

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of Commission Inquiry  
Regarding Implementation of the 811 National  
Abbreviated Dialing Code in Minnesota

ISSUE DATE: November 27, 2006  
DOCKET NO. P-999/CI-05-1516

ORDER RECOGNIZING 811 DIALING  
CODE IMPLEMENTATION DATE

**PROCEDURAL HISTORY**

On March 14, 2005, the Federal Communications Commission (FCC) released its Sixth Report and Order in CC Docket No. 92-205, "The Use of N11 Codes and Other Abbreviated Dialing Arrangements." In that order, the FCC provided for the establishment of 811 as the nation-wide toll-free abbreviated dialing arrangement to be used by state one call notification systems. The one call notification system in Minnesota is Gopher State One Call.<sup>1</sup>

The FCC allowed up to two years from the publication of its order in the Federal Register for the implementation of the 811 abbreviated dialing.

On July 6, 2006, the Commission issued a notice requesting comments regarding the progress made by telephone companies and carriers in implementing the 811 abbreviated dialing code in Minnesota. The notice established August 11, 2006, as the time-line for submitting comments.

On August 29, 2006, the Commission issued a notice requesting reply comments.

On November 9, 2006, the matter came before the Commission.

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<sup>1</sup> The one call notification system is a communication system established by operators of underground facilities and/or state governments to provide a means for excavators and the general public to notify facility operators in advance of their intent to engage in excavation activities.

## FINDINGS AND CONCLUSIONS

### **A. N11 Codes**

The FCC possesses the exclusive jurisdiction to assign N11 codes, to ensure that code assignment is consistent nationally. Recognizing that most N11 calls are intrastate in nature, however, the FCC has acknowledged that states have a role in addressing technical and operational issues.

FCC code assignments fall into two categories: those requiring carriers to reserve the N11 code for a particular use, to be implemented upon request of a qualifying organization and those requiring carriers to reserve the code and also to implement the N11 dialing sequence. The 811 code falls into the second category. The FCC's order on 811 requires carriers not only to discontinue any current use of the 811 code, but also to reserve the code for a state's pipeline safety service – in Minnesota, the Gopher State One Call – and implement the 811 dialing sequence.<sup>2</sup> The FCC set a deadline of April 13, 2007, for implementation of 811.

### **B. Comments Regarding Implementation of 811**

The Commission received forty-two sets of comments regarding implementation of 811. Eight commenters stated they had implemented 811 as of the date of their comments; eight commenters stated they will be implementing 811 in the near future; five commenters stated that the requirement is inapplicable to them; five commenters requested that the Commission issue an order with respect to certain issues on 811; four commenters stated they would implement 811 on request; and nine commenters stated they needed the “point-to” numbers, that is, the numbers to which 811 calls should be directed so that they reach Gopher State One Call, before implementing.

The Department of Commerce (the Department) also commented. The Department recommended that the Commission issue an order:

- recognizing the FCC-imposed deadline for telecommunications carriers to implement 811 by April 13, 2007;
- recognizing that the FCC allowed for no exceptions to the April 13, 2007, deadline;
- requiring local service providers subject to the Commission's jurisdiction to implement 811 by the April 13, 2007, deadline by using the “point-to” numbers listed on Gopher State One Call's 811 informational document, available at [www.gopherstatonecall.org](http://www.gopherstatonecall.org);
- recognizing that the FCC's order does not prohibit the use of two “point-to” numbers, and stating that the carriers' use of the two numbers provided in Gopher State One Call's 811 informational document is appropriate;
- requiring every regulated telecommunications carrier providing local service to confirm successful implementation of 811 by testing;

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<sup>2</sup> Sixth Report and Order, CC Docket No. 92-105, FCC 05-59 (March 14, 2005).

- recognizing that if there are changes in the future to the “point-to” numbers, Gopher State One Call will voluntarily notify the Commission in advance of the change to enable all local service providers subject to Commission jurisdiction in Minnesota to implement the change; and
- requiring all carriers that file tariffs regarding 811 to serve a copy of their proposed tariff on Gopher State One Call on the same day it is served on the Commission.

### **C. Commission Action**

The deadline for implementation of the 811 national abbreviated dialing code in Minnesota is April 13, 2007. The FCC order implementing the 811 dialing code service made the implementation date explicit - two years from publication of the order in the Federal Register, which occurred on April 13, 2005. No local service provider commenting in this proceeding has explicitly requested that the deadline be changed, nor has any reason been given justifying an extended deadline.

The Commission will require all local service providers in Minnesota to utilize the “point-to” numbers for 811 implementation. The Gopher State One Call informational document lists two “point-to” numbers – one for outstate Minnesota and one for the Twin Cities metropolitan area. The Commission finds that nothing in the FCC 811 Order prohibits Gopher State One Call from utilizing two “point-to” numbers for this purpose.

Further, in the event that Gopher State One Call makes changes to the “point-to” numbers in the future, Gopher State One Call has agreed to notify the Commission in advance of such changes to enable all carriers to promptly and efficiently implement the change.

To insure successful implementation of the 811 dialing code, the Commission will require all carriers to make test calls, if they have not already done so.

Finally, a telecommunications carrier that files a tariff to recover its costs associated with 811 implementation will be required to file a copy of its proposed tariff on Gopher State One Call on the same date as it serves the filing on the Commission.

### **ORDER**

1. As set by the FCC, April 13, 2007, is the deadline for telecommunication carriers to implement 811 service.
2. Every regulated telephone company and telecommunications carrier that provides access to state one-call centers shall implement 811 by using the “point-to” numbers listed on Gopher State One’s 811 informational document, available at [www.gopherstateonecall.org](http://www.gopherstateonecall.org).
3. Every regulated telephone company and telecommunications carrier that provides access to state one-call centers shall confirm the successful implementation by testing its 811 implementation.

4. All telecommunications carriers that file tariffs regarding 811 shall serve a copy of the proposed tariff on Gopher State One Call on the same date that they serve the tariff on the Commission.
5. The Commission accepts Gopher State One Call's commitment to notify the Commission in advance in the event of changes to the point-to numbers, to enable all carriers to implement the change.
6. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

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