

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1221

In the Matter of)
SBC Long Distance, LLC) ORDER
Beaverton Rate Center Numbering)
Expansion)

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On September 8, 2005, SBC Long Distance, LLC (SBC) filed an application with the Public Utility Commission of Oregon (Commission) requesting a waiver of the Federal Communications Commission (FCC) requirements involving the Months to Exhaust (MTE) criterion for the Beaverton rate center. SBC is requesting that Neustar, the Oregon number pooling administrator, open 1,000 numbers in its PTLGORYRDS0 SBCLD local switch.

SBC has a customer who has private branch exchange (PBX) equipment that is unable to accept the current block of numbers that SBC has in inventory. Therefore, SBC is requesting the available 971-732 1000 block of numbers that the customer's PBX will accept.

On December 28, 2001, the FCC released Order No. 01-362 (FCC Order). The FCC delegated authority to state commissions to hear claims that a safety valve mechanism should be applied when the North American Numbering Plan Administrator (NANPA) or pooling administrator denies a specific request for numbering resources. In order to secure state commission authority for a safety valve mechanism, a carrier must make:

1. A showing that the carrier has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory.¹

OR

2. A showing that even though the safety valve mechanism should be narrowly applied to meet specific customer requests or to meet a carrier's immediate numbering needs, the Commission should still consider the request from a carrier with multiple switches in a given rate center and determine whether relief is warranted on a case-by-case basis.

¹ A carrier may demonstrate such a need by providing the Commission with documentation of the customer request and current proof of utilization in the rate center.

SBC has demonstrated a verifiable need for additional numbering resources to satisfy a specific customer's needs that it cannot meet with its current inventory. Thus, SBC's current request meets the requirements for a waiver of the MTE criterion. Staff recommends the Commission grant a waiver of FCC requirements involving the MTE criterion.

ORDER

IT IS ORDERED that SBC Long Distance, LLC's request for waiver of the Federal Communications Commission requirements involving Months to Exhaust criterion is approved.

SEP 21 2005

Made, entered, and effective _____.



A handwritten signature in black ink that reads "Lee Sparling".

Lee Sparling
Director
Utility Program

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order to a court pursuant to applicable law.