort. A trial in California where the contamination threshold was increased from 10% to 25% only extended the life of the affected area codes by months, not years.[18]

[17] *See* Notice at 6 (Questions A1-A2).

[18] *See* Letter from the North American Numbering Council to Federal Communications Commission re: Contamination Threshold Evaluation (March 25, 2004), *available at* https://ecfsapi.fcc.gov/file/6516184846.pdf (last accessed May 8, 2020) ,at 13 (in the "Findings and Conclusion" section, the report notes that they "reached the conclusion that the addition of hyper-contaminated donations and returns extended the life of the 310 NPA by approximately two to three and one-half months and that of the 909 NPA by approximately less than one to one and a half months.")

While mentioned in the Notice, the New Hampshire petition to the FCC for authority to implement Individual Telephone Numbering ("ITN") on a trial basis is misguided. [19] As explained further in CTIA's responsive comments before the FCC, such a system would be premature, and undermines the goal of an efficient, national telephone number administration system by requiring voice service providers to develop state-specific procedures and mandate untested functionalities and processes for which no industry standards exist. Such a system likely would also harm consumers by requiring voice providers to obtain individual numbers from a state-designated administrator for each new customer, a process that is almost certain to be less efficient and slower than the current provisioning process. [20]

Finally, relief gained from any of these measures would certainly be temporary. While previous conservation measures have extended the clock, Maine will eventually require a second area code,[21] meaning that any stop-gap measures the Commission imposes will become obsolete. This raises the question of whether the temporary measures the Commission is considering justify the cost and expenditure of resources by the industry, and ultimately Maine consumers, when permanent relief measures are inevitably necessary. The FCC agrees, having stated they "have repeatedly emphasized that numbering resource optimization measures should not be used as a substitute for area code relief."[22]

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[19] *See* Notice at 5; the Notice incorrectly refers to the measure as "Instant Telephone Numbering."

[20] *See In re: Numbering Resource Optimization et al.*, Comments of CTIA, CC Docket No. 99-200 (July 1, 2019), *available at* https://ecfsapi.fcc.gov/file/10701088572196/190701%20CTIA%20Comments%20re%20NH%20ITN%20Pooling%20Petition.pdf (last accessed May 8, 2020). ATIS and USTelecom have also opposed New Hampshire's petition.

[21] *See* fn. 3, *supra*; *see also, e.g.*, Fishell, Darren, "Last call for 207: Maine is on track to max out area code's numbers by 2019," *Bangor Daily News* (Apr. 21, 2015), *available at* https://bangordailynews.com/2015/04/12/the-point/last-call-for-207-maine-is-on-track-to-max-out-area-codes-numbers-by-2019-2/ (last accessed May 8, 2020) (in which a senior director for Neustar, then the company overseeing NANPA, describes 207 area code exhaust as an "eventuality").

[22] *In re: Numbering Resource Optimization et al.*, Order, CC Docket No. 99-200, FCC 03-196 (Aug. 11, 2003) at para. 11 and n.33.

III. CONCLUSION

For the reasons listed above, CTIA urges the Commission to adopt an all-services overlay rather than temporary and wasteful stop-gap numbering optimization measures.

Respectfully submitted,

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