

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UM 1444

In the Matter of)	
)	
VERIZON NORTHWEST INC)	ORDER
)	
Beaverton Rate Center Numbering)	
Expansion.)	

DISPOSITION: APPLICATION FOR WAIVER APPROVED

On August 27, 2009, Verizon Northwest Inc. (Verizon) 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 Beaverton rate center. Verizon is requesting that NeuStar, the Oregon number pooling administrator, open a new NPA NXX (10,000 numbers) in the 672 LATA to allow the company to establish a location routing number (LRN) for a new switch. The switch identification number for the new switch is BVTNORXBPSA.

Verizon is preparing to deliver services to customers in the state of Oregon using packet switching equipment. System testing and verification is scheduled to start in October 2009. The new packet switching equipment is scheduled to be activated in November 2009 as part of Verizon's transformation to an advanced broadband network. This new packet switch is not replacing an existing circuit switch. There will be no changes to the customers' voice service. Verizon requests a waiver to permit the assignment of the required LRN in the 672 LATA in order to support local number portability and telephone number pooling. Because this new switch will function in parallel with the existing circuit switched network, Verizon requires additional numbering resources. Verizon does not have numbers in its number inventory to establish the required LRN in the new 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.

Verizon has made the second showing. Thus, Verizon'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 Beaverton rate center and the new BVTNORXBPSA switch. Staff's memo is attached as Appendix A.

ORDER

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

Made, entered, and effective SEP 09 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: September 1, 2009

TO: File through Irv Emmons and Bryan Conway *IE* *BC*

FROM: *Wm* *DS*
Woody Birko and Dave Sloan

SUBJECT: UM 1444, Verizon Northwest Inc. (Verizon): Application for waiver of Federal Communications Commission (FCC) requirements for assignment of additional numbering resources.

On August 27, 2009, Verizon filed an application requesting a waiver of the FCC requirements involving the Months to Exhaust (MTE) criterion for the Beaverton rate center. The filing has been docketed as UM 1444. Verizon is requesting that NeuStar, the Oregon number pooling administrator, open a new NPA NXX (10,000 numbers) in the 672 LATA to allow the company to establish a location routing number (LRN) for a new switch. The switch identification number for the new switch is BVTNORXBPSA.

Verizon is preparing to deliver services to customers in the state of Oregon using packet switching equipment. System testing and verification is scheduled to start in October 2009. The new packet switching equipment is scheduled to be activated in November 2009 as part of Verizon's transformation to an advanced broadband network. This new packet switch is not replacing the existing circuit switch. There will be no changes to the customers' voice service. Verizon requests a waiver to permit the assignment of the required LRN in the 672 LATA in order to support local number portability and telephone number pooling. Because this new switch will function in parallel with the existing circuit switched network, Verizon requires additional numbering resources. Verizon does not have numbers in its inventory to establish the required LRN.

On May 26, 2009, Verizon requested from NeuStar the new NXX code required. The request was immediately denied because Verizon's application did not satisfy Months-to-Exhaust and Utilization requirements for it to be assigned a thousand-block from a new NXX code for the purpose of obtaining an LRN. 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 percent or more utilization. Verizon included with its application a copy of the request to NeuStar, which shows that the Beaverton rate center is at 2,174 months to exhaust and is at 66.45 percent utilization. NeuStar's explanation of its denial 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 Verizon's request to NeuStar does not meet the FCC guidelines, the company must get a waiver from the Oregon PUC for the additional numbers.

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Verizon requests that the Commission use its delegated authority to waive the Months-to-Exhaust and Utilization requirements so that it may be assigned the required NXX code to create one LRN in the 672 LATA. Verizon would return the nine unused thousands-blocks in the NXX code to the appropriate rate center pool. Verizon requests that the application be processed on an expedited schedule so that it may begin testing and verification on schedule in October 2009.

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.

Verizon’s application meets the requirements of the FCC’s third safety valve, “carriers that have demonstrated a verifiable need for additional numbering resources.” Consequently, the commission should approve Verizon’s request for waiver of the FCC requirements involving MTE criterion. A proposed order has been prepared for Lee Sparling’s signature.

Verizon UM 1444