

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Petition of NeuStar, Inc., the North American Numbering Plan)
Administrator, on behalf of the Nevada telecommunications)
industry, to implement an all-services distributed overlay as)
relief for the 702 numbering plan area and for approval of the)
implementation schedule.)
_____)

Docket No. 12-06016

At a general session of the Public Utilities
Commission of Nevada, held at its offices
on November 15, 2012.

PRESENT: Chairman Alaina Burtenshaw
Commissioner Rebecca D. Wagner
Commissioner David Noble
Assistant Commission Secretary Breanne Potter

ORDER

The Public Utilities Commission of Nevada ("Commission") makes the following
findings and conclusions:

I. INTRODUCTION

NeuStar, Inc. ("Neustar"), the North American Numbering Plan Administrator, on behalf of the Nevada telecommunications industry, filed a Petition to implement an all-services distributed overlay as relief for the 702 numbering plan area and for approval of the implementation schedule.

II. SUMMARY

The Commission approves the Stipulation, attached hereto as Attachment 1, and grants Neustar's Application subject to the compliance and directives contained in the Stipulation.

III. PROCEDURAL HISTORY

- On June 6, 2012, NeuStar filed a Petition with the Commission to implement an all-services distributed overlay as relief for the 702 numbering plan area and for approval of the implementation schedule. This filing was designated as Docket No. 12-06016.
- The Petition was filed pursuant to the Nevada Revised Statutes ("NRS") and the Nevada Administrative Code ("NAC"), Chapters 703 and 704, including but not limited to 703.540.

DOCUMENT REVIEW AND APPROVAL ROUTING

DRAFTED BY: Don Langel

FINAL DRAFT ON 11/15/12 AT 10:00 A M

REVIEWED & APPROVED BY: DATE

☐	ADMIN / ASST (_____)	____ / ____ / ____
☒	COMM. COUNSEL <u>JL</u>	<u>11/15/12</u>
☐	SECRETARY / ASST. SEC. _____	____ / ____ / ____
☐	OTHER (_____) _____	____ / ____ / ____

Pursuant to section 52.19 of title 47 of the Code of Federal Regulations, the Federal Communications Commission has delegated authority to the states to review and approve number plan area relief plans.

- On June 14, 2012, the Commission issued a Notice of Petition.
- The Regulatory Operations Staff (“Staff”) of the Commission participates as a matter of right pursuant to NRS 703.301.
- On June 29, 2012, Central Telephone Company d/b/a CenturyLink and Tom Li respectively filed Comments regarding the Petition.
- On July 3, 2012, Staff and Cox Nevada Telcom, LLC (“Cox”) respectively filed Comments regarding the Petition.
- On July 30, 2012, the Commission issued an Order setting the Petition for further proceedings as was voted upon by the Commission at its July 18, 2012, Agenda meeting.
- On August 8, 2012, the Commission issued a Notice that Petition Has Been Set for Further Proceedings, Notice of Prehearing Conference, and Notice of Consumer Sessions.
- On September 5, 2012, Cox filed a Petition for Leave to Intervene (“PLTI”).
- On September 7, 2012, a prehearing conference was held in this matter.
- On September 12, 2012, Cox filed a Motion to Withdraw its PLTI.¹
- On September 26, 2012, a Consumer Session was held in Laughlin, Nevada.
- On September 27, 2012, a Consumer Session was held in Las Vegas, Nevada.
- On October 30, 2012, NeuStar and Staff (the “Parties”) filed a Stipulation resolving all of the issues in Docket No. 12-06016.

IV. STIPULATION

Parties’ Position

1. The Parties agree and recommend that the Commission accept “Alternative #1”, the distributed overlay area code relief plan and timetable for implementation, as proposed in the Petition. The Parties further agree and recommend that as a compliance, Neustar be required to

¹ The Presiding Officer construed the Motion to Withdraw PLTI as a withdrawal of PLTI and informed Cox and Staff that no further action was required to effectuate Cox’s withdrawal of its PLTI.

file with the Commission a copy of its Planning Letter published on their website informing the public of the overlay. The Parties also agree and recommend that the following directives be included in the Commission's Order: (A) NeuStar will report periodically via email to Staff on the status of its implementation efforts, until final implementation of the Nevada all-services distributed overlay area code relief plan, (B) NeuStar will include Staff in its area code relief implementation meetings, and (C) Service Providers in the 702 area code will provide to Staff their education materials informing the public of the Nevada all-services distributed overlay area code relief plan, from the date of the Commission's Order through final implementation of the all-services distributed overlay area code relief plan.

Commission Discussion and Findings

2. The Commission finds that the Stipulation is a consensus resolution of the issues pursuant to the Parties' negotiations, and as such, is a reasonable recommendation and resolution of the issues in this proceeding. Therefore, the Commission finds that it is in the public interest to approve the Stipulation and grant the Petition subject to the compliance and directives contained in the Stipulation.

THEREFORE, it is hereby ORDERED that:

1. The Stipulation filed in Docket No. 12-06016 by NeuStar, Inc. and the Regulatory Operations Staff, attached hereto as Attachment 1, is APPROVED.

2. NeuStar, Inc.'s Petition in Docket No. 12-06016 is GRANTED subject to the compliance and directives contained in the Stipulation and recited in Ordering Paragraphs 5-8 below.

3. The Commission's approval of the Stipulation does not constitute approval of, or precedent regarding, any legal or factual issue.

4. The Commission may correct errors that may have occurred in the drafting or

issuance of this Order.

Compliance

5. Neustar, Inc. will file with the Commission a copy of its Planning Letter published on its website informing the public of the overlay.

Directives

6. NeuStar, Inc. will report periodically via email to Staff on the status of its implementation efforts, until final implementation of the Nevada all-services distributed overlay area code relief plan.

7. NeuStar, Inc. will include Staff in its area code relief implementation meetings.

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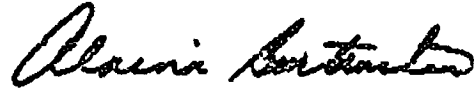
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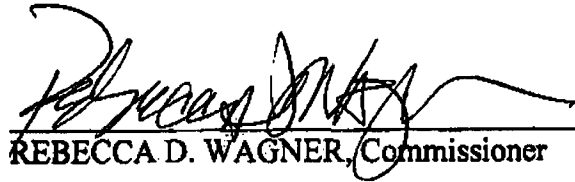
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8. Service Providers in the 702 area code will provide to Staff their education materials informing the public of the Nevada all-services distributed overlay area code relief plan, from the date of the Commission's Order through final implementation of the all-services distributed overlay area code relief plan.

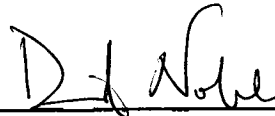
By the Commission,



ALAINA BURTENSHAW, Chairman



REBECCA D. WAGNER, Commissioner



DAVID NOBLE, Commissioner

Attest:

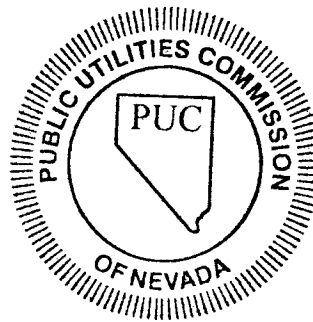


BREANNE POTTER,
Assistant Commission Secretary

Dated: Carson City, Nevada

11-19-12

(SEAL)



ATTACHMENT 1

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Petition of NeuStar, Inc., the North American
Numbering Plan Administrator, on behalf of
the Nevada telecommunications industry, to
implement an all-services distributed overlay
as relief for the 702 numbering plan area and
for approval of the implementation schedule.

Docket No. 12-06016

STIPULATION

COMES NOW, the Regulatory Operations Staff ("Staff") of the Public Utilities Commission
of Nevada ("Commission") and NeuStar, Inc., ("NeuStar"), (collectively, "the Parties"), hereby
jointly stipulate and agree as follows:

WHEREAS, on June 8, 2012, NeuStar, in its role as the independent neutral third party North
American Numbering Plan Administrator, ("NANPA"), on behalf of the Nevada telecommunications
industry ("Industry"), filed a Petition which was designated as Docket No. 12-06016, with a proposed
plan to implement an all-services distributed overlay as relief for the 702 numbering plan area and for
approval of an implementation schedule, to ensure the quickest reasonable implementation with
adequate customer education;

WHEREAS, pursuant to section 52.19 of title 47 of the Code of Federal Regulations, the
Federal Communications Commission ("FCC") has delegated authority to the states to review and
approve number plan relief plans;

WHEREAS, NeuStar represents that based on NANPA's estimates, absent number relief, the
supply of available telephone numbers in the 702 area code will become exhausted during the third
quarter of 2014;

WHEREAS, area code relief appears necessary in the 702 area code to ensure that an
adequate supply of telephone numbers is available for assignment;

WHEREAS, NeuStar also represents that by implementing relief in a timely manner,
shortages of telephone numbers assignable to consumers will be avoided;

1 WHEREAS, NeuStar's Petition states that based upon the projected exhaust date, NANPA
2 notified the Commission and the Industry on March 1, 2012 that numbering plan relief needed to be
3 addressed;

4 WHEREAS, NANPA met with Industry members on March 22, 2012 to solicit Industry input
5 on the proposed relief plans and on April 26, 2012 to discuss the proposed relief alternatives and to
6 allow the Industry to arrive at a consensus on the relief alternative to recommend to the Commission;

7 WHEREAS, in its Petition NeuStar detailed the three number relief options studied by the
8 Industry before agreeing upon the all-services overlay as the proposed form of relief;

9 WHEREAS, the three alternatives included an All-Services Overlay, a Geographic Split and a
10 Concentrated Overlay;

11 WHEREAS, Industry members reached consensus on April 26, 2012 to recommend
12 Alternative #1, the all-services distributed overlay plan, which adds another area code by overlaying
13 a new code over the existing area code;

14 WHEREAS, the Nevada telecommunications Industry requests that the Commission approve
15 its consensus decision to implement an all-services distributed overlay;

16 WHEREAS, an all-services distributed overlay area code relief plan satisfies the criteria for
17 relief established by the FCC pursuant to 47 C.F.R. § 52.19;

18 WHEREAS, an all-services distributed overlay is a reasonable method of area code relief
19 which has been successfully implemented in many other areas of the United States;

20 WHEREAS, an overlay treats all customers equally and allows customers to retain their 10-
21 digit telephone numbers;

22 WHEREAS, while the proposed plan would require customers to dial 10 digits within and
23 between area codes in the affected area, such calls will remain local calls but on a ten-digit basis;

24 WHEREAS, an overlay eliminates potential financial hardship on those commercial
25 customers who would be forced to change their area code if a split alternative were chosen;

26 WHEREAS, an overlay can minimize the technical difficulties often associated with local
27 number portability requirements;

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1 WHEREAS, NeuStar's Petition, footnote 3, states that "consensus" as used in its filing
2 means: "Consensus is established when substantial agreement has been reached among those
3 participating in the issue at hand";

4 WHEREAS, in the same footnote NeuStar defines "substantial agreement" to mean "more
5 than a simple majority, but not necessarily unanimous agreement";

6 WHEREAS, at the Commission's noticed Consumer Sessions on September 26 and 27, 2012,
7 no issues were raised which would prevent an agreement of the Parties' in this matter;

8 WHEREAS, the Parties assert that the public interest will be best served in this proceeding by
9 implementing an overlay to provide the necessary relief in the 702 area code;

10 NOW THEREFORE, based upon the mutual agreement reflected in this Stipulation, the
11 Parties agree and recommend that the Commission accept the following:

12 1. Alternative #1, the all-services distributed overlay area code relief plan and timetable
13 for implementation as proposed in the Petition.

14 2. The Parties further agree and recommend that the Commission include the following
15 Compliance in its Order:

16 Compliance:

17 A. Neustar will file with the Commission a copy of its Planning Letter published on their
18 website informing the public of the overlay.

19 3. The Parties further agree and recommend that the Commission include the following
20 Directives in its Order:

21 Directives:

22 A. NeuStar will report periodically via email to Staff on the status of its implementation
23 efforts, until final implementation of the Nevada all-services distributed overlay area code relief plan.

24 B. NeuStar will include Staff in its area code relief implementation meetings.

25 C. Service Providers in the 702 area code will provide to Staff their education materials
26 informing the public of the Nevada all-services distributed overlay area code relief plan, from the
27 date of the Commission's Order through final implementation of the all-services distributed overlay
28 area code relief plan.

1 4. Neither this Stipulation, nor its terms, nor the Commission's acceptance of the
2 recommendations contained in this Stipulation shall have any precedential effect in proceedings
3 before the Commission, in proceedings before a court of law, or any state government regulatory
4 bodies, nor shall it be admissible or otherwise used in any proceedings before a court of law, or any
5 state government regulatory bodies for any purpose.

6 5. This Stipulation is made upon the express understanding that it constitutes a
7 negotiated settlement. The provisions of this Stipulation are not severable. In the event the
8 Commission does not adopt the recommendations contained in the Stipulation in total, then this
9 Stipulation shall be void and no signatory shall be bound by any of the agreements or provisions.

10 6. This Stipulation may be signed in one or more counterparts, all of which together shall
11 constitute the original executed document. This Stipulation may be executed by signatures provided
12 by electronic facsimile transmission (i.e., fax copies), which facsimile signatures shall be as binding
13 and effective as original signatures.

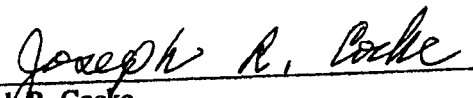
14 Regulatory Operations Staff
15 Public Utilities Commission of Nevada

16
17 Dated: Oct 30, 2012 By:


18 Louise Uttinger, Assistant Staff Counsel

19 NeuStar, Inc.,
20 The North American Numbering Plan Administrator

21
22 Dated: Oct 30, 2012 By:


23 Joseph R. Cocke
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PROOF OF SERVICE

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding by electronic mail to the recipient's current electronic mail address and mailing a copy thereof, properly addressed to:

Kimberly Wheeler Miller
NUESTAR, INC.
1775 Pennsylvania Ave, NW, 4th Fl
Washington, DC 20036
Kimberly.miller@neustar.biz
Joe.cocke@neustar.biz

Eric Witkoski
Bureau of Consumer Protection
555 E. Washington St., Ste 3900
Las Vegas, NV 89101
bcpserve@ag.nv.gov

Torry R. Somers, Esq.
CENTURYLINK
6700 Via Austi Parkway
Las Vegas, NV 89119
Torry.r.somers@centurylink.com

Tom Li
125 Haddon Road
New Hyde Park, NY 11040-1740

DATED at Carson City, Nevada, on the 30th day of October, 2012.


An employee of the Public Utilities
Commission of Nevada