

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1365

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

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On January 29, 2008, 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, assign six sequential blocks of 1,000 numbers in the company’s BENDOR24DS0 switch to allow the company to satisfy the request of St. Charles Medical Center (St. Charles) of Bend, Oregon for new numbers.

Related to the expansion of its facilities in Bend, Oregon, St. Charles requires 1,500 direct inward dial (DID) numbers spread over six sequential thousands blocks (2XXX through 7XXX) for its network dialing plan. Qwest examined its BENDOR24DS0 switch and confirms 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.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. 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 FEB 06 2008.



A handwritten signature in black ink, appearing to read "Lee Sparling", is written over a horizontal line.

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: February 4, 2008

TO: File through Lee Sparling and Dave Booth *LS DB*

FROM: David Sloan *DS*

SUBJECT: UM 1365, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On January 29, 2008, Qwest filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Bend rate center. The filing has been docketed as Docket No. UM 1365. Qwest is requesting that NeuStar, the Oregon number pooling administrator, assign six sequential blocks of 1,000 numbers in the company's BENDOR24DS0 switch to allow the company to satisfy the request of St. Charles Medical Center (St. Charles) of Bend, Oregon for new numbers.

Qwest's customer is expanding its St. Charles Medical Center facilities located in Bend, Oregon due to growth. St. Charles plans to utilize the new numbers to make their telephone directory easier for caregivers and customers to use. St. Charles is requesting 1,500 numbers spread over six sequential thousands blocks (2XXX through 7XXX). Qwest does not have sequential numbers in its number inventory to satisfy the customer's request. The 16,729 numbers in Qwest's inventory that are in the Bend rate center are spread throughout various NXXs in small consecutive number groups and do not meet St. Charles's request. Qwest is specifically requesting the number range of 541-706-2XXX through 7XXX to satisfy the customer's request.¹

Numbers in the requested blocks that are not assigned to St. Charles, as well as the 998 currently utilized numbers that will be returned by St. Charles, will be added to Qwest's number inventory for future assignment to other customers. The numbers are normally aged for 12 months, or the life of the telephone directory, and then become available for reassignment.²

On January 29, 2008, 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 Bend rate center is at a minimum of 26.5 months to exhaust for the number blocks requested and the Bend rate center is at 81.6% utilization. Since Qwest's request to NeuStar does not meet the FCC guidelines, the

¹ Qwest has advised that the 541-706-2XXX through 7XXX range of blocks is currently available in the NeuStar Pooling Administrator's pooling inventory. Staff has reserved this range of numbers with NeuStar pending the Commission's action on this request.

² Any Qwest excess number inventory (thousand blocks) would be identified in Qwest's annual numbering resource utilization/forecast (NRUF) reporting to NeuStar. Blocks exceeding Qwest's forecasted demand based on past assignments are donated to the Pooling Administrator's inventory for use by other service providers.

UM 1365, Qwest Communications
February 4, 2008
Page 2

company must get a waiver from the Oregon Public Utility Commission 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 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 1365