

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1399

In the Matter of	)	
	)	ORDER
INTEGRA TELECOM OF OREGON,	)	
INC.	)	
	)	
Salem Rate Center Numbering Expansion.	)	

**DISPOSITION: APPLICATION FOR WAIVER APPROVED**

On October 30, 2008, Integra Telecom of Oregon, Inc. (Integra) 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 Salem rate center. Integra is requesting that NeuStar, the Oregon number pooling administrator, assign three blocks of 1,000 numbers in the company’s BVTNOR18DS0 switch to allow the company to satisfy the request of a confidential customer in Salem, Oregon.

In Order No. 08-392, Docket No. UM 1385, the commission approved the opening of a new NPA NXX (10,000 numbers) and the assignment of seven blocks of 1,000 numbers to Integra’s BVTNOR18DS0 switch to satisfy a request from this confidential customer. The confidential customer is now requesting that Integra assign to it the three blocks of 1,000 numbers remaining in the NPA NXX. The confidential customer requests that the entire NPA NXX from which the prior seven blocks were taken be available for its regional renumbering efforts.

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>

<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.

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.

Integra has made the first showing. Thus, Integra'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 Salem rate center, and the BVTNOR18DS0 switch. Staff's memo is attached as Appendix A.

**ORDER**

IT IS ORDERED that Integra Telecom of Oregon, Inc.'s request for waiver of the Federal Communications Commission requirements involving Months to Exhaust criterion is approved.

Made, entered, and effective NOV 07 2008.



*Bryan Conway for*

**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:** November 5, 2008

**TO:** File through Lee Sparling, Bryan Conway, and Lance Ball

**FROM:** David Sloan

**SUBJECT: UM 1399, Integra Telecom of Oregon, Inc. (Integra): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.**

On October 30, 2008, Integra filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Salem rate center. The filing has been docketed as UM 1399. Integra is requesting that NeuStar, the Oregon number pooling administrator assign Integra three blocks of 1,000 numbers in its BVTNOR18DS0 switch to allow the company to satisfy the request of a confidential customer in Salem, Oregon. Integra has examined its BVTNOR18DS0 switch, which serves its Salem customers, and confirms that it does not currently have the numbers in its inventory to satisfy the customer's request.

In July 2008, the commission approved a request from Integra to open a new NPA NXX (10,000 numbers) and assign blocks 1XXX through 7XXX to Integra to allow it to fill a request of the confidential customer. The confidential customer has now requested that Integra assign to it the remaining blocks in the NPA NXX, i.e., blocks 0XXX, 8XXX, and 9XXX. The customer requires the additional numbers to improve its communications system, for both internal and external communications. The customer requests that the entire NXX from which the prior number assignment was taken be available for its regional renumbering efforts.

Any numbers in a requested block that should not end up being assigned to Integra's confidential customer will be added to Integra's number inventory for future assignment to other customers. Any Integra excess number inventory (thousand blocks) would be identified in a subsequent numbering resource utilization/forecast (NRUF) report to NeuStar. Blocks in Integra's number inventory that exceed Integra's forecasted demand are donated to the Pooling Administrator's inventory for use by other service providers.

On October 21, 2008, Integra 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. Integra included with its application a copy of the request to NeuStar, which states: "You do not meet the MTE and/or utilization requirements, therefore this request for a new code is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial." Since Integra's request to NeuStar does not meet the FCC guidelines, the company must get a waiver from the Public Utility Commission of Oregon 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

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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.

Integra’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 Integra’s request for waiver of the FCC requirements involving MTE criterion. A proposed order has been prepared for Lee Sparling’s signature.

Integra, UM 1399