



Telecom Decision CRTC 2018-59

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Ottawa, 14 February 2018

Public record: 1011-NOC2016-0205

CRTC Interconnection Steering Committee – Dispute regarding deferral of the relief implementation date for area code 709 in Newfoundland and Labrador

Background

1. On 22 April 2016, the Canadian Numbering Administrator (CNA) informed the Commission that, based on the results of the jeopardy numbering resource utilization forecast, the numbering plan area (NPA) served by area code 709 was projected to exhaust by March 2019. Area code 709 covers the province of Newfoundland and Labrador.
2. The Commission subsequently issued Telecom Notice of Consultation 2016-205, in which it established a CRTC Interconnection Steering Committee (CISC) ad hoc relief planning committee (RPC) for the NPA served by area code 709 to examine options and make recommendations for providing additional numbering resources in the area served by that area code. The Commission directed the CNA to chair the RPC.
3. The RPC submitted to the Commission a relief implementation plan containing recommendations regarding area code 709, dated 11 October 2016. The Commission approved these recommendations in Telecom Decision 2017-35. Specifically, the Commission approved the use of area code 879 as the new area code, effective 24 November 2018 (the relief implementation date), and a transition from 7- to 10-digit local dialing, effective 17 August 2018. The Commission also approved the development of a campaign by telecommunications service providers in Newfoundland and Labrador to inform the public about the introduction of the new area code and 10-digit local dialing.
4. Subsequently, on 5 September 2017, the CNA suspended the jeopardy condition in the NPA served by area code 709. The revised projected exhaust date was forecasted to be in the first quarter of 2024.

Deferral request

5. Bell Canada submitted a contribution to the RPC, dated 6 October 2017, in which the company requested to defer the relief implementation date from 24 November 2018 to 20 May 2022.

6. Rogers Communications Canada Inc. (RCCI) submitted a contribution to the RPC, dated 30 October 2017, in which it opposed Bell Canada's request and proposed that the RPC maintain the approved relief implementation date. RCCI also proposed that, in the event of a deferral, Bell Canada should pay for any future public awareness campaigns caused by the deferral.
7. By letter dated 28 November 2017, the Government of Newfoundland and Labrador indicated that it was not opposed to Bell Canada's proposal to defer the relief implementation date.
8. Under the dispute resolution process provided for in the CISC Administrative Guidelines, the RPC forwarded the dispute information form¹ to CISC, which agreed to forward the dispute to the Commission.

Issues

9. The Commission has identified the following issues to be addressed in this decision:
 - Should the relief implementation date for area code 709 be deferred?
 - If so, is Bell Canada's proposed relief implementation date appropriate?
 - If the relief implementation date is deferred, should Bell Canada be required to pay for any future public awareness campaigns caused by the deferral?

Should the relief implementation date for area code 709 be deferred?

Positions of parties

10. Bell Canada stated that a deferral would be beneficial since it would (i) allow more time for consumers and businesses to prepare for 10-digit local dialing, (ii) defer costs associated with the required equipment changes, and (iii) delay network and communications costs.
11. The company stated that, as the incumbent local exchange carrier (ILEC) for Newfoundland and Labrador, it has hundreds of systems and network elements that need to be updated, requiring significant investment, whereas competitive local exchange carriers (CLECs) may have a single switch to update with few other changes to implement.
12. Bell Canada argued that given that area code 709 does not actually require relief at this time, it would be wasteful to move ahead on the relief immediately. It noted that relief implementation projects typically start six years in advance, while the current relief implementation plan, approved in Telecom Decision 2017-35, was seven years in advance of the new exhaust date (i.e. the first quarter of 2024). Bell Canada

¹ NPA 709 Relief Planning Committee Dispute Information Form [NPA709DI001](#), 29 November 2017

submitted that the Commission has previously approved the deferral of a relief implementation date, such as that for area code 519 in Telecom Decision 2014-338.

13. RCCI stated that the Commission approved a relief implementation plan for area code 709 in Telecom Decision 2017-35 and that without a formal regulatory process, such as a Part 1 application, the company was adhering to the dates in that plan and had begun its execution. Specifically, RCCI argued that the public awareness campaign had begun and that carriers have started to notify their customers of the changes; therefore, a deferral would create confusion, as well as increase call centre volume and costs. The company added that a deferral would increase implementation costs to reverse systems and make website changes. RCCI submitted that Telecom Decision 2014-338 should not be considered a precedent for this case since that decision was released before any relief implementation activities had begun. RCCI added that nomadic voice over Internet Protocol (VoIP) service customers and wireless roaming service customers would benefit from a consistent 10-digit local dialing plan across most provinces. The company stated that as such, the approved relief implementation plan should be retained.
14. The Government of Newfoundland and Labrador noted that it had not yet incurred any expenses to implement the new area code.

Commission's analysis and determinations

15. Bell Canada, as the ILEC in Newfoundland and Labrador, has the larger share of work and costs involved in implementing the relief implementation plan because of the company's extensive service coverage.
16. In the case of Telecom Decision 2014-338, no substantive work had begun when the RPC for the NPA served by area code 519 requested a deferral of the relief implementation date for area code 519, which does not apply to the present case. However, in the present case, certain entities – such as alarm companies, call centres, public safety answering points, and governments – have likely not started implementing changes to their equipment and systems to support the new area code and 10-digit local dialing. The Commission considers that it would not be in consumers' interests to incur costs that could be deferred for several years.
17. Although some communications costs related to public awareness have been incurred, and some telecommunications service providers have incurred costs to implement the relief implementation plan, the Commission considers that these costs would be lower than the overall costs of implementing the plan as currently scheduled. Therefore, on balance, a deferral of the relief implementation date would be in the best interests of the industry and consumers.
18. In light of the above, the Commission finds that the relief implementation date for area code 709 should be deferred.

Is Bell Canada's proposed relief implementation date appropriate?

Positions of parties

19. As noted above, Bell Canada requested a deferral of the relief implementation date for area code 709 from 24 November 2018 to 20 May 2022.
20. RCCI expressed the concern that the numbering resource utilization forecast process has a history of variance and that as such, the projected exhaust date might be brought back into a jeopardy situation. The company submitted that new wireless service providers that might obtain spectrum in the upcoming 600 megahertz (MHz) spectrum auction have yet to file a numbering resource utilization forecast report. RCCI added that Bell Canada, as the ILEC, already has physical and numbering assets in place. RCCI argued that delaying relief implementation would provide no numbering resources for the growth or expansion of a CLEC or a wireless service provider, and that Bell Canada's approach resists competition.

Commission's analysis and determinations

21. Various factors may contribute to possible variance in the area code 709 numbering resource utilization forecast, such as (i) companies changing market plans, (ii) the outcome of the upcoming 600 MHz spectrum auction, and (iii) new companies entering the Newfoundland and Labrador wireline and wireless service markets.
22. The Canadian NPA Relief Planning Guideline states that relief planning should be started for a single NPA when its projected exhaust date is 72 months or less in the future. In the present case, the relief implementation process is ahead of schedule since an RPC has been established and a Commission-approved relief implementation plan is in place.
23. Further, the Canadian Numbering Resource Utilization Forecast Guideline states that when an NPA enters into the planning window, the CNA will conduct relief numbering resource utilization forecasts semi-annually in order to monitor forecast changes prior to implementing relief. As noted above, the revised projected exhaust date was forecasted to be in the first quarter of 2024.
24. The relief implementation date must be chosen so as to cause the least amount of disruption to consumers while making resources available in a timely manner. In the circumstances, the Commission considers it appropriate for the RPC to examine and make recommendations in due course on a revised relief implementation date.
25. Accordingly, the Commission requests that the RPC recommend an appropriate relief implementation date, taking into consideration the results of upcoming semi-annual area code 709 relief numbering resource utilization forecasts.

Should Bell Canada be required to pay for any future public awareness campaigns caused by the deferral?

Positions of parties

26. RCCI requested that the original relief implementation plan be maintained to avoid public confusion. RCCI also proposed that, in the event of a deferral, Bell Canada should pay for any future public awareness campaigns caused by the deferral.

Commission's analysis and determinations

27. Telecommunications service providers are required to pay their share of communications costs to make consumers aware of upcoming numbering changes as part of the implementation of a relief implementation plan. As noted above, the Commission considers that the communications and other costs incurred to date have been low relative to the overall costs of implementing the new area code and 10-digit local dialing, and that it would not be in consumers' interests to incur costs that could be deferred for several years.
28. As such, it would not be reasonable to require Bell Canada to pay the full costs of any future public awareness campaigns as a result of its proposal to defer the relief implementation date.
29. Accordingly, the Commission **denies** RCCI's request in this regard.

Secretary General

Related documents

- *Area code relief for area code 709 in Newfoundland and Labrador*, Telecom Decision CRTC 2017-35, 2 February 2017
- *Establishment of a CISC ad hoc committee for relief planning for area code 709 in Newfoundland and Labrador*, Telecom Notice of Consultation CRTC 2016-205, 31 May 2016
- *Area code relief for area codes 226 and 519 in southwestern Ontario*, Telecom Decision CRTC 2014-338, 20 June 2014