

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

Potential Petition to the Federal Communications Commission for Waiver
of the Mandatory 10-Digit Dialing Rule to Permit 7-Digit Dialing
Within the "360"/"564" Area Code Overlay Area

Docket No. UT-990219

AT&T'S COMMENTS

AT&T Communications of the Pacific Northwest, Inc. and AT&T Wireless Services, Inc. (jointly "AT&T"), submit these informal comments in response to the Washington Commission Staff's Request for Informal Comments Regarding a Possible Petition to the FCC for Waiver of its Mandatory Ten-Digit Dialing Rule to Permit Seven-Digit Dialing within the 360/564 Overlay Area.

AT&T appreciates the Commission Staff's concern about the impact of mandatory 10 digit dialing on customers. However, AT&T does not believe that the proposed permissive 10 digit dialing plan can be implemented in a competitively neutral manner simply because local carriers do not have the same local calling areas or local calling plans. In addition, because of its complexity, AT&T believes that the proposed non-standard dialing plan will be both more confusing for customers to use and much more difficult for carriers to implement - especially those carriers who serve a large calling area with a single switch. Accordingly, AT&T urges the Commission to proceed with the current area code relief plan for 360/564 which provides for an overlay with mandatory 10 digit dialing for all calls. AT&T submits consumers have quickly adapted to new dialing patterns for mandatory ten digit local calling plans without significant complaint or distress, as witnessed by the Public Utilities Commission of Colorado with its overlay in Denver:

Colorado recently implemented mandatory ten digit dialing throughout the 303 NPA as we went through an area code overlay. At the Colorado Commission, we were very concerned with the impact on consumers and even manned the phones at an increased level for a week when the ten digit dialing became mandatory. Weeks after implementation, the Commission had received only three phone calls from customers complaining or having problems. Adapting to ten digit dialing in Colorado has gone more smoothly than anyone could have predicted. This is in large part because of a strong customer education campaign that included radio, television and newspaper advertisements.

Mandatory 10 digit dialing has been implemented in numerous other states, including Maryland, Georgia and Virginia, with similar results.

1. The 360/564 area is more rural than the typical area where an overlay code has been implemented. The FCC rule requiring 10-digit dialing contemplates a more urban application of the overlay method, in which it would not be practical to keep prefixes from the two area codes from overlapping in a single local calling area.

AT&T disagrees with this statement. As an initial matter, there is nothing in the FCC rule requiring mandatory 10 digit dialing or in the order that adopted that rule to support the notion that the rule was designed more for an urban than a rural environment. The FCC's rule is written to apply to all area code overlays - regardless of the type of geographic area or population density of the overlay area. In addition, AT&T submits the Commission Staff's characterization of western Washington as "rural" is somewhat misleading. This area has experienced significant growth, notably in several urban populations such as, Bellingham, Olympia, Vancouver/Longview and Bremerton. New competitive local service providers have recently entered these markets, indicating an emerging competitive telecommunications marketplace.

2. The numbering administrator could assign prefixes from the 360 and 564 area codes such that no local calling area has the same prefix twice, once as a 360 number and once as a 564 number. (For example, 360-943-XXXX would never be used in the same local calling area as 564-943-XXXX.) The 360 and 564 area codes each have 762 prefixes available, and no local calling area includes more than 100 prefixes, so there is ample discretion to avoid duplicate prefixes within each calling area.

This statement would be correct if 1.) all telecommunications carriers serving the 360 area code had identical local calling areas today, 2.) if those calling areas remained the same in the future, and 3.) if carriers offered their customer the same local calling plans. However, telecommunication carriers' local calling areas do differ today - and in some cases quite significantly. For example, wireless carriers' current local calling areas are substantially larger than wireline carriers' local calling areas. In addition, there are variations among wireline carriers' local calling areas as well. AT&T's local calling areas for its Digital Link customers are based on mileage bands, whereas U.S. West's local calling areas are based on fixed geographic regions. Some incumbent local exchange carriers today offer their customers a choice of local calling plans, such as extended area service plans where the customers can expand their local calling scope for the payment of an additional fee. And there is little reason to believe that existing calling areas will remain static. Increasing competition in the telecommunications industry is most likely to drive carriers to compete on the basis of the size and scope of local calling areas, in addition to quality and innovation of new products.

Because local calling areas and local calling plans do and will continue to differ, administration of the proposed permissive 10 digit dialing arrangement simply cannot be implemented in a competitively neutral manner. Although the Commission may ensure that some carriers' customers are permitted to dial 7 digits for some local calls, other carriers' customers (most likely CLEC and wireless customers) would more likely need to dial 10 digits to make local calls. The FCC rules clearly prohibit such a discriminatory practice.

As a practical matter in a permissive 10 digit dialing plan, the only alternative for insuring each and every carrier's customer the same dialing experience would be to require carriers to have identical local calling areas and local calling plans. Again the permissive 10 digit dialing plan fails to serve the public interest because a requirement on competing local carriers of identical local calling areas and plans would thwart competition in the telecommunications market in dire

ct contravention to the Telecommunications Act of 1996.

3. With numbers assigned to avoid the same prefix appearing twice in a local calling area, there is no technical barrier to permissive 10-digit dialing. Telephone company switches could be programmed to (a) accept any 10-digit local call and (b) interpret any valid seven-digit number as being directed to another prefix within the local calling area. (Note that this is different from the typical default used for permissive 10-digit dialing, where a seven-digit number is assumed to have the same area code as the caller's own number. Here a seven-digit number is assumed to have whatever area code is local for that prefix.)

As explained in response to question 2, AT&T believes that numbers could not be assigned in the manner proposed because there is not an identity of local calling areas. However, from a purely technical standpoint, carriers' switches can be programmed to accept permissive 10 digit dialing in addition 7 digit dialing. Carriers' switches can also be programmed to route 7 digit calls from one NPA/NXX to certain other specified NXXs (whether in the same or a different NPA). However, the translation work required to accomplish such routing is administratively burdensome and complicated - especially for carriers (such as CLECs and wireless carriers) who serve multiple calling areas from a single switch. In addition, the number of translations that can be loaded into a single switch is limited.

4. The dialing arrangement described above is already being used in at least one exchange of the 360/564 area. Customers in Yelm can make 7-digit local calls to Tacoma, which is in the 253 area, and to Olympia, which is in the 360 area code.

At the recent 564 Initial Implementation Meeting in Everett, there was confirmation that the above-described dialing arrangement is no longer used in Yelm. To the extent that such a dialing arrangement was used, it presumably would have required the use of protected codes. Current INC (Industry Numbering Committee) guidelines for NPA Relief state: The use of protected codes (NXXs), which permit 7-digit dialing across NPA boundaries, should be eliminated or reduced to an absolute minimum as part of the NPA code relief planning process. Reduction or elimination of protected codes should be accomplished prior to a request for a relief NPA code.³

The North American Numbering Council concurred and supported this policy in its letter dated 10/29/97 from Chairman Alan Hasselwander to the INC Moderator.

5. The programming changes required to implement the permissive 10-digit dialing arrangement described above would not be an undue burden on the telecommunications industry, particularly when weighed against the costs the industry and consumers would incur to implement mandatory 10-digit dialing.

AT&T respectfully disagrees with this statement for the reasons stated in response to questions 2, 3 and 7.

6. The permissive 10-digit dialing arrangement described above would not cause any disadvantage to competitors who disproportionately are assigned numbers from the 564 code. For both incumbents and new entrants, every local call could be dialed as a seven-digit number, and every toll call would require dialing

Hypothetically, if the dialing arrangement described above could be

implemented so that every local call for every competitor's customer could be dialed as a 7 digit telephone number, AT&T could agree that competitive carriers would not be disadvantaged by a dialing disparity. However, as explained in response to question 2, it does not appear that the proposed permissive 10 digit dialing proposal can in fact be implemented. Competing carriers would have to either match the ILEC local calling area exactly or have their customers dial 10 digits to make most or all local calls. This would disadvantage competing carriers and inhibit their ability to compete. This proposed dialing arrangement creates additional costs and work for competing carriers - particularly those carriers who employ a single switch to serve a large calling area (e.g. wireless and CLECs).

7. This dialing arrangement would significantly reduce the burden on consumers who otherwise would have to dial 10 digits for every local call. Regardless of the area code, a customer could dial the seven-digit telephone number for a local call. Some confusion about area codes would remain, since most local calling areas would have a mix of 360 numbers and 564 numbers. However, even if a customer erroneously assumes that a call from a 564 number to a local 360 number requires 10 digits, the call will still complete.

AT&T submits the proposed permissive 10 digit dialing plan would create more confusion for consumers. The current overlay plan requires consumers to simply understand that they must dial 10 digits for any and all local calls. The proposed dialing arrangement would be confusing due to its complexity. Sometimes customers will need to dial 10 digits to reach another NPA; other times they would not. Sometimes consumers would need to dial 10 digits to make a call within the same NPA; other times they would not. In order to accurately determine how many digits to dial, consumers would need to know precisely the scope of their local calling area and where the person they are trying to reach is located within that calling area. In a permissive 10 digit dialing arrangement, consumer dialed 10 digit calls would always complete, yet some 7 digit dialed calls could and would be blocked. For example, if a consumer in the 360 area code erroneously used 7 digits to place a non-local 360 number, that call would be blocked.

8. This dialing arrangement would significantly reduce the burden on businesses and consumers who have automatic dialing devices. One of the major implementation issues with mandatory 10-digit dialing is the thousands of automatic dialing devices that must be re-programmed to dial an area code before the seven-digit number. No reprogramming would be required if 10-digit dialing is permissive rather than mandatory.

AT&T submits the reprogramming of automatic dialing devices is manageable given: 1.) the timely implementation of a quality consumer and business education program, and 2.) a sufficient time interval in which to start and complete necessary reprogramming. The implementation schedule of July 2000 for the 360/564 NPA overlay initially appears reasonable and sufficient to allow for a robust and thorough educational program and necessary reprogramming efforts.

9. This dialing arrangement would significantly reduce the burden on young children. A child who learns their seven-digit telephone number would have enough information to call home from any phone in the local calling area. Calls from outside the local calling area would require knowledge of the area code, but this is already true today.

AT&T disagrees with this statement for the reasons already stated in response to question 7. With the proposed dialing arrangement, children would need to be educated about the size and scope of their specific local calling area; this is a more difficult task than simply teaching children to dial 10 digits for all calls. Parents are most likely already teaching their children their NPAs as well as their seven digit telephone numbers due to those instances when a child may need to dial home from outside their area code today.

10. The public education program to be undertaken by the industry would be different in focus and overall less extensive if 10-digit dialing is merely permissive. Currently the industry faces the task of alerting all businesses, consumers, and educators about the fact that all existing seven-digit dialing arrangements will stop working next July. Educating the public about permissive 10-digit dialing is a much less daunting effort. The primary focus would be to alert customers that a new area code will be used and that some local telephone numbers will have the new area code.

Although it is true that the customer education program would have a different focus, AT&T disagrees that it would be less extensive. Since the proposed 10 digit permissive dialing arrangement is significantly more complex than mandatory 10 digit dialing for all calls, the message to be provided to consumers is significantly more complex and difficult to convey. As a result, AT&T believes that the customer education program would have to be more extensive and would likely be more costly. A press release has already been issued on the overlay and the associated mandatory 10 digit dialing. A public education plan would have to be re-designed to address resulting customer confusion from such a change in dialing plans.

11. It would be in the public interest to avoid mandatory 10-digit dialing in the 360/564 area, even if mandatory 10-digit dialing becomes necessary in the 206 and 425 areas, so long as 10-digit dialing is permissive in the 360/564 area.

As previously responded to, AT&T submits the implementation of the proposed permissive 10 digit dialing arrangement in the 360/564 area will not serve the public interest. AT&T believes that the problems and drawbacks identified previously in these comments would be exacerbated. Citizens of the state of Washington would be more confused than necessary if the Commission were to move forward with permissive 10 digit dialing in one part of the state while implementing mandatory 10 digit dialing in other parts of the state.

12. Use of the permissive 10-digit dialing arrangement described above would not affect the date on which new numbers could be assigned from the 564 area code. Implementation of the 564 overlay would still take effect on July 29, 1999. Indeed, other states have had to postpone implementation dates due to problems in preparing for mandatory 10-digit dialing, so use of permissive 10-digit dialing probably increases the likelihood that the current implementation date can be met.

There is no indication that the current July 2000 implementation date cannot be met. A number of other states, including Colorado, have implemented overlays with mandatory ten-digit dialing on schedule and with a minimal amount of consumer confusion or distress. It is conceivable that the current implementation date of July 2000 could be delayed if the area code relief plan were now to be altered in the manner discussed above. There are significantly more issues that

would have to be addressed and resolved in order to implement a permissive 10 digit dialing arrangement, than there currently are for implementing an industry-standard mandatory 10 digit dialing plan. In addition to the Washington Commission having to receive FCC approval for its non-standard permissive 10 digit dialing plan, the Commission would also have to resolve the inconsistent local calling area issue described previously. Concurrently, the North American Numbering Plan Administrator (NANPA) would have to determine how to allocate the NPA NXX codes to avoid dialing conflicts and would need to develop its appropriate translation tables. Telecommunication carriers would likely require new and additional time to undertake the necessary, and for some carriers, extensive translation work within their switches. And there would be a need for additional time to educate customers about a non industry-standard, more complex dialing implementation plan.

13. All members of the industry group that developed the 360/564 overlay plan would support, or at least not object to, a petition to the FCC for a waiver that would allow the permissive 10-digit dialing arrangement described above.

For reasons stated previously, AT&T could not support a petition to the FCC for a waiver of the mandatory 10 digit dialing rule.

14. Time is of the essence. If the WUTC is to make such a petition to the FCC, it should do so as soon as possible so that the industry can adjust its implementation plans accordingly. The WUTC should ask the FCC to make a decision by January 15, 2000.

AT&T agrees that time is of the essence. AT&T respectfully submits the implementation of a non-standard dialing arrangement plan is not in the public interest for consumers in the state of Washington, and therefore believes the Washington Commission should not go forward with a petition filing with the FCC.

AT&T COMMUNICATIONS
OF THE PACIFIC NORTHWEST, INC.

Ron Gayman
1501 Capitol Way South, Room 204
Olympia, Washington 98501
360-705-3977

Suzanne Toller
AT&T Wireless Services, Inc.
795 Folsom Street, Room 670
San Francisco, CA 94107
(415) 442-5587