

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1349

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

**DISPOSITION: APPLICATION FOR WAIVER APPROVED**

On October 2, 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 Eugene rate center. Qwest is requesting that NeuStar, the Oregon number pooling administrator, open an entire NXX code of 10,000 consecutive numbers in the company’s SPFDOR01DS1 switch to allow the company to satisfy the request of its customer for new numbers.

Qwest’s customer, PeaceHealth Oregon Region of Eugene, Oregon (PeaceHealth) is building a new medical center named Sacred Heart Medical Center in Springfield, Oregon. PeaceHealth is requesting a full NXX of 10,000 sequential numbers for the new facility. Qwest examined its SPFDOR01DS1 switch to confirm that the company does not currently have numbers available in its inventory to satisfy 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.<sup>1</sup>

OR

<sup>1</sup> 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 Eugene rate center, and the SPFDOR01DS1 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           OCT 09 2007          .



*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:** October 8, 2007  
**TO:** File through Lee Sparling and Dave Booth  
**FROM:** David Sloan *DS*

**SUBJECT: UM 1349, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.**

On October 2, 2007, Qwest filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Eugene rate center. The filing has been docketed as Docket No. UM 1349. Qwest is requesting that NeuStar, the Oregon number pooling administrator, open a full NXX code of 10,000 numbers in the company's SPFDOR01DS1 switch to allow the company to satisfy the request of its customer for new numbers.

Qwest's customer, PeaceHealth Oregon Region of Eugene, Oregon (PeaceHealth) is building a new medical center named Sacred Heart Medical Center at RiverBend in Springfield, Oregon. PeaceHealth is requesting a full NXX of 10,000 sequential numbers for the new facility. This will require authorization to open a new NXX code in the Eugene rate center. The customer has requested that Qwest make the new numbers available by the first of December 2007. PeaceHealth will continue to use the numbers currently assigned as it will continue the services at its Eugene location. Qwest does not have a full NXX of 10,000 sequential numbers in its number inventory to satisfy the customer's request.

On October 1, 2007, Qwest requested from NeuStar the numbers to satisfy its customer. 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 Eugene rate center is at 61.7 months to exhaust and is at 73.3% 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.

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 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

UM 1349, Qwest Communications  
October 8, 2007  
Page 2

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 1349