

SB 603-FN - AS INTRODUCED

2024 SESSION

24-3001

10/08

SENATE BILL ***603-FN***

AN ACT relative to telephone number and area code conservation.

SPONSORS: Sen. Bradley, Dist 3

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill updates the authority of the department of energy and the public utilities commission to promote and adopt telephone number conservation measures to the maximum extent allowed by federal law for area code 603.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~in brackets and struckthrough~~.
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT relative to telephone number and area code conservation.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Public Utilities; Telephone Number Conservation and Area Code Implementation Policy
2 Principles. RSA 374:59 is repealed and reenacted to read as follows:

3 374:59 Telephone Number Conservation and Area Code Implementation Policy Principles.

4 I. In this section:

5 (a) "Commission" means the public utilities commission.

6 (b) "Department" means the department of energy.

7 II. The department should promote and adopt telephone number conservation measures to
8 the maximum extent allowed by federal law for area code 603 and any subsequently assigned New
9 Hampshire area codes, including, but not limited to, rate center consolidation and requiring all
10 telecommunications providers to undertake an inventory of their assigned blocks and to return those
11 blocks that are less than 10 percent contaminated to the pool.

12 III. The department should adopt measures, to the maximum extent allowable by federal
13 law and availability of technology, to provide that all customers of all telecommunications providers
14 have equitable access to all currently available unassigned telephone numbers and equitable access
15 to numbers that have not been assigned to a customer that are available for porting to a second
16 provider.

17 IV. The department should adopt measures, to the maximum extent allowable by federal
18 law and availability of technology, to provide for local number portability by all providers of local
19 exchange service.

20 V. To the extent that any one competitor is responsible for managing a pool of numbers
21 which is to be assigned to customers of that competitor and other competitors, the department
22 should adopt policies to require that the assignment and management of the numbers be kept
23 segregated from the marketing portion of that competitor.

24 VI. Notwithstanding any other law, rule, or order to the contrary, and in particular RSA
25 362:6 and RSA 362:7, II, all telecommunications service providers, including but not limited to,
26 cellular mobile radio service providers, paging service providers, voice over Internet protocol service,
27 and IP-enabled service providers shall be considered public telephone utilities for the purposes of
28 telephone number conservation and activities associated with the transition to any subsequently
29 assigned area codes, including but not limited to customer education, and shall be subject to the
30 jurisdiction of the department to the full extent allowed by federal law. The department may
31 specially assess these providers for the costs of investigations and other proceedings pursuant to

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1 RSA 365:37, II regardless of their participation in any proceeding. These providers shall be subject
2 to penalties imposed by the department or commission for failure to pay a special assessment or for
3 failure to comply with any rule or order.

4 VII. The department may, by order or rule, specify requirements placed upon
5 telecommunications service providers for the purposes of effectuating its duties and for the purposes
6 of enforcing telephone utilities' obligations under this section.

7 VIII. Any telecommunications provider made subject to department jurisdiction solely by
8 operation of this section and not otherwise subject to assessment shall not be subject to assessment
9 pursuant to RSA 363-A, but shall register with the department on a form provided by the
10 department no later than March 31, 2024.

11 2 Effective Date. This act shall take effect upon its passage.

SB 603-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to telephone number and area code conservation.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	Indeterminable Increase	Indeterminable Increase	\$0
<i>Revenue Fund(s)</i>	Special Utility Assessment			
Expenditures	\$0	Indeterminable Increase	Indeterminable Increase	\$0
<i>Funding Source(s)</i>	Special Utility Assessment			
Appropriations	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ N/A
- Does this bill authorize new positions to implement this bill? ☒ No

METHODOLOGY:

This bill updates the authority of the Department of Energy and the Public Utilities Commission to promote and adopt telephone number conservation measures to the maximum extent allowed by federal law for area code 603.

The Department of Energy indicates this bill would require the Department to adopt measures to conserve telephone numbers within the 603 area code including requiring all telecommunications providers to:

- Undertake inventories and return assigned blocks of numbers to the numbering pool.
- Consolidate rate centers, and the like; to assure equitable access to numbers.
- Provide for local number portability and to require parties that manage numbering pools to keep assignment and management of those numbers segregated from their marketing departments.

Some telecommunications providers are considered public utilities and others are not. This bill would make all telecommunications service providers subject to the Department's jurisdiction and assessment authority at least for this limited purpose. The Department assumes it would issue an RFP for consultants to assist in structuring an investigation and in identifying and

adopting actions to better utilize numbering resources in the State in order to push the exhaust of the 603 area code beyond 2027. The bill would provide the Department with the authority to adopt measures identified by the consultant to utilize the State's telephone numbering resources more efficiently. The consultant cost cannot be determined in advance, but the Department assumes the cost would range between \$100,000 and \$300,000 over the FY 2025 and FY 2026 period. Such costs would be paid through a special utility assessment on all providers of telecommunications services. Other required work would be assumed by existing Department staff, and there would be no additional cost to state, county, or local budgets.

The Public Utilities Commission (PUC) indicates both the Department of Energy and the PUC may impose penalties against these companies for failure to pay a special assessment or comply with any rule or order. The Department of Energy is responsible for administering telephone numbering resources, so that the PUC is unlikely to become involved in these matters, unless it is as a result of a petition filed by the Department to adjudicate a specific matter. The PUC expects no fiscal impact on the Commission.

It is assumed that any fiscal impact would occur after FY 2024.

AGENCIES CONTACTED:

Department of Energy and Public Utilities Commission