

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1296

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

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On January 19, 2007, 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 Florence rate center. Qwest is requesting that NeuStar, the Oregon number pooling administrator, assign a block of 1,000 numbers in the company’s FLRNOR53DS0 switch to allow the company to satisfy the request of Peace Harbor Hospital for 300 new direct inward dialing (DID) numbers.

Due to expansion of its facilities, Peace Harbor Hospital in Florence requires 300 additional direct inward dialing (DID) numbers. The customer requests that its new numbers be sequential. Qwest examined the FLRNOR53DS0 switch to confirm that the company does not currently have numbers available in its inventory to satisfy the customer’s request. Qwest is requesting the number block 541-902-6XXX to satisfy the customer’s request. Qwest previously donated this block to the NANPA pool inventory with approximately 60 working numbers ported back to Qwest.

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

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.

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.

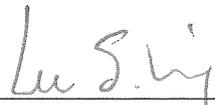
Qwest has made the first showing. Thus, Qwest's current request meets the requirements for a waiver of the MTE criterion. Staff recommends the Commission grant a waiver of FCC requirements involving the MTE criterion for the Florence rate center, and the FLRNOR53DS0 switch. Staff's memo is attached as Appendix A.

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 30 2007.





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: January 24, 2007 *LB*
TO: File through Lance Ball and Phil Nyegaard *PN*
FROM: David Sloan *DS*

SUBJECT: UM 1296, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On January 19, 2007, Qwest filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Florence rate center. The filing has been docketed as Docket No. UM 1296. Qwest is requesting that NeuStar, the Oregon number pooling administrator, open a block of 1,000 numbers in the company's FLRNOR53DS0 switch to allow the company to satisfy the request of Peace Harbor Hospital for additional numbers. Qwest has examined its FLRNOR53DS0 switch to confirm that the company does not currently have in its inventory numbers necessary to meet the customer's criteria.¹ Peace Harbor is requesting expedited handling of the request since it is unable to supply service to staff and patients until the new numbers are installed.

Qwest's customer, Peace Harbor Hospital in Florence (Peace Harbor), is expanding its existing facilities and will require the creation of an additional 300 sequential direct inward dialing (DID) numbers for the expansion of its internal network dialing plan. Qwest previously donated the 541-902-6XXX block to the NANPA pool inventory, with some working numbers ported back. Qwest is requesting that NeuStar be directed to provide the number block 541-902-6XXX. Qwest can satisfy the Peace Harbor's requirements from this number block. The remaining numbers in the block will go to Qwest's number inventory for use in satisfying future customer requests.

On January 18, 2007, Qwest requested from NeuStar numbering resources to satisfy Peace Harbor's needs. The request was immediately denied as not meeting the FCC's MTE 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 Florence rate center is at 155.7 months to exhaust and is at 74.6% utilization. Since Qwest's request to NeuStar does not meet the FCC guidelines, the company must get a waiver from the Oregon Public Utility Commission for the additional numbers. Peace Harbor has requested expedited handling of its request. The hospital's turnover date from its contractor for the new Family Medicine Center is the last week in January 2007, with staff occupying the building the first week in February.

In FCC 01-362, dated December 28, 2001, the FCC adopted a safety valve mechanism to allow individual state commissions, under special circumstances, to hear claims of carriers when the North American Numbering Plan Administrator (NANPA) or Pooling Administrator denies a

¹ The Florence switch has approximately 3,000 numbers available, but no blocks of 300 sequential numbers.

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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 MTE criterion. A proposed order has been prepared for Lee Sparling’s signature.

Qwest, UM 1295