

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1421

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|--------------------------------|---|-------|
| In the Matter of |) | |
| |) | |
| QWEST CORPORATION |) | ORDER |
| |) | |
| Portland Rate Center Numbering |) | |
| Expansion. |) | |

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On February 24, 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 Portland rate center. Qwest is requesting that NeuStar, the Oregon number pooling administrator, assign two blocks of 1,000 numbers in the company's PTLDOR12DS0 switch to allow the company to satisfy a request of the Oregon Army National Guard (Oregon Guard) for new numbers.

The Oregon Guard is in the process of constructing a new building in Clackamas, Oregon. The requested numbers are required for assignment to a primary rate interface (PRI) that the Oregon Guard has installed at a temporary site to handle displaced personnel from Camp Withycombe until construction of the new building is completed and ready for occupancy. The Oregon Guard is requesting new sequential numbers from number blocks beginning with a 5 and 6 (i.e. 5XXX and 6XXX) to allow utilization of a 4-digit dial system between related PBXs. Qwest has reviewed its PTLDOR12DS0 switch and confirms that it does not currently have the numbers in its inventory to satisfy the customer's request. To satisfy the Oregon Guard request, Qwest has asked that two thousand blocks of numbers, specifically 503-208-5XXX and 503-208-6XXX, be opened and assigned to its PTLDOR12DS0 switch.

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

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 Portland rate center and the PTLDOR12DS0 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 MAR 04 2009



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.

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.

PUBLIC UTILITY COMMISSION OF OREGON
INTEROFFICE CORRESPONDENCE

DATE: February 26, 2009

TO: File through Lee Sparling and Bryan Conway

FROM: David Sloan *DS*

SUBJECT: UM 1421, Qwest Corporation (Qwest): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On February 24, 2009, Qwest filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Portland rate center. The filing has been docketed as Docket No. UM 1421. Qwest is requesting that NeuStar, the Oregon number pooling administrator, open two blocks of 1,000 numbers in the company's PTLDOR12DS0 switch to allow the company to satisfy the request of the Oregon Army National Guard (Oregon Guard) for new numbers.

The Oregon Guard is in the process of constructing a new building in Clackamas, Oregon. The requested numbers are required for assignment to a PRI the Oregon Guard has installed at a temporary site to handle displaced personnel from Camp Withycombe until construction of the new building is completed and ready for occupancy. The Oregon Guard is requesting that Qwest provide new sequential numbers from number blocks beginning with a 5 or 6 (5XXX or 6XXX) to allow utilization of a 4-digit dial system between related PBXs. Due to the Oregon Guard's internal numbering plan, the block can not begin with 0, 1, or 9. Qwest has reviewed its PTLDOR12DS0 switch and confirms that it does not currently have the numbers in its inventory to satisfy the customer's request. To satisfy the Oregon Guard request, Qwest has asked that two thousand blocks of numbers, specifically 503-208-5XXX and 503-208-6XXX, be opened and assigned to its PTLDOR12DS0 switch.

To satisfy the Oregon Guard's requirement, Qwest is requesting two blocks of 1,000 numbers, specifically from the 503 NPA. The block of numbers may be from any prefix and should begin with 5 or 6. The customer will be returning 650 numbers to Qwest in the fall of 2011. These numbers 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 24, 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

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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 Portland rate center is at a minimum of 1,096 months to exhaust and at 68.59% 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.

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 1421