

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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In the Matter of a Relief Plan for the Exhaust of  
the 612 Area Code

ISSUE DATE: April 6, 1999

DOCKET NO. P-999/M-97-506

ORDER AFTER RECONSIDERATION

**PROCEDURAL HISTORY**

On December 15, 1998, the Commission issued its ORDER SETTING FURTHER AREA CODE RELIEF, REQUIRING TRAFFIC STUDIES, AND CLARIFYING NUMBER CONSERVATION EFFORTS. In that Order the Commission implemented Phase II of the (612) area code relief plan. The Commission separated Minneapolis and Richfield (by municipal boundaries) and Fort Snelling (by wire center) from the remainder of the current (612) area code, and assigned the three separated areas a new code, (952).<sup>1</sup> The Commission also renewed the current industry prefix rationing/allocation plan--which had proven essential to number conservation efforts--to allow it to continue through the implementation of Phase II.

While Phase II area code numbering relief was clearly necessary, the timing of the Commission's December 15, 1998 area code decision was partly a response to a new Federal Communications Commission order forbidding any state commission from implementing prefix rationing without an associated area code relief decision. Faced with the necessity of proceeding with the area code relief decision, yet aware that further information could be useful to the relief plan process, the Commission ordered the telephone industry to reconvene to discuss the Commission's relief plan and to submit any consensus modifications and comments to the Commission for reconsideration by March 5, 1999. In the meantime, the industry was to conduct traffic studies of the calling patterns into and out of the proposed three area codes (i.e., 612, 651, and 952) and to submit the results of those studies to the Commission by February 16, 1999. The Commission also planned to conduct at least two public meetings on the proposed area code plan to gather public opinion on the merits of alternative relief plans.

On February 17, 18, and 19, 1999, the Commission held public hearings in Richfield, Eden Prairie, and Minneapolis. In total, approximately 65 members of the public attended the

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<sup>1</sup> The Commission notes that, although the North American Numbering Plan Administrator (NANPA) has reserved this number for use in the Commission's area code relief plan, NANPA has not yet officially assigned the number.

meetings. No clear consensus of opinion emerged from comments at the public hearings. Generally, members of the public attending the Richfield and Minneapolis meetings favored methods of area code relief that would allow them to keep the (612) area code. Public participants in Eden Prairie generally spoke in opposition to the overlay method.

Through March 5, 1999, the Commission received nearly 1200 comments regarding the area code relief proposals. Although 75% of the comments favored the overlay approach, most of those were responding to a US WEST letter urging its business customers to contact the Commission in support of the overlay method.

On March 1, 1999, the Minnesota Business Utility Users Council (MBUUC), a group of major business users of telecommunications service in Minnesota, filed comments supporting a geographic split as the preferred area code relief plan, and opposing the overlay alternative.

On March 3, 1999, the City of Richfield filed its City Resolution No. 8683, urging the Commission to retain the (612) area code for Minneapolis, Richfield, and Fort Snelling, and to split the remaining (612) area into two new area codes.

On March 4 and 5, 1999, Sprint Spectrum L.P. (Sprint), MCI WorldCom (MCIW), and AT&T Communications of the Midwest, Inc. (AT&T) filed comments and/or requests for reconsideration. AT&T and Sprint endorsed an overlay solution for the impending (612) area code exhaust, with appropriate safeguards against anti-competitive effects. MCIW stated that it “may not object to use of an overlay in Minnesota” if such a method were implemented in a competitively neutral manner.

On March 5, 1999, US WEST Communications, Inc. (US WEST) filed its request for reconsideration. US WEST asked the Commission to move to an overlay approach for area code relief. If the Commission continued to require a geographic split along municipal lines--a method US WEST considered unduly burdensome--US WEST requested Commission permission to recover its associated costs from ratepayers. US WEST stated that an overlay is preferable because it is a long-term approach, enhances dialing predictability, and helps preserve geographic identity by avoiding further splits. US WEST noted that the Industry and other cities have accepted the overlay approach. According to US WEST, a geographic split is a fruitless attempt to preserve seven-digit dialing, since over 50% of calls from the (612) area code currently use 10-digit dialing.

The following telephone companies and association stated their support for US WEST’s overlay proposal: Bridgewater Telephone Company; Eckles Telephone Company; GTE Minnesota; Lakedale Telephone Company; Minnesota Telephone Association.

On March 5, 1999, the North American Numbering Plan Administrator (NANPA), on behalf of the Minnesota Telecommunications Industry, filed a response to the Commission’s December 15, 1998 area code relief Order. The NANPA stated that the Minnesota Telecommunications Industry had met twice to discuss the Commission’s area code relief plan. The Industry members reached consensus that the Commission should modify its December 15, 1998 Order and adopt an “all services overlay” as the means of relief for the (612) area code. The Industry also agreed that, in the event the Commission continues to favor a geographic split, the

Commission should reevaluate the Phase II permissive dialing date of January, 2000, in order to alleviate possible Y2K issues.

On March 5 and 10, 1999, the Department of Public Service (the Department) filed comments. The Department recommended the Commission's adoption of a two-way, geographic split along municipal boundaries. Under the Department's plan, Minneapolis, Fort Snelling, Richfield, and St. Anthony would retain the (612) area code and the remainder of the current (612) area would be assigned the new (952) area code. The Department recommended that the Commission allow all wireless service providers in the current (612) area code to retain their area code.

The Department argued that the Commission should accept its geographic split plan because it is readily acceptable to consumers; minimizes confusion and preserves geographic identity; best retains seven-digit dialing; achieves competitive neutrality; and balances the relief period on each side of the split. From traffic studies provided by US WEST, the Department concluded that its recommended geographic split would result in the retention of seven-digit dialing for between 55% and 67% of calls originating in the (612) area code and for between 73% and 90% of calls originating in the new (952) area code. The Department projected an exhaust period of 9.5 years for the Minneapolis (612) area and 9.8 years for the new (952) area. The Department projected an exhaust period of 10.0 years for an overlay alternative.

On March 12, 1999, the Suburban Rate Authority, a joint powers organization of 38 suburban municipalities, filed a response to the reconsideration requests of the Department and US WEST. The Suburban Rate Authority (SRA) supported the Department's proposal, with the clarification that current (612) wireless customers may either retain the (612) area code or choose the (952) area code.

On March 12, 1999, the Metropolitan 911 Board (the 911 Board) filed comments stating that any area code relief measure--whether a geographic split or an overlay--would have a major impact on the 911 emergency response system. The 911 Board asked the Commission to request that US WEST respond to questions regarding the impact of area code relief on 911 service.

On March 15, 1999, US WEST filed reply comments.

On March 22, 1999, the matter came before the Commission for consideration. At the March 22 meeting, US WEST unveiled a proposed "speed calling" promotion for use with the overlay relief method. Under US WEST's proposal, the company would waive the nonrecurring charge for the installation of speed dialing for 90 days for customers within the overlaid area code. US WEST would also waive the monthly service rate for 3 months and reduce the monthly rate thereafter from \$2.00 to \$1.00 for those customers. US WEST offered the speed dialing proposal to mitigate the FCC requirement that an overlay system include 10-digit dialing for all calls.

## **FINDINGS AND CONCLUSIONS**

### **I. INTRODUCTION AND SUMMARY OF ORDER**

In this Order the Commission reexamines its December 15, 1998 decision in the light of written and oral comments from the public and from parties. The Commission determines that the

geographic split still provides the greatest possible relief for pending area code exhaust with the least disruption and confusion for consumers and the least anti-competitive effect on competitive providers. Based upon evidence submitted by parties, the Commission makes two modifications to its previous plan--retaining the (612) area code for Minneapolis and assigning two, instead of one, new area codes to the remainder of the former (612) area. The Commission then provides the details necessary to implement this plan.

Lastly, the Commission recognizes that its request for two new area codes may not be accepted by the NANPA. In that case, it will be necessary for the Commission to reconsider the decision it is making today. Furthermore, the Commission is aware that Industry opinions on area code relief are evolving, that technological numbering advances are on the horizon, and that the FCC is currently examining major numbering and conservation issues. Given all these facts, the Commission waives its rules on reconsideration to allow parties another opportunity to request reconsideration of this decision.<sup>2</sup>

## **II. THE COMMISSION CONTINUES TO FIND THE GEOGRAPHIC SPLIT METHOD RESULTS IN THE MOST BENEFITS AND THE FEWEST DISADVANTAGES TO CONSUMERS AND PROVIDERS**

### **A. Introduction**

On November 13, 1997, the Commission issued its first Order outlining the shape of area code relief for the then-existing (612) area.<sup>3</sup> Since that decision, the Commission has implemented Phase I of its area code relief plan; St. Paul and its suburbs have progressed through the permissive dialing period to mandatory dialing of a new area code. A jeopardy allocation plan has assigned prefixes by lottery since January, 1998.

In its December 15, 1998 decision, the Commission formed a plan for the implementation of Phase II relief through a geographic split and outlined the parameters of the dialing periods. The Commission also provided the public and interested parties the opportunity to express their further views in public meetings, written and oral comments, and an expanded Commission reconsideration period.

Now the Commission has reexamined its December 15 decision in light of further information provided during the reconsideration period. Having done so, the Commission finds no compelling reason to move from its previous geographic split relief plan. The Commission bases this conclusion upon three major findings. First, the history of Phase I implementation lends

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<sup>2</sup> The Commission's decisions in this Order are a reconsideration of the December 15, 1998 Phase II decision. Under the Commission's rules, parties have only one opportunity to request reconsideration of a Commission Order. Waiving the rules will allow parties the opportunity to ask again for reconsideration--in effect, a "reconsideration of a reconsideration."

<sup>3</sup> In the Matter of a Relief Plan for the Exhaust of the 612 Area Code, Docket No. P-999/M-97-506, ORDER ESTABLISHING AREA CODE RELIEF PLAN, SETTING POLICIES FOR NUMBER CONSERVATION, AND ESTABLISHING TASK FORCE.

support for the continuation of the geographic split method. Second, the data and comments provided by the public and parties do not offer a clearly superior alternative to the Commission's geographic split plan. Third, the geographic split method, with two modifications discussed in this Order, best fits the methodology analysis the Commission has previously developed and applied.

The Commission will examine each of these three factors in turn.

**B. The Implementation of Phase I Supports the Commission's Continued Use of the Geographic Split Plan**

The permissive dialing phase of Phase I area code relief began on July 12, 1998; mandatory dialing of the (651) area code has been in place since January 11, 1999. Since dialing of the (651) area code became mandatory, the Commission's Office of Consumer Affairs has received very few consumer complaints regarding unsatisfactory service or lost calls. The Commission notes that contemporaneous newspaper accounts depicted a quiet and uneventful transition to full implementation of the (651) area code for St. Paul. In short, Phase I--the first phase of the Commission's master plan for (612) area code relief through municipally-drawn geographic splits--has been implemented smoothly and effectively.

As the Department noted, and US WEST confirmed, the company's costs to execute Phase I were significantly lower than US WEST had predicted.<sup>4</sup> US WEST has not yet begun implementing Phase II; the company's projected Phase II costs remain uncertain at this time.

The Commission notes that the smoothness, efficiency, and relatively low cost of Phase I implementation are in large part due to US WEST's efforts. The Commission has every reason to believe that US WEST will approach Phase II with the same efficiency and inventiveness, and the same sense of duty toward ratepayers, shareholders, and the general public. The Commission therefore believes that the successful history of Phase I implementation is a reliable predictor of success for a similar geographic split along municipal lines in Phase II.

**C. Comments and Information Presented by the Parties and Public Do Not Point to a Clearly Preferable Alternative to the Geographic Split**

The Industry "consensus" report favoring the overlay method of area code relief was something less than consensus in the usual meaning of that term. Although the Industry reached NANPA standards for consensus, many telecommunications Industry members did not partake in the consideration of area code relief, and at least one participant at the Industry meetings (MCIW) did not join in the majority view.

The Industry's overlay recommendation was countered by other strong support for the geographic split method of area code relief. The MBUUC reported that there is little support

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<sup>4</sup> The Commission is aware that US WEST has stated that the lower costs were due to its inventive use of interoffice trunking/remote switching, and that this approach would not be practicable for Phase II.

among major business telecommunications users for the overlay method. The SRA, whose members include western suburban municipalities directly affected by the proposed relief plan, favored the geographic split along municipal boundaries. Both the MBUUC and the SRA believed that the Commission is in the best position to decide which of the geographical divisions should retain the (612) area code.

Public participation in public meetings was helpful but not determinative of a clear preference for area code relief. No consensus on methodology emerged from the approximately 65 members of the public attending one of the three Commission public meetings.

The Department's analysis, particularly its exhaust projections for 15 different relief scenarios, was painstaking and valuable. The Department's recommendation of a two-way geographic split along boundary lines was well-reasoned. The Commission notes, however, that the Department stated at the March 22 hearing that it does not oppose the three-way geographic split alternative (that is, assigning two new area codes), although the Department continues to favor the two-way geographic split. The Department's main concern regarding the three-way geographic split alternative is the fact that NANPA's granting of two new area codes remains uncertain.

Having carefully considered each and every source of information and opinion from parties and public participants, the Commission concludes that no pattern or clear direction emerges to move the Commission from the geographic split method of area code relief first chosen in November, 1997. So long as the latest version of the geographic split plan, including the modifications discussed in this Order, fulfill the Commission's decision criteria, the geographic split remains viable. The Commission will next examine if its latest iteration of the geographic split continues to fulfill the Commission's chosen criteria.

#### **D. The Geographic Split Continues to Satisfy the Commission's Decision Criteria**

In 1997, when the Commission first considered its overall method of (612) area code relief, the Commission's decision framework consisted of three major considerations:

- the continuation of high quality service with the least disruption to consumers
- the effect of the relief plan on the competitive balance between incumbents and new entrants
- the effect of the plan on preexisting dialing patterns

Based upon the foregoing decision analysis, the Commission chose a three-way, municipally-drawn geographic split with two-phase implementation.<sup>5</sup>

Two years later, with the first phase of the overall plan successfully in place, the Commission's three decision criteria retain their validity. Measured against those criteria, the Commission's

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<sup>5</sup> In the Matter of a Relief Plan for the Exhaust of the 612 Area Code, Docket No. P-999/M-97-506, ORDER ESTABLISHING AREA CODE RELIEF PLAN, SETTING POLICIES FOR NUMBER CONSERVATION, AND ESTABLISHING TASK FORCE.

decision to implement Phase II through a municipally-drawn geographic split (with the two modifications the Commission describes below) remains sound. First, as evidenced by the (651) split, the municipally-drawn geographic split allows the continuation of high quality service with a minimum of disruption and confusion. Second, the geographic split is competitively neutral, without the addition of FCC- or Commission-invoked competitive protections.<sup>6</sup> Third, the geographic split method will minimize the disruption of preexisting dialing patterns, and retain seven-digit dialing, to the greatest possible extent.

In its initial (612) area code relief decision, the Commission also examined the following factors to gauge the plan's effects on consumers:

- the retention of geographical identity
- simplicity and ease of understanding
- long-term stability
- retention of seven-digit dialing to the greatest extent
- conservation of numbering resources
- impact of the solution on future renumbering efforts

Based upon these criteria, the Commission continues to find that a geographic split along municipal boundaries is in the public interest. A geographic split for Phase II will retain geographic identity and reduce confusion by mirroring the previous successful split. Unlike the overlay, which can never be reversed once it is implemented, the geographic split will retain all options (hopefully, unnecessary) for future renumbering efforts. The three-way version of the geographic split (described below) will result in long-term numbering stability.

In conclusion, based upon the history of Phase I implementation, information gathered during the reconsideration phase, and the application of the Commission's longstanding decision criteria, the Commission finds that the municipally-drawn geographic split (as modified below) is the best plan for Phase II of (612) area code relief.

### **III. THE COMMISSION WILL MODIFY ITS PREVIOUS GEOGRAPHIC SPLIT METHOD TO PRESERVE MINNEAPOLIS' GEOGRAPHIC IDENTITY AND TO PROVIDE BALANCED AND LONG LASTING NUMBER RELIEF**

Although the Commission will not alter its basic geographic split relief method, the Commission will apply information gathered in this process to alter the preliminary plan in two major ways: 1) the (612) area code will remain with Minneapolis; and 2) the remainder of the current (612) area will be divided into a northern and southern half and assigned two new area codes instead of the one area code previously envisioned.

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<sup>6</sup> The FCC is currently studying some of the protections--such as Unassigned Number Portability--designed to mitigate possible anti-competitive effects of overlay. Because protections such as Unassigned Number Portability currently are without national guidelines, implementation of such protections may be problematic at this time.

## **A. The Assignment of the (612) Area Code**

In its comments, the Department included exhaust projections for 15 different area code relief alternatives. This data convinced the Department that the Commission should assign the (612) area code to Minneapolis rather than to the suburbs to the west. The Department based its recommendation on the fact that assignment of the (612) area code to Minneapolis would result in balanced, long-term projected exhausts for the western suburbs and the Minneapolis core.

Commenting parties and participants, including the City of Richfield, noted that central cities have traditionally been allowed to retain the originally-assigned area codes as those codes have been geographically split. In its deliberations, the Commission also noted that its unique municipal boundary split method has so far allowed Minneapolis (612) and St. Paul (651) to retain their geographic identity. Logic supports allowing Minneapolis--the hub of government, business, shopping, and entertainment in the present (612) area--to retain its area code identity while assigning the new area codes to the more geographically dispersed western suburbs.

Further information presented on assignment of the (612) area code thus persuades the Commission that Minneapolis, rather than the western suburbs, should retain the (612) area code.<sup>7</sup> Through its previous choice of municipal boundary geographic area code splits, the Commission has, to the greatest extent possible, preserved the Twin Cities' geographic identity while providing new codes to prevent number exhaust. Retention of the (612) code in the Minneapolis core will preserve the carefully crafted geographic quality of the plan implemented to date. The Commission will assign the (612) area code to Minneapolis.

## **B. The Assignment of Two New Area Codes to the Western Suburbs**

For three main reasons, the Commission finds that a logical, fair, and long lasting area code relief plan requires a three-way split that divides the (612) region outside Minneapolis into two parts and assigns two new area codes (instead of one) to the new areas.<sup>8</sup> The three-way geographic split is the better alternative because: 1) it combines the best elements of the geographic and overlay methods; 2) it provides balance between the northern and southern divisions, and between the suburbs and the Minneapolis core; and 3) most significantly, it allows a long-term, perhaps permanent, solution to (612) area code issues. The Commission will analyze these reasons in turn.

First, assignment of two new area codes combines the benefits of the geographic split method with the greater length of relief that an overlay might bring. Consistent with the Commission's overall relief plan to date, the three-way geographic split can be largely effected along municipal

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<sup>7</sup> By Minneapolis, the Commission is referring to Minneapolis, Fort Snelling, and Richfield, as previously decided in the Commission's December 15, 1998 Order. The Commission also includes St. Anthony, as recommended by the Department. Inclusion of St. Anthony in the (612) area code rather than the new area code avoids a situation in which St. Anthony would be a geographically isolated "peninsula" surrounded by two other area codes.

<sup>8</sup> The three-way geographic split alternative was suggested by the City of Richfield in written comments and by private citizens in public meetings.

boundaries. The plan will thus preserve the geographic identity of numerous communities and avoid the confusion of an overlay alternative. The plan will preserve seven-digit dialing, to the extent possible, for the large portion of the metropolitan region affected by Phase II. At the same time, assignment of three new area codes can provide the long-term solution that overlay proponents tout. The plan thus combines the best of both methods for Phase II of (612) area code relief.

Second, division of the western suburbs into two roughly equal parts allows each to undergo renumbering at one time, on an equal basis, and then to reap the benefits of a long-term solution. In its March 5, 1999 comments, the Department's preliminary analysis indicated that the northern and southern suburbs of Minneapolis would experience approximately equal exhaust periods with the implementation of two new area codes. (With the assignment of (612) to Minneapolis, however, the exhaust period for Minneapolis may prove shorter than the suburbs.) The addition of two new sets of prefixes into the suburban area brings a significant benefit to these communities--a promise of long-term stability that should offset the assignment of (612) to Minneapolis. Thus, each of the three new areas benefits in roughly equal proportions under the plan.

Third, the use of a three-way geographic split for Phase II relief will contribute to the long-term stability of the overall plan. The length of area code relief is a vital concern in any area code numbering relief decision. Even the most well-conceived area code relief measure inevitably brings expense and some degree of temporary inconvenience in its wake. In its series of public meetings and hearings, the Commission has listened to providers and consumers share their deep concerns regarding further area code renumbering. The Commission must choose an area code relief plan that brings a measure of permanence to the solution; a quick-fix plan, no matter how superficially attractive, can only bring an illusory benefit.

The Commission notes that exhaust projections are not yet available for the three areas carved from (612) under a three-way geographic split. (At the March 22, 1999 meeting, NANPA representatives promised to develop such projections as soon as possible.) Even without new projections, however, simple logic shows that the addition of two new sets of prefixes (instead of one) will lengthen the exhaust periods for the western suburbs. Based upon previous *two-way* exhaust projections by the Department (which predicted 9.5 years for the Minneapolis 612 area and 9.8 years for the remaining 952 area) or by NANPA (which predicted 6.6 years for the Minneapolis core and 4.9 years for the western suburbs), it is clear that a *three-way* division with two new area codes will allow long-term relief for all three new areas.

With long-term numbering relief in place for all three new areas, ongoing advances in number porting, thousand block number pooling, unassigned number portability, and other conservation technologies may well create a scenario in which the three new areas created from the (612) area code--Minneapolis; the northern Minneapolis suburbs; and the southern Minneapolis suburbs--never again experience renumbering. At this time, this scenario remains only a possibility--but a possibility that becomes more realistic with the application of three-way numbering. At the very least, a three-way geographic split should forestall renumbering for a significant, and somewhat equal, period of time for each of the three new areas.

#### **IV. THE COMMISSION ADDS FOUR ELEMENTS TO COMPLETE THE**

## **GEOGRAPHIC SPLIT PLAN**

The Commission's December 15, 1998 decision outlined the major elements of the Phase II split. The Commission is now proceeding with that plan, with the modifications noted above. The Commission at this time must provide the details of the plan as it moves toward reality. In this section of the Order the Commission will decide: the permissive dialing period; treatment of wireless service providers; effect of the plan on dialing in certain extended area service routes; and coordination of the plan with the Metropolitan 911 Board.

### **A. The Permissive Dialing Period**

In its December 15, 1998 Order, the Commission set the permissive dialing period for Phase II to begin in January, 2000. The Industry has noted, however, that initiation of the permissive dialing period in January, 2000, could compound Y2K difficulties the Industry and consumers may already face. The Commission will therefore set the permissive dialing period to begin December 1, 1999. This period should allow providers sufficient time to implement system changes, while avoiding any unnecessary Y2K burdens for providers or consumers.

### **B. Wireless Service Providers**

In a May 15, 1998 Order<sup>9</sup>, the Commission allowed Aerial Communications, Inc. (Aerial), a wireless telephone service provider, to retain its (612) prefixes even though Aerial's single mobile switch was located in what was now the (651) area code. The Commission reasoned that a wireless provider, whose switch serves its customers wherever the customers may be (in contrast to landline providers, whose service through switches is geographically based), should be able to serve all customers through the customers' "preferred" area code prefixes, regardless of whether the provider's switch happens to be located on one side or the other of a new area code boundary. The Commission stated that Aerial, and other wireless providers, may request prefixes within either the (612) or the (651) area code. The Commission specified that Aerial, and other wireless providers, could choose to retain their existing prefixes in the (612) area code.

Today, wireless providers hold approximately 165 prefixes in the (612) area code. The mobile switches for some wireless providers are located in areas outside of the Minneapolis core which will be designated as (612) in Phase II. The Commission is aware that continuing its policy of allowing all wireless providers to retain their current (612) prefixes, regardless of switch location, will adversely impact the projected exhaust of (612). The Commission is also aware, however, that wireless providers would experience significant expense if they were forced to reprogram all handsets to a new area code. The Commission finds that the significant cost to wireless providers from forced conversion to new area code prefixes outweighs any adverse effects on number conservation from retention of current prefixes. Furthermore, advances in number pooling may significantly mitigate the effects of retention of (612) prefixes by wireless providers.

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<sup>9</sup> In the Matter of a Relief Plan for the 612 Area Code, Docket No. P-999/M-97-506, ORDER GRANTING AREA CODE NUMBERING RELIEF.

For these reasons, the Commission will allow wireless service providers to retain their current (612) prefixes (and, if they wish, request prefixes in the new area codes), regardless of the location of the providers' switches. This decision allows the treatment of wireless providers to remain consistent with past Commission decisions.

### **C. Effect of the Plan on Certain EAS Routes**

In an April 15, 1998 Order<sup>10</sup>, the Commission identified 11 extended area service (EAS) routes in which customers were able to seven-digit dial from the (612) area code across area code boundary lines to certain parties in the (218), (320), (507), and (715) area codes. In its Order, the Commission allowed subscribers in the 11 EAS routes to retain seven-digit dialing for this EAS toll-free "local calling" even though callers in non-EAS areas who place calls between these area codes would ten-digit dial long distance.

Since the Commission split St. Paul and its suburbs into the (651) area code, only two EAS routes fall between the remaining (612) area and surrounding area codes. Those routes are: 1) Webster/New Market (612) and Lonsdale (507); and 2) Cambridge (612) and Braham (320). The Commission must clarify if those EAS routes will remain seven-digit dialed as the Commission enters into Phase II of the (612) area code relief plan.

The Commission here clarifies that it will continue to allow subscribers in Braham (320) and Lonsdale (507) to seven-digit dial to Cambridge and Webster/New Market, respectively. Customers in the (320) and (507) area codes are accustomed to seven-digit dialing of local calls within their area codes and to ten-digit dialing for long-distance calls to locations outside their area codes. Customers in Braham (320) and Lonsdale (507) are currently toll-free dialing to EAS partner exchanges in the (612) area code; the Braham and Lonsdale customers should not be required to give up the benefits of this seven-digit dialing. Furthermore, the (320) and (507) area codes are in no danger of exhaust for the foreseeable future. Requiring ten-digit dialing to "preserve" the prefixes for number conservation fails cost/benefit analysis.

On the other hand, subscribers in Cambridge, Webster, and New Market (612), like other (612) subscribers, will presumably continue to do most of their calling within the current (612) area code. As that area code is further split, however, customers will be required to ten-digit dial their local calls across the new boundaries of the three new area codes. Cambridge, Webster, and New Market subscribers will therefore not be disadvantaged vis a vis other current (612) subscribers if they must now ten-digit dial their calls across area code boundaries to their EAS partners. Furthermore, requiring ten-digit dialing from the (612) side to their EAS partners in (320) and (507) will "preserve" the relevant prefixes for use in the current (612) area code-- which does face exhaust issues. For these reasons, customers in Cambridge, Webster, and New Market will henceforth be required to ten-digit dial to their respective EAS partners (Braham and Lonsdale) in the (320) and (507) area codes.

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<sup>10</sup> In the Matter of a Relief Plan for the 612 Area Code, Docket No. P-999/M-97-507, ORDER REAFFIRMING PREVIOUS ORDERS, AND APPROVING IMPLEMENTATION PLAN AND CUSTOMER EDUCATION PLAN.

Finally, the Commission will allow customers in Lonsdale and Braham permanent permissive ten-digit dialing to Webster/New Market and Cambridge, respectively. Although Lonsdale and Braham customers can seven-digit dial to these EAS partners, permissive ten-digit dialing is a logical safeguard. Because these EAS routes will henceforward be seven-digit dialed one way and ten-digit dialed the other, the permissive ten-digit dialing should minimize confusion and inconvenience for Lonsdale and Braham customers.

#### **D. The Metropolitan 911 Board**

In its March 12, 1999 letter to the Commission, the Metropolitan 911 Board noted that any method of area code relief will require significant changes to the 911 system. The Board also noted that US WEST is the 911 service provider and system integrator for the Twin Cities metropolitan area. The Board stated that it currently has many unanswered questions regarding the degree to which area code relief will impact the 911 system, and the cost and methodology of system changes. The Metropolitan 911 Board asked the Commission to request US WEST to respond to the Board's questions regarding these topics.

The Commission will so order. Furthermore, the Commission will direct US WEST to work especially closely with the Metropolitan 911 Board during the implementation of further area code relief.

#### **V. FURTHER OPPORTUNITY FOR RECONSIDERATION**

The Commission has decided upon a three-way geographic split along municipal boundaries, with Minneapolis retaining the (612) area code and the western suburbs acquiring two new area codes. This decision is contingent upon NANPA's granting the Commission's request for simultaneous assignment of two new area codes. NANPA's response to the Commission's request is presently uncertain. If NANPA rejects the Commission's request, the Commission will need to reopen the present decision to decide upon a different form of area code relief.

Given this unique set of circumstances, the fact that the FCC is currently examining significant numbering conservation issues such as sequential number blocking and unassigned number portability, and that technology and Industry practices are changing with astonishing rapidity, the Commission will vary Minn. Rules, part 7829.3000, subp. 7 (which precludes a second reconsideration petition) to allow parties to request reconsideration of this Order. The opportunity for an extra reconsideration period will allow parties every chance to present their information, data, and opinions and will provide the Commission every chance to reach a well-reasoned relief plan decision in the best interests of consumers, providers, and the general public.

The rule waiver fulfills the three variance criteria of Minn. Rules, part 7829.3200. Enforcement of the rule would impose an excessive burden upon the Commission and applicants by precluding consideration of further information in this unique set of changing circumstances. Granting the variance advances the public interest by allowing the Commission and parties the opportunity to present and examine further information. Granting the variance does not conflict with standards imposed by law.

#### **ORDER**

1. The Commission modifies and clarifies its December 15, 1998 Order regarding Phase II of the (612) area code relief plan as follows:
  - a. Minneapolis, Fort Snelling, St. Anthony, and Richfield will retain the (612) area code.
  - b. The western suburbs of Minneapolis (the remainder of the former 612 area) will be divided and assigned two new area codes as follows:
    - i. One area code will be assigned to the suburbs north and west of Minneapolis, down to approximately I-394. This area includes suburbs such as Columbia Heights, Fridley, Moundsview, Blaine, Cambridge, Princeton, Becker, Monticello, Buffalo, Waverly, Montrose, Delano, Independence, Medina, Maple Grove, Plymouth, and Golden Valley.
    - ii. One area code will be assigned to the suburbs south and west of Minneapolis, up to approximately I-394. This area includes suburbs such as Bloomington, Burnsville, Apple Valley, Lakeville, Savage, Elko, New Prague, Belle Plaine, Norwood, New Germany, Watertown, Minnetrista, Long Lake/Orono, Wayzata, Minnetonka, and St. Louis Park.
    - iii. The line separating the northern and southern areas will be drawn for the most part along municipal boundaries. In the less urbanized area west of the boundary between Medina and Long Lake/Orono, however, the two sections will be divided along wire centers.
  - c. The permissive dialing period for Phase II will begin December 1, 1999.
  - d. The Commission clarifies that wireless service providers may choose to retain their current (612) prefixes, and, if they wish, obtain prefixes in the two new area codes, regardless of the location of the wireless providers' switches.
  - e. The EAS routes between Webster/New Market and Lonsdale and between Cambridge and Braham will be dialed as follows:
    - i. Subscribers in Braham and Lonsdale will continue to seven-digit dials to their respective EAS partners in Cambridge and Webster/New Market. Ten-digit dialing will be permissive for these subscribers.
    - ii. Subscribers in Cambridge and Webster/New Market will ten-digit dial to their respective EAS partners in Braham and Lonsdale.
  - f. The Commission directs US WEST to respond to the Metropolitan 911 Board's questions regarding effects of area code relief on the 911 system, and to work especially closely with the Metropolitan 911 Board during the implementation of further area code relief.
  - g. The Commission varies Minn. Rules, part 7829.3000, to allow parties to request reconsideration of this Order. Parties may request reconsideration of this Order

pursuant to the usual time frames of Minn. Rules, part 7829.3000.

2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

(S E A L)

This document can be made available in alternative formats (i.e., large print or audio tape) by calling (612) 297-4596 (voice), (612) 297-1200 (TTY), or 1-800-627-3529 (TTY relay service).