

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1414

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

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On January 26, 2009, 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 Madras rate center. Qwest is requesting that NeuStar, the Oregon number pooling administrator, assign one block of 1,000 numbers in the company’s MDRSOR52DS0 switch to allow the company to satisfy a request of the Mountain View Hospital in Madras, Oregon for new numbers.

Mountain View Hospital is in the process of updating its telecommunications system and coordinating its number plan with St. Charles Hospital in Bend, Oregon. The hospital is requesting that Qwest provide 200 new sequential numbers within the same NPA 541 prefix. The numbers can be from any prefix, however, within the prefix, the customer is requesting numbers in number block 4XXX or 5XXX. Due to Mountain View Hospital’s internal numbering plan, the number block can not begin with 0, 1, or 9. Qwest has reviewed its MDRSOR52DS0 switch and confirms that it does not currently have the numbers 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.

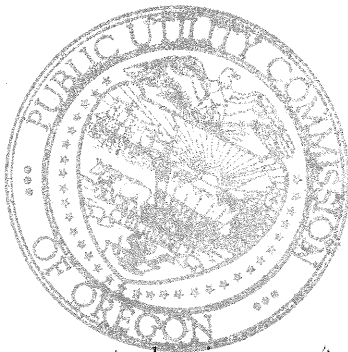
2. A showing that even though the safety valve mechanism should be narrowly applied to meet specific customer requests or to meet a carrier's immediate numbering needs, the Commission should still consider the request from a carrier with multiple switches in a given rate center and determine whether 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 Madras rate center and the MDRSOR52DS0 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 2009.



A handwritten signature in black ink that reads "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: January 28, 2009

TO: File through Lee Sparling and Bryan Conway

FROM: David Sloan *DS*

SUBJECT: UM 1414, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On January 26, 2009, Qwest filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Madras rate center. The filing has been docketed as Docket No. UM 1414. Qwest is requesting that NeuStar, the Oregon number pooling administrator, open one block of 1,000 numbers in the company's MDRSOR52DS0 switch to allow the company to satisfy the request of Mountain View Hospital (MVH) in Madras, Oregon for new numbers.

MVH is in the process of updating its telecommunications system and coordinating its number plan with St. Charles Hospital in Bend, Oregon. MVH is requesting that Qwest provide 200 new sequential numbers within NPA 541. The numbers can be from any prefix, however, within the prefix, MVH is requesting numbers in number block 4XXX or 5XXX. Due to the district's internal numbering plan, the block can not begin with 0, 1, or 9. Qwest has reviewed its MDRSOR52DS0 switch and confirms that it does not currently have the numbers in its inventory to satisfy the customer's request.

To satisfy MVH's requirement, Qwest is requesting one block of 1,000 numbers, specifically from the 541 NPA. The block of numbers may be from any prefix and should begin with 4 or 5. The 800 numbers in the requested block that are not assigned to MVH will be added to Qwest's number inventory for future assignment to other customers. Any Qwest excess number inventory (thousand blocks) would be identified in Qwest's annual numbering resource utilization/forecast (NRUF) report 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.

On January 22, 2009, Qwest requested from NeuStar the numbers to satisfy its customer. The request was immediately denied as not meeting the FCC's utilization criteria 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 Madras rate center is at a minimum of 336 months to exhaust and at 42% utilization. Since Qwest'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.

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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 1414