BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON D.C. 20554

In the Matter of	)	
	)	
The Use of N11 Codes and Other	)	
Abbreviated Dialing Arrangements	)	CC Docket No. 92-105

COMMENTS OF THE
MICHIGAN PUBLIC SERVICE COMMISSION

Pursuant to the Federal Communications Commission's ("FCC") procedural schedule established in the above docket, the Michigan Public Service Commission ("MPSC") hereby submits its comments.

I. INTRODUCTION

On May 13, 2004, the FCC released a notice of proposed rulemaking to request comments on the Pipeline Safety Act of 2002[1], the petition of the U.S. Department of Transportation ("DOT")[2], and the analysis of the North American Numbering Council ("NANC").[3]

The Pipeline Safety Act of 2002 requires the establishment of a "3-digit nationwide toll-free telephone number system" for One Call notification centers. On August 28, 2003, the DOT petitioned the FCC requesting that 344 be assigned to the One

[1] Pipeline Safety Act, Pub. L. No. 107-355, 116 Stat. 2985, December 17, 2002.
[2] Petition of the United States Department of Transportation, *In the Matter of Petition for Rulemaking of the U.S. Department of Transportation for the Allocation of a Tree-Digit Telephone Number to Access Excavation Damage Prevention (One Call) Services Nationwide,* CC Docket No. 92-105, August 28, 2003.
[3] North American Numbering Council, Report and Recommendation of the Abbreviated Dialing for One Call Notification, October 29, 2003.

Call centers citing that the number corresponded mnemonically with the word DIG on the telephone keypad. The FCC requested assistance from the NANC to determine the potential impacts on the North American Numbering Plan ("NANP") with regard to the use of 3-digit alternatives including an N11 code and 344, requested by the DOT.

II. DISCUSSION

MICHIGAN'S MISS DIG

In November of 1970, Michigan established the MISS DIG System, Inc. as a pilot project in one county in southeast Michigan. The MISS DIG System includes telephone, telegraph, gas, and electric utilities and water, sewer, storm line and drain providers. Michigan Public Act 53 of 1974 created a One Call system throughout the lower peninsula, with availability extended to the upper peninsula in 1976. By 1979, MISS DIG expanded to include overhead electric line assistance. The MISS DIG System became a non-profit corporation with a seven member Board of Directors in late 1994.[4]

Currently, Michigan's MISS DIG System uses a toll-free telephone number which is manned 24 hours per day, 7 days a week for both emergency and non-emergency calls throughout Michigan. The adoption of a 3-digit, toll-free telephone number for Michigan's MISS DIG System would be technically feasible with little delay in a state-wide implementation schedule.

Numbering Issues

The MPSC continues its vigilance on numbering resource conservation in Michigan and nationwide. It is imperative that the process of numbering resource

[4] http://www.missdig.org/

distribution, including N11 codes, be frequently analyzed to ensure that the positive strides of the past few years are not sidelined by new precedents developed with good intentions. The MPSC believes it was a positive step when the FCC requested the NANC analyze possible solutions to ensure that the legislative mandate of the Pipeline Safety Act are met, while continuing numbering resource conservation.

The NANC Issues Management Group ("DIG IMG")[5] provided the FCC with a comprehensive analysis of the use of three 3-digit telephone codes which could be used to contact state One Call centers:

1. Vertical Service Codes ("VSC") which uses the use of a star ("*") or number sign ("#") to precede a 3-digit number
2. N11 or Special Access Code (411, 611, or 811)
3. Easily Recognizable Codes ("ERC") provide a memory assisting, or mnemonic, number to the situation. In this case, the ERC was 344 for DIG on the keypad of a telephone.[6]

The VSC was not accepted for numerous reasons due to the implementation difficulties in some wireline systems, including the inability of rotary dial customers to dial either # or * to reach the One Call centers, thus not fulfilling the legislative mandate for uniformity of the call number.

The ERC 344 was rejected due to the future use of 344 as a Numbering Plan Area ("NPA") code. Also, although 344 has not been assigned to an NPA, 344 has been assigned as a Central Office Code ("CO Code") in some NPAs. To recall 344 as a CO Code, all customers with the prefix 344 would need to change their telephone numbers.

[5] www.nanc-chair.org/docs/nowg/Sept03_One_Call_IMG_Report.doc
[6] U.S. Department of Transportation requested the mnemonic code 344, which is DIG on the telephone key pad, in their original petition to the FCC.

Therefore, the use of the ERC 344 would not only inconvenience telecommunications customers across the nation, it would also deem over 8 million telephone numbers unassignable to any customers.

Designation of an ERC for One Call centers would not only idle millions of numbering resources, but could create precedent for similar situations. Due to number conservation efforts, mnemonic and vanity numbers have been discouraged due to policies pertaining to sequential numbering.[7] The MPSC believes that numbering resource conservation should continue to be a high priority nationwide and the designation of an ERC could encourage further petitions to the FCC, ultimately leading to premature exhaust of the telephone numbering system.

The use of an N11 code, specifically 811, was determined by the NANC to provide the best solution for a 3-digit, toll-free telephone number for One Call centers. It provides an easily recognizable 3-digit telephone number which can be used by both wireline and wireless telephones. Much easier to implement than VSCs or ERCs, the 811 code could be deployed as soon as determined by the FCC with few technical changes or enhancements.

N11 Inventory Depletion

A concern was voiced by the NANC that assigning 811 to One Call centers would deplete the inventory of N11 codes. As a finite numbering resource, it is imperative that projects which involve an N11 code be national in scope with long-term expectations and provide the greatest benefit to citizens. Currently, 811 is used by carriers to allow

[7] Report and Order and Further Notice of Proposed Rule Making, *In the Matter of Numbering Resource Optimization,* CC Docket No. 99-200 (FCC 00-104), ¶244.

customers to contact their local exchange business office, while 611 is used to contact for repairs, and 411[8] is dialed for directory assistance. None of these three N11 codes are used for national projects and each could be assigned as the FCC determines.

The DOT initially petitioned the FCC for the use of 344 to fulfill the Pipeline Safety Act, citing its mnemonic value. However, the DOT currently has delegated authority from the FCC to use the N11 code, 511, for citizens to contact the Intelligent Transportation System ("ITS") nationwide.[9] As explained, the use of an N11 for the Pipeline Safety Act is not for emergency access, but to contact utilities prior to excavation, while the use of 511 to reach the ITS system is also a non-emergency service currently only being used sporadically in only 18 states.[10] The FCC provided a caveat in granting petitions for the 211 and 511 codes to review the assignments in July 2005 to determine if the use is "widespread."[11] Due to the concern that granting the 811 code will deplete the inventory of abbreviated codes, review of the current usage of all N11 codes might be beneficial.

Delegated Authority to State Commissions

State public utility commissions are in the best position to determine timetables and meet policy challenges of the implementation of a 3-digit, toll-free number for utility One Call centers. Many One Call centers were developed by, or under the auspices of, state commissions with statewide and local conditions dictating implementation issues.

[8] Many carriers also use NPA-555-1212 for information services.
[9] Third Report and Order and Order on Reconsideration, *In the Matter of the Petition by the United States Department of Transportation for Assignment of an Abbreviated Dialing Code (N11) to Access Intelligent Transportation System (ITS) Services Nationwide,* CC Docket No. 92-105, July 31, 2000.
[10] www.its.dot.gov/511/511.htm
[11] Third Report and Order and Order on Reconsideration, *In the Matter of the Petition by the United States Department of Transportation for Assignment of an Abbreviated Dialing Code (N11) to Access Intelligent Transportation System (ITS) Services Nationwide,* CC Docket No. 92-105, July 31, 2000,¶16 and 21.

Although the conversion to a 3-digit, toll-free number rests heavily on the telecommunications industry, due to the use of One Call centers by citizens and differing utilities, there is a need for a voice in each state to ensure that implementation is progressing on a competitively neutral basis in accordance with section 251(e).[12]

III. CONCLUSION

The MPSC requests the FCC designate the N11 code, 811, to fulfill the legislative mandate of the Pipeline Safety Act of 2002. In addition, the MPSC urges the FCC review the use of all N11 codes to ensure their intent is nationwide.

Multiple call center situations, local and state regulations, utility companies, and citizens create a unique mix affecting timetables for implementation. Therefore, the MPSC also requests that state commissions be delegated authority to oversee the implementation of the 3-digit, toll-free number for state One Call centers.

Respectfully submitted,

MICHIGAN PUBLIC SERVICE COMMISSION

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[12] 47 U.S.C. §251(e).