

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1273

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

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On July 28, 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 Roseburg rate center. Qwest is requesting that Neustar, the Oregon number pooling administrator, open a new NXX in the company's RSBGOR57DS0 switch to allow the company to satisfy the request of Mercy Medical Center for a sequential block of 4,000 new direct inward dialing (DID) numbers.

Due to growth, Mercy Medical Center in Roseburg requires 4,000 additional direct inward dialing (DID) numbers. The customer requests that its new numbers be sequential, 1000 through 4999 in any NXX, i.e., NXX-1000 to NXX-4999. Qwest examined the RSBGORDS0 switch to confirm that the company does not currently have numbers available in its inventory to meet the customer's criteria. Also, there are no sequential blocks of uncontaminated telephone numbers in NeuStar's inventory of currently open NXXs to meet the customer's request.

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.

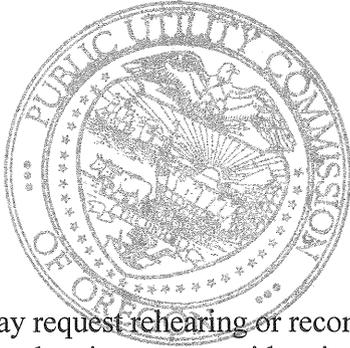
2. A showing that even though the safety valve mechanism should be narrowly applied to meet specific customer requests or to meet a carrier's immediate numbering needs, the Commission should still consider the request from a carrier with multiple switches in a given rate center and determine whether 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 Roseburg rate center, and the RSBGOR57DS0 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 AUG 07 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 by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.

PUBLIC UTILITY COMMISSION OF OREGON
INTEROFFICE CORRESPONDENCE

DATE: August 2, 2006
TO: File through Lance Ball and Phil Nyegaard
FROM: David Sloan *DLS*

SUBJECT: UM 1273, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On July 28, 2006, Qwest filed an application requesting a waiver of the FCC requirements involving the MTE criterion for the Roseburg rate center. The filing has been docketed as Docket No. UM 1273. Qwest is requesting that Neustar, the Oregon number pooling administrator, open a sequential block of 4,000 numbers in its RSBGOR57DS0 switch and assign them to Qwest.

Qwest's customer, Mercy Medical Center in Roseburg (Mercy), is expanding its existing facilities and will require 4,000 additional direct inward dialing (DID) numbers for the expansion of its internal network dialing plan. The customer has requested that the block be sequential, i.e., NXX-1000 to NXX-4999. Qwest does not have a number block in its number inventory to satisfy the customer's request. Also, currently there are no sequential blocks of uncontaminated telephone numbers (1000 – 4999) in NeuStar's inventory to meet this customer's request. Consequently, Qwest is requesting that NeuStar be directed to open a new NXX to satisfy the customer's request. NeuStar will keep the remaining numbers in the NXX for its inventory pool.

Mercy would like the new numbers available when its physical expansion is completed in December of 2006 and expects to have them in service by March of 2007. The 2,600 DID numbers currently assigned to Mercy are spread across 5 NXXs, with the largest sequential range being 247 numbers. Most of the blocks consist of only 100 numbers. These 2,600 numbers will be returned to Qwest, and after one year of aging will be available for reassignment by Qwest.

On July 21, 2006, Qwest requested from Neustar a block of numbers to satisfy its customer. The request was immediately denied as not meeting the FCC's 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 that the Bend rate center is between 36.942 and 43.485 months to exhaust for the number blocks requested and is at 73.45% utilization. NeuStar also notes that: "Customer growth requests 4000 sequential numbers (1000 – 4999) any NXX. Will require PA [pooling administrator] open new NXX, as no clean 1-4K blocks in PA's pool now." 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.

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

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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 was approved 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 demonstrated a verifiable need for additional numbering resources” that don’t meet the criteria for the 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 1273