

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1243

In the Matter of)	
)	
QWEST CORPORATION)	ORDER
)	
Bend Rate Center Numbering Expansion.)	

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On January 13, 2006, Qwest Corporation (Qwest) 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 Bend rate center. Qwest is requesting that Neustar, the Oregon number pooling administrator, open a sequential block of 1,000 numbers in the company's BENDOR24DS0 switch to allow the company to satisfy the Oregon State University (OSU) Cascade Campus request for additional numbers.

Due to growth, the OSU Cascade Campus is expanding its direct inward dialing (DID) and internal network dialing plan. OSU has determined the need for 200 additional numbers to be able to meet campus needs. The remaining numbers in the block will be held in Qwest's number inventory for future use. In order to fold its dial-plan into its existing Enterprise dial-plan, the customer requests that the block start with a one (1) and the NXX end with a three (3), i.e., NX3-1XXX. Qwest examined the BENDOR24DS0 switch to confirm that the company does not currently have numbers available in its inventory to meet the customer's criteria.

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

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.

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.

Qwest has made the first showing. Thus, Qwest'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 for the Bend rate center, and the BENDOR24DS0 switch.

ORDER

IT IS ORDERED that Qwest Corporation's request for waiver of the Federal Communications Commission requirements involving Months to Exhaust criterion is approved.

Made, entered, and effective JAN 24 2006.





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.

**PUBLIC UTILITY COMMISSION OF OREGON
INTEROFFICE CORRESPONDENCE**

DATE: January 17, 2006

TO: File through Lance Ball  and Phil Nyegaard 

FROM: David Sloan 

SUBJECT: UM 1243, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On January 13, 2006, Qwest filed an application requesting a waiver of the FCC requirements involving the MTE criterion for the Bend rate center. The filing has been docketed as Docket No. UM 1243. Qwest is requesting that Neustar, the Oregon number pooling administrator, open a sequential block of 1,000 numbers in its BENDOR24DS0 switch and assign them to Qwest.

Qwest's customer, Oregon State University (OSU) Cascade Campus, requires 200 numbers for direct inward dial (DID) growth and expansion of its internal network dialing plan. The remaining numbers in the block will be held in Qwest's number inventory for future use. The customer has requested that the block start with a one (1) and the NXX end with a three (3), i.e. NX3-1XXX. However, the customer has indicated that if the NX3-1XXX criteria can not be met, any NXX that does not end in a 0 or a 9, and any sequential block of 200 numbers is acceptable. Qwest has no NXX or blocks in its number inventory to satisfy the customer's request.

On January 1, 2006, Qwest requested from Neustar one block of numbers to satisfy its customer. The request was immediately denied as not meeting the FCC months to exhaust requirements for assignment of additional numbers. According to FCC guidelines, to qualify for additional numbering resources carriers must demonstrate that the rate center for which the numbers are requested is six months or less to exhaust and is at 75% or more utilization. Qwest included with its application a copy of the request to Neustar, which shows 31.573 months to exhaust and 85.804% utilization. Since Qwest's request to Neustar does not meet the FCC guidelines, the company must get a waiver from the Oregon PUC for the additional numbers.

OSU Cascade Campus is expanding its dial-plan, which will require the creation of 200 additional DID numbers for the campus. The customers will need the new numbers available not later than 45 days from the date of the request, or February 19, 2006.

In FCC 01-362, dated December 28, 2001, the Federal Communications Commission (FCC) adopted a safety valve mechanism to allow individual state commissions, under special circumstances, to hear claims of carriers when the NANPA or Pooling Administrator denies a specific request for numbering resources. In the order the FCC adopted one specific safety valve for "carriers that receive a specific customer request for numbering resources that exceeds their [the carrier's] available inventory"; a second safety valve for "carriers experiencing rapid growth in a given rate area"; and thirdly, the FCC, in its order, gives states "some flexibility to direct the NANPA or Pooling Administrator to assign additional numbering resources to carriers that have

UM 1243
Qwest Communications
Page 2 of 2

demonstrated a verifiable need for additional numbering resources” that don’t meet the criteria for the first two safety valves. See FCC 01-362, paragraphs 61 through 66.

Qwest’s application meets the requirements of the FCC’s first safety valve, “carriers that receive a specific customer request for numbering resources that exceeds their [the carrier’s] available inventory”. Consequently, the commission should approve Qwest’s request for waiver of the FCC requirements involving Months to Exhaust (MTE) criterion. A proposed order has been prepared for Lee Sparling’s signature and is attached for reference.

Qwest, UM 1243