

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF SOUTH DAKOTA**

**IN THE MATTER OF THE REVIEW OF THE)
IMPLEMENTATION OF 811 AS A NATIONAL)
ABBREVIATED DIALING CODE FOR ONE)
CALL NOTIFICATION)**

**ORDER REQUESTING)
ADDITIONAL COMMENTS)
AND REQUIRING)
IMPLEMENTATION DATES)
FROM)
TELECOMMUNICATIONS)
CARRIERS)
TC05-153)**

On March 14, 2005, the Federal Communications Commission (FCC) issued a report and order regarding the designation and implementation of 811 as a National Abbreviated Dialing Code for One Call Notification. See *In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements*, CC Docket No. 92-105, Sixth Report and Order (rel. March 14, 2005). The order states that "811 IS ASSIGNED as the national abbreviated dialing code to be used exclusively for access to Once [sic] Call Centers, effective thirty days after publication of this Order in the Federal Register." *Id.* at 41. The report states that One Call Centers must use 811 "on or before two years" from publication of the Order. *Id.* at 32. The FCC delegated to the state commissions the authority to address technical and operational issues. *Id.* at 35.

In its Order the FCC addresses implementation issues. Specifically the FCC requires One Call Notification Centers to notify people of the existence of the toll-free number. It also specifies that carriers can use either the Numbering Plan Area or the originating switch to determine which One Call Center a call should be routed to. Also, the FCC is requiring the 811 abbreviated dialing code to be in place within two years after publication of the Order. Finally, the FCC has left it to the states to address any technical and operational issues that may arise with the implementation of the 811 code. *Id.* at 2, 3.

The FCC also found that use of 811 as an abbreviated dialing code for providing advanced notice of excavation activities to underground facilities operators will provide a more cohesive network for One Call notification systems. The use of 811 will remove the need for each state to have its own number and it will decrease confusion and increase public knowledge of One Call services. *Id.*

To facilitate implementation of the FCC Order, staff recommended that the Commission open a docket to receive comments from industry on the implementation process. At its July 28, 2005, meeting, the Public Utilities Commission (Commission) considered Staff's request. The Commission has jurisdiction over this matter pursuant to SDCL chapter 49-31 and the Federal Telecommunications Act of 1996, specifically 47 U.S.C § 251.

After listening to comments from Staff, the Commission voted to open a docket to solicit comments concerning issues related to the implementation in the State of South Dakota of 811 as the universal One Call number and particularly whether interested parties, including the One Call Board and carriers, believe that new rules are needed or whether the Commission should simply address the issues involving particular carriers as they arise.

On August 10, 2005, the Commission opened Docket TC05-153 and issued an Order Opening Docket and Requesting Comments. The Order was sent to interested parties asking them to provide comments on or before September 16, 2005.

On September 12, 2005, the Commission received comments from Qwest Corporation. On September 16, 2005, the Commission received comments from the South Dakota Telecommunications Association. On September 19, 2005, the Commission received comments from the South Dakota One Call Notification Board.

At its May 23, 2006, meeting, the Commission considered how to proceed in this matter. Larry Englerth, executive director of the South Dakota One-Call Notification Board, gave three recommendations. The recommendations were: 1) the Commission should assign the 811 number to the One-Call Notification Board; 2) the Commission should adopt an implementation date of December 31, 2006, to be followed by all affected telecommunications companies; 3) the Commission should establish a positive response system to determine when the telecommunications companies are able to implement 811.

After listening to comments from other interested persons, the Commission decided to take additional comments on the first and second recommendations. The Commission also decided to accept the third recommendation and require all affected telecommunications companies to inform the Commission as to the date they are able to implement 811. It is therefore

ORDERED, that interested persons or entities may file comments on or before July 26, 2006, on whether the Commission should assign the 811 number to the One-Call Notification Board and whether the Commission should adopt an implementation date of December 31, 2006; and it is

FURTHER ORDERED, that each affected telecommunications company shall notify the Commission on or before July 26, 2006, in writing, the date by which they are able to implement 811.

Dated at Pierre, South Dakota, this 5th day of June, 2006.

CERTIFICATE OF SERVICE	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u> Melanie Koebel </u>
Date:	<u> 6/6/06 </u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

 Robert K. Sahr
ROBERT K. SAHR, Chairman

 Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner

 Gary Hanson
GARY HANSON, Commissioner