

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Complaint of the City)
of Parma, Ohio,)
)
Complainant,)
)
v.) Case No. 97-650-TP-CSS
)
Ameritech Ohio as Area Code Admini-)
strator for the 216 NPA and as the Public)
Utility Which Provides the Local Exchange)
Service to the City of Parma, Ohio)
)
Respondent.

CONCURRING OPINION OF CHAIRMAN CRAIG A. GLAZER

No case involving an area code split in Ohio has engendered this much controversy. I fully concur with my colleagues' decision in this case but write separately, as one from the Cleveland area, to underscore certain points made in the decision.

In the first place, I want to compliment the city of Parma for its very excellent presentation in this case, including its retention of an independent expert witness to review several alternatives to the area code split. Although many other communities in the Cleveland area pass routine resolutions on various issues, Parma has been one of the few communities that has seen fit to intervene in proceedings before the Commission, with the retention of expert witnesses, on a whole host of matters involving CEI, Columbia Gas and Ameritech. I want to compliment Mayor Boldt, Parma City Council, and its Law Director for taking on this important role on behalf of its citizens. It is important that in deciding these cases we hear not just from the usual Columbus representatives, such as the OCC and the Ohio industrial consumers, but also local representatives such as the city of Parma. As one who used to represent the city of Cleveland and its citizens in cases before the PUCO, I know how daunting this task can be. Thus, although we were not able to satisfy Parma's concerns in this case, this should not discourage Parma's continued presence in Commission proceedings.

Ironically, one of the problems in this case is that Parma waited to involve the Commission in discussions until literally a year after the announcement of the Blue Ribbon Committee's report and virtually on the eve of the necessary number change. Had Parma initiated this discussion with the Commission earlier, perhaps these alternatives could have been further explored without the Commission having to decide this case against the backdrop of imminent number exhaust, customer education

efforts already underway, and the prospect of directories already printed and advertising of the new area code already purchased. I and the rest of the Commission look forward to continuing dialogue with Parma on utility issues, hopefully in a less constrained atmosphere. I would also encourage Parma to enter into dialogue with its statutory representative, the OCC, who was a voting member of the Blue Ribbon Committee.

As noted in the Order, there clearly were certain flaws in the Blue Ribbon Committee process. This is not to totally condemn the process or the dedicated individuals assigned, without compensation, to the unenviable task of drawing area code lines. Ironically, one of the best solutions which would most promote customer understanding -- namely, the assignment of new codes to wireless and cellular technologies -- was bitterly fought by that industry before the FCC and the FCC has banned such a practice. I suspect that users of cellular and wireless technology would have readily understood and accepted an assignment of the new area code to them -- a result which the FCC has not allowed us to consider. Moreover, the role of the wireless carriers in potentially hoarding numbers is something that we need to consider and will hopefully be considered by legislators to the extent they entertain requests by this industry for total deregulation and escape from any Commission oversight. We intend to look at that issue and other related number conservation issues in the Commission-ordered investigation we are opening this day.

Our staff has left "no stone unturned" in looking at any alternatives to splitting the Parma area code. The Ohio Commission is pleased to have some of the leading experts in this area on its staff. Thus it should be clear that the Ohio Commission did not simply "rubber stamp" this process -- rather Commissioners and staff spent many hours on this issue to explore alternatives (including personally meeting with the City leaders of Parma) before having to reach this difficult decision.

One of the most persuasive issues to me would be the need, if we were to put Parma back into 216, to split new communities and to require new lines to be drawn. The Blue Ribbon Committee would clearly not, at this point, be able to undertake the task in a manner which would enhance community acceptance. Rather, the Ohio Commission would have to draw such lines from Columbus. Yet there would not be time to obtain the critical input that would be needed from the newly split communities, which would include Broadview Heights and North Royalton if Parma were kept in the 216 NPA and Brooklyn, Brooklyn Heights, and Cleveland if Parma were moved entirely into the 440 NPA. Moreover, how would the cities of the newly split communities react since they had no notice (unlike Parma) of the potential split of their communities? And if the split engendered more litigation, then would we run against the potential for running out of numbers while the litigation was ongoing? This would have disastrous consequences for Greater Cleveland.

Given all of the above problems, I am forced to conclude, albeit reluctantly, that the proposed area code plan, although not a perfect solution, is not unreasonable under

the very difficult circumstances in which we find ourselves in this eleventh hour of this number code change.

Craig A. Glazer,
Chairman

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