

James Meza III  
Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5561

November 8, 2001

Mrs. Blanca S. Bayó  
Director, Division of the Commission  
Clerk and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

Re: **Docket No. 011528-TL**  
**BellSouth's Petition for Expedited Review of Growth Code**  
**Denials by the North American Numbering Plan**  
**Administration (NANPA) for the Miami Exchange (Red Road)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Expedited Review of NXX Code Denials, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return a copy to me. Copies have been served to the parties shown on the attached certificate of service.

Sincerely,

  
James Meza III (KA)

Enclosures

cc: All Parties of Record  
Marshall M. Criser III  
R. Douglas Lackey  
Nancy B. White

DOCUMENT NUMBER-DATE

14236 NOV-8 2001

FPSC-COMMISSION CLERK

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Expedited Review of Growth ) Docket No.  
Code Denials by the North American Numbering )  
Administration for the Miami Exchange ) Filed: November 8, 2001  
(Red Road) )  
\_\_\_\_\_)

**PETITION FOR EXPEDITED REVIEW OF NXX CODE DENIALS**

BellSouth Telecommunications, Inc. (“BellSouth”), pursuant to 47 C.F.R. § 52.15(g)(iv), Federal Communications Commission (“FCC”) Order FCC 00-104, and Florida Public Service Commission (“Commission”) Order No. PSC-01-1873-PCO-TL, petitions the Commission to review the North American Plan Administrator’s (“NANPA”) denial of BellSouth’s request for additional numbering resources in the Miami exchange (Red Road). In support of this petition, BellSouth states:

**PARTIES**

1. BellSouth is a corporation organized and formed under the laws of the State of Georgia and an incumbent local exchange company (“ILEC”) regulated by the Commission and authorized to provide local exchange telecommunications and intraLATA toll telecommunications in the State of Florida.

2. NANPA is an independent non-governmental entity, which is responsible for administering and managing the North American Numbering Plan (“NANP”). See 47 C.F.R. § 52.13(a),(b).

**JURISDICTION**

3. The Commission has jurisdiction of this matter pursuant to 47 C.F.R. § 52.15(g)(iv). This provision provides that a carrier may challenge the NANPA’s decision to deny numbering resources to the appropriate state regulatory commission.

## BACKGROUND AND REQUEST FOR RELIEF

4. On March 31, 2000, the FCC issued Order No. 00-104 (“FCC 00-104” or the “Order”) in the Numbering Resource Optimization docket (Docket No. 99-200). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of telephone numbers and to avoid further exhaustion of telephone numbers under the NANPA.

5. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier’s need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at § 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing numbering inventory within the applicant’s rate center will be exhausted within six months of the application. Prior to the ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant’s existing number inventory within the applicant’s serving switch to exhaust within a specific months-to-exhaust (“MTE”) of the code application in order for a code to be assigned or for the carrier to prove that it was unable to meet a specific customer’s request with its current inventory of numbers. The FCC stated that the shift to a “rate center” basis for determining the need for new numbering resources was intended to “more accurately reflect how numbering resources are assigned” and to allow “carriers to obtain numbering resources in response to specific customer demands.” FCC Order at ¶ 105.

6. As a result of FCC 00-104, the FCC adopted 47 C.F.R. § 52.15 (g)(iii) and (iv) which provides:

All service providers shall maintain no more than a six-month inventory of telephone numbers in each rate center or service area in which it provides telecommunications service.

The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resources application requirements established in this part. The NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state regulatory commission may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein.

7. On December 29, 2000, the FCC also released FCC 00-429, which reaffirmed FCC 00-104 and also required carriers to meet a 60 percent initial utilization threshold. FCC 00-429 at ¶ 26. Based on these two FCC orders, carriers are required to meet a six MTE criteria as well as a utilization threshold on a rate center/exchange basis in order to be granted additional numbering resources. *Id.* at ¶ 29.

8. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to NANPA and NeuStar, the pooling administrator, for assignment of additional numbering resources to meet the demands of its customers in several Florida exchanges, including Jacksonville, Ft. Lauderdale, Orlando, North Dade, and Miami.

9. BellSouth has completed these applications in accordance with Industry Numbering Committee's (INC's) guidelines and filled out the necessary Months-to-Exhaust Certification Worksheets as required.

10. BellSouth has utilized mechanisms such as number pooling to manage its numbering resources in the most efficient manner. However, as the Commission is well aware, in some circumstances, BellSouth has been required to petition the Commission for relief.

11. On May 25, 2001, BellSouth petitioned the Commission to develop an expedited process to review NANPA's denial of a request for additional numbering resources. As a result of the BellSouth's Petition and the Commission's efforts to make numbering resources available to carriers, the Commission issued Order No. PSC-01-1873-PCO-TL setting forth an expedited code denial process.

12. As for this request for additional numbering resources for the Miami exchange (Red Road), BellSouth states the following:

13. The Miami exchange consists of twenty-four (24) central offices and twenty-eight (28) switching entities that utilize numbering resources: Airport (MIAMFLAGRS0), Alhambra (MIAMFLAEDS0 and MIAMFLAERS0), Allapattah (MIAMFLAL63E), Bayshore (MIAMFLBA85E), Miami Beach (MIAMFLBRDS0), Biscayne (MIAMFLBCDS0), Canal (MIAMFLCADS0), Dadeland Blvd (MIAMFLDBRS1), Flagler (MIAMFLFLDS0), Grande (MIAMFLGRDS0 and MIAMFLGRDS1), Hialeah (MIAMFLHLDS0), Indian Creek (MIAMFLICDS0), Key Biscayne (MIAMFLKEDS0), Metro (MIAMFLMERS0 and MIAMFLME32E), Miami Shores (MIAMFLSH75E), North Miami (MIAMFLNMDS0), Northside

(MIAMFLNSDS0), Opa Locka (MIAMFLOL68E), Palmetto (MIAMFLPLDS0 and MIAMFLPLRS0), Poinciana (MIAMFLPB88E), Red Road (MIAMFLRRDSO), Silver Oaks (MIAMFLSODS0), West Dade (MIAMFLWDDS0), and West Miami (MIAMFLWMDS0).

14. On October 19, 2001, BellSouth requested additional numbering resources from NANPA for the Red Road switch. *See* Attachment 1. BellSouth needed the additional numbering resources to provide 4,000 consecutive DID numbers for a specific customer.

15. At the time of the code request, the Miami exchange had a MTE of 6.57 and a utilization of over 76%, while the MTE for the Red Road (MIAMFLRDS0) switch was 6.31.

16. On October 31, 2001, NANPA denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based MTE criteria now set forth in the Central Office Code Guidelines Section 4.2.1, notwithstanding the fact that BellSouth's is unable to provide the numbering resources requested by the specific customer. *See* Attachment 2. Pursuant to Commission Order No. PSC-01-1973-PCO-TL, attached to this Petition is the MTE and utilization rate for each switch in the Miami exchange and the identity of the specific customer in question. *See* Attachment 3.

17. BellSouth's request for additional numbering resources to provide the 4,000 consecutive DID numbers in the Miami exchange would not materially impact exhaustion of available numbers in the 786 area code.

18. As discussed above, both the FCC Order and NANPA's Central Office Code Guidelines provide that state regulatory authorities have the power and authority to

review NANPA's decision to deny a request for numbering resources. *See* 47 C.F.R. § 52.15(g)(3)(iv); § 13.0 of the NANPA Central Office Code (NXX) Guidelines.

19. Under earlier MTE procedures used by NANPA, waivers or exceptions were granted when customer hardships could be demonstrated or when the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under existing procedures, NANPA looks at the number of MTE and utilization for the entire rate center without any exceptions. The current process is arbitrary and results in (1) decisions contrary to the public interest and welfare of consumers in the State of Florida; and (2) decisions that do not necessarily promote the efficient use of telephone numbers.

20. Unfortunately, BellSouth's inability to obtain numbering resources in the above switch, which is necessary to meet its customers' numbering demands in multi-switch rate centers, will not be the last time BellSouth experiences this problem. BellSouth has a total of 101 rate centers in Florida with 30 of these being multi-switch rate centers. Some of the switches within these multi-switch rate centers are already within or near the six MTE. BellSouth, however, believes that it will be unable to meet the six MTE threshold at the rate center level in all of these multi-switch rate centers, jeopardizing its ability to adequately comply with its carrier of last resort obligations.

21. BellSouth requests that the Commission's reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

(a) NANPA's denial of numbering resources to BellSouth interferes with BellSouth's ability to serve its customers within the State of Florida.

(b) The MTE at the rate center level requirement is discriminatory against the incumbent LEC, since the ILEC is typically the only local service provider with multiple switches in a rate center. The ILEC deploys multiple switches in a rate center in order to meet customer demand for telephone service. The new FCC rules for obtaining numbering resources both penalizes and discriminates against the ILECs for deploying multiple switches. BellSouth believes that it is patently unfair to require that the ILEC only get six (6) MTE in all the switches it has deployed in a rate center, when the ALECs, which have recently entered the local service market, have to meet the MTE requirement in only the single switch that they have deployed to serve their customers in a single rate center or even multiple rate centers.

(c) As a result of NANPA's denial of BellSouth's request for additional numbering resources, BellSouth will be unable to provide telecommunications services to its customers as required under Florida law.

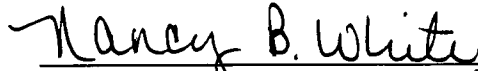
WHEREFORE, BellSouth requests:

1. The Commission review the decision of the NANPA to deny BellSouth's request for additional numbering resources for the Miami exchange (Red Road); and
2. The Commission direct NANPA to provide the requested code for the Miami exchange as discussed above.



Respectfully submitted this 8th day of November, 2001

BELLSOUTH TELECOMMUNICATIONS, INC.

  
\_\_\_\_\_

Nancy B. White (LA)


James Meza III

150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5558

  
\_\_\_\_\_

R. Douglas Lackey (KAD)

675 West Peachtree Street, Suite 4300

Atlanta, Georgia

(404) 335-0747

419515

Central Office Code (NXX) Assignment Request - Part 1  
Revised August 6, 2001

Type of Application:  New  Change<sup>1</sup>  Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: BellSouth Telecommunications, Inc  
Headquarters Address: Room 22P69- BSC/675 West Peachtree Street, N.E.  
City, State, Zip: Atlanta, Georgia, 30375  
Contact Name: Rena Wilkie  
Contact Address: same as above  
City, State, Zip: same as above  
Phone: 404 927-4917 FAX: 404 524-2918 E-Mail: rena.wilkie@bridge.bellsouth.com

Code Administrator:<sup>2</sup>

Name: Terah Adger  
Address: Suite 570/1800 Sutter Street  
City, State, Zip: Concord, California 94520-2561  
Phone: 925 363-8705 FAX: 925 363-8714

1.2 NPA: 305 <sup>786</sup> NXX: 3 LATA: 4607 OCN: 9417 Parent Company's OCN(s) 9400

Switching Identification (Switching Entity/POI)<sup>5</sup> MIAMFL RRDSO

Locality/City/Wire Center: MIAMI Rate Center:<sup>6</sup> MIAMI

Homing Tandem Operating Co.: BST Tandem Homing CLLI™:<sup>8</sup> MIAMFLGROST

1.3 Dates: Date of Application: 10/19/01 Requested Effective Date:<sup>9 10</sup> ASAP

1.4 Type of company/entity requesting the code:

- a) LEC (LEC, IC, CMRS, Other)
- b) b) Type of service POTS (e.g., Cellular - Type 2)
- c) Code Assignment Preference (Optional) \_\_\_\_\_
- d) Codes that are undesirable, if any 666, 800, 900
- e) Type of change: \_\_\_\_\_

1.5 Type of Request (Initial, growth, etc.): growth - outstanding request for  
If an initial code, attach (1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pool Indicator \_\_\_\_\_ (YES)<sup>11</sup>

1.6 NPA Jeopardy Criteria Apply: Yes \_\_\_\_\_ No X

1.7 Code request for new service (Explain): \_\_\_\_\_

1.8 Part 2 is attached \_\_\_\_\_ Part 2 is not attached XXX for RDBS & BRIDS<sup>12, 13</sup>

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (<http://www.atis.org/atis/clc/inc/incdocs.htm>) as of the date of this application<sup>14</sup>:

Rena Wilkie Bellsouth NXX Code Administrator 10/19/01  
Signature of Code Applicant<sup>15</sup> Title Date

CO CODE ASSIGNMENT  
MONTHS TO EXHAUST CERTIFICATION WORKSHEET - TN Level<sup>1</sup>  
(Worksheet to be used for Requests for Additional Codes for Growth)

Date: 10/19/01 Company Name: Bell South

Rate Center: MIAMI

NPA(s)-NXXs included in growth calculation<sup>2</sup>: See Attached

Signature of Authorized Representative of Code Applicant: Reena Wickli  
Title: Code administrator Telephone No.: 404 927-4917 FAX No.: 404 524-2918

A. Telephone Numbers (TNs) Available for Assignment (See Glossary<sup>3</sup>): 190,257

Month #1    Month #2    Month #3    Month #4    Month #5    Month #6    Month #7    Month #8    Month #9    Month #10    Month #11    Month #12

B. Previous 6-month growth history<sup>4</sup>    15,502    15,078    16,688    9,068    11,228    7,093

C. Forecast - Next months 1-12<sup>5</sup>    26,836    27,641    28,470    29,324    30,204    31,110    32,044    33,005    33,995    35,015    36,065    37,147

D. Average Monthly Forecast (Sum of months 1-6 Part C above divided by 6): 28,931

E. Months to Exhaust<sup>6</sup> =  $\frac{\text{Telephone Numbers (TNs) Available for Assignment (A)}}{\text{Average Monthly Forecast (D)}}$  = 6.57

F. Utilization Level<sup>7</sup> =  $\frac{\text{Telephone Numbers (TNs) Assigned}}{\text{Total Numbering Resources in Applicant's Inventory}} \times 100$  = 76.14 %

Explanation: Growth Code for MIAMI FLRRDSD - Outstanding Request for 4000 DID numbers for [REDACTED]

1 A copy of this worksheet is required to be submitted to the Code Administrator; for audit purposes, it must be in the applicant's files.  
2 Report on all resources for the requested geographic area, including newly acquired codes.  
3 Definitions of terms may be found in the Glossary section of the Central Office Code (NXX) Assignment Guidelines.  
4 Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.  
5 Forecast of TNs needed in each following month, starting with the most recent month as Month #1.  
6 To be assigned an additional CO Code (NXX) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (iii)).  
7 Newly acquired numbers (see glossary) may be excluded from the utilization calculation (FCC 00-104, § 52.15 (g) (3) (ii)).

NOV 06 2001 9:45AM

BELLSOUTH

770 945-7231

P. 5

Rena Wilkie /m6,mail6a 11/1/2001 12:11

Page 1

MESSAGE

Dated: 10/31/2001 at 15:15

Subject: Part 3 Response for Tracking #: 786-131468  
Creator: terah.adger@NeuStar.com

Contents: 2

Item 1

FROM: terah.adger@NeuStar.com  
TO: rena.wilkie@bridge.bellsouth.c  
CC: terah.adger@neustar.com  
part3@neustar.com

Item 2

Central Office Code (NXX) Assignment Request - Part3  
Effective May 18, 1998

Code Request Tracking Number: 786-131468

Administrator's Response/Confirmation

Date of Application: October 19, 2001 Date of Receipt: October 19, 2001  
Date of Response: October 31, 2001 Effective Date:

Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL& TEL

Code Administrator Contact Information:

Terah Adger  
Signature of Code Administrator Phone: 9253638705  
Terah Adger

Name (print) Fax: 9253638714  
X NPA: 786 Code Assigned: Date of NXX Code

Assignment:

- a. Switch Identification (Switching Entity/POI): MIAMFLRRDS0  
Rate Center: MIAMI
- b. The Code Administrator is , is not X responsible for inputting Part 2 information into RDBS and BRIDS.
- c. Routing and Rating information complete: Yes No X  
Additional RDBS and BRIDS information necessary as follows:

No

- d. To be published in the LERG and TMP by  
Additional RDBS and BRIDS information needs to be received by the code administrator no later than

Code Reserved: Date of Reservation:  
Your code will be honored until  
Switch Identification (Switching Entity / POI):  
Form incomplete  
Additional information required in the following section(s):

X Form complete, code request denied

Explanation: Months to exhaust exceeds 6.0 months  
Assignment activity suspended by the administrator

Explanation:

Further Action:

X NPA in jeopardy: Yes No X  
If yes, refer to Section 7 of the assignment guidelines.

Change/Disconnect List:

Remarks:

OCN 9417- According to the Central Office Code Assignment Guidelines, Section 4.2.1, code holders requesting growth codes must demonstrate that existing codes within the rate center will exhaust within 6.0 months. If you are in disagreement with the disposition of this code request, please refer to the Central Office Code (NXX) Assignment Guidelines for the appeals process.