

ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
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October 26, 2004

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.: 041253-TL
**Petition for Expedited Review of Growth Code Denials
by the Number Pooling Administrator for the Weekiwachee
exchange (Spring Hill)**

Dear Ms. Bayó:

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

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

Sincerely,

Nancy B. White RN
Nancy B. White

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

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DOCUMENT NUMBER-DATE

11581 OCT 26 3

FPSC-COMMISSION CLERK

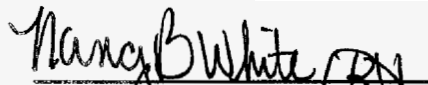
CERTIFICATE OF SERVICE
Petition for Expedited Review of Growth Code Denials
by the Number Pooling Administrator for the Weekiwachee
exchange (Spring Hill)

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

First Class U.S. Mail this 26th day of October, 2004 to the following:

Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

NANPA
Thomas Foley
NPA Relief Planner
820 Riverbend Blvd.
Longwood, Florida 32779-2327
Tel. No.: (407) 389-8929
Fax. No.: (407) 682-1108
thomas.foley@neustar.com


Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth) Docket No.: _____
Code Denials by the Number Pooling Administrator)
for the Weekiwachee exchange (Spring Hill) Filed: October 26, 2004
_____)

PETITION FOR EXPEDITED REVIEW OF NXX-X CODE DENIAL

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 Pooling Administrator’s (“NeuStar”) denial of BellSouth’s request for additional numbering resources in the Weekiwachee exchange. 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. NeuStar is an independent non-governmental entity, which is responsible for administering and managing the numbering resources in pooling areas. See 47 C.F.R. § 52.20(d).

JURISDICTION

3. The Commission has jurisdiction of this matter pursuant to Industry Numbering Committees (INC) Number Pooling Guidelines Sections 3.7 and 12(c). This

provision provides that a carrier may challenge NeuStar's decision to deny numbering resources to the appropriate regulatory authority.

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 NANP.

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 North American Numbering Plan Administrator ("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. On December 29, 2000, the FCC also released FCC 00-429, which reaffirmed FCC 00-104 and also required carriers to also 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.

7. In FCC 00-104, the FCC directed the industry and the Pooling Administrator to comply with the INC Pooling Guidelines. FCC 11-104 ¶183. Pursuant to the INC Guidelines, in order to obtain thousand-block allocations, the carrier must demonstrate that its existing numbering resources for the rate center will exhaust within six (6) months and also have a utilization of 60 percent for the specific rate center. *See* INC Guidelines Section 4.3(d) and Appendix 3. These requirements are known as the six (6) months-to-exhaust (“MTE”) and utilization threshold.

8. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to North American Numbering Plan Administrator (“NANPA”) and NeuStar for assignment of additional numbering resources to meet the demands of its customers in several Florida exchanges, including Daytona Beach, DeLand, Ft. Lauderdale, Jacksonville, Keys, Miami, North Dade, Orlando, Palm Coast, Sebastian, Weekiwachee Springs, and West Palm Beach.

9. BellSouth has completed these applications in accordance with INC guidelines and filled out the necessary Months-to-Exhaust and Utilization 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 to minimize the delay carrier's experience in attempting to challenge a denial by NANPA. 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 for non-pooling areas. On March 15, 2002, the Commission issued Order No. PSC-02-0352-PAA-TL adopting the same expedited code denial process for pooling areas.

12. The Weekiwachee exchange consists of two (2) central offices and two (2) switching entities that utilize numbering resources: Spring Hill (WWSPFLSHDS0) and Highland (WWSPFLHIDS0).

13. On February 3, 2004, BellSouth requested additional numbering resources from NeuStar for the Weekiwachee – Spring Hill (WWSPFLSHDS0) switch. **See** Attachment 1. **Specifically, BellSouth requested one (1) 1,000 consecutive number blocks in order to meet growth in the switch.**

14. At the time of the code request, the Weekiwachee exchange had a MTE of 12.91 and a utilization of 83.098%, while the MTE for the Spring Hill (WWSPFLSHDS0) switch was – 4.54.

15. On February 3, 2004, NeuStar's automated number request system denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based MTE criteria, notwithstanding the fact that BellSouth is unable to

provide the numbering resources requested by the specific customer. See Attachment 1. 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 Weekiwachee exchange. See Attachment 2.

16. As discussed above, both the FCC Order and the INC guidelines provide that state regulatory authorities have the power and authority to review NeuStar's decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 12(c).

17. 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, NeuStar nor NANPA looks at the number of MTE and utilization for the entire rate center without exception. 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.

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

(a) NeuStar'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.

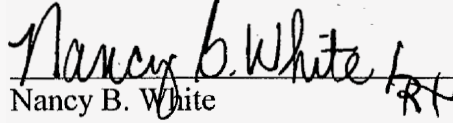
(c) As a result of NeuStar's denial of BellSouth's request for additional numbering resources, BellSouth will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, BellSouth requests:

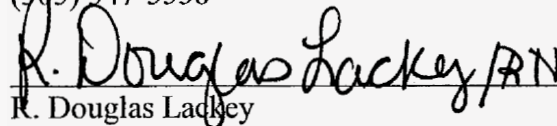
1. **The Commission review the decision of NeuStar to deny BellSouth's** request for additional numbering resources for the Weekiwachee exchange; and
2. The Commission direct NeuStar to provide the requested numbering resources for the Weekiwachee exchange as discussed above.

Respectfully submitted this 26th day of October, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, followed by a horizontal line and the initials "RN" to the right.

Nancy B. White
c/o Nancy H. Sims
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301
(305) 347-5558

Handwritten signature of R. Douglas Lackey in cursive, followed by a horizontal line and the initials "RN" to the right.

R. Douglas Lackey
675 West Peachtree Street, Suite 4300
Atlanta, Georgia
(404) 335-0747

554872

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Address: https://www.nationalpooling.com/pac/frames-index.jsp

Pooling Administration System

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Part 1A

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL
 Headquarters Address: [REDACTED]
 City: BIRMINGHAM
 State: AL
 Zip: 35243

Contact Name: [REDACTED]
 Contact Address: [REDACTED]
 City: BIRMINGHAM
 Zip: 35243
 Telephone: [REDACTED]
 E-mail: [REDACTED]@bellsouth.com

Pooling Administration :

Contact Name Mr Gary Zahn
 Contact Address 1800 Sutter St, Ste. 780
 City Concord
 Zip 94520
 Telephone 9253638753
 E-mail gary.zahn@netstar.biz
 State CA
 Fax 9253637688

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Address: https://www.nationalpooling.com/pac/frames-index.jsp

Pooling Administration System

1.2 General Information

LRN Needed No
 NPA 352 LATA # 458
 OCN 9417-BELLSOUTH 50
 BELL
 Parent Company OCN # 9417
 Number of Thousands-Blocks Requested 2
 Switch Identification (Switching Identity/PO) WWSFPLSHDS0 City or Wire Center Name
 Rate Center WEEKIWACHEE SPRINGS Rate Center Sub Zone

1.3 Dates

Date of Application Monday, October 25, 2004
 Requested Block Effective Date 25 Nov 2004
 Request Expedited Treatment Yes No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider Incumbent Local Exchange Carrier (ILEC)
 h) Primary type of service blocks to be used for
 c) Thousands-Block(s) (NPA NXX) assignment preference

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NEUSTAR

Request For Resources

Modify

Disconnect

Block Transfer

Confirm Block(s) in Service (Part)

Search Forms

Submit Forecast

Create/Modify Forecast

User Profile

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	Delete
<p>d) Thousands-Block(s) (NPA-ND06-X) that are undesirable for this assignment, if any</p>	Delete
<p>e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) N/A</p>	
<p>1.5 Type of Request</p> <p>Initial block for rate center <input type="checkbox"/> Yes</p> <p>Growth block for rate center <input checked="" type="checkbox"/> Yes</p> <p>Change block N/A</p> <p>Disconnect block N/A</p>	
<p>I hereby certify that the above information requesting an ND06-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (ND06-X) Pooling Administration Guidelines WIC 99-0127-023</p>	
<p>Continue Cancel</p>	

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NEUSTAR

Request For Resources

Modify

Disconnect

Block Transfer

Confirm Block(s) in Service (Part)

Search Forms

Submit Forecast

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User Profile

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Months to Utilization and Utilization for Today: We Keep it in Love

Date Monday, October 25, 2004
OCN 9417

Company Name BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL
Rate Center WEEKWACHEE SPRINGS

List all Codes NPA(s)-ND06s and Blocks NPA(s)-ND06-X(s)

Name of Block Applicant: [REDACTED]

THE SPECIALIST

Telephone Number: [REDACTED]

Fax Number: [REDACTED]

E-Mail: [REDACTED]@bellsouth.com

A. Available Numbers: [REDACTED]

B. Assigned Numbers: [REDACTED]

C. Total Numbering Resources: [REDACTED]

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation: [REDACTED]

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NEUSTAR

Choose a category for your search:

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- Modify
- Disconnect
- Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
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- Donate Block
- Help

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E. Growth History - Previous 6 months²

Month 1	[REDACTED]	Month 2	[REDACTED]
Month 3	[REDACTED]	Month 4	[REDACTED]
Month 5	[REDACTED]	Month 6	[REDACTED]

F. Forecast - Next 12 months³

Month 1	[REDACTED]	Month 2	[REDACTED]
Month 3	[REDACTED]	Month 4	[REDACTED]
Month 5	[REDACTED]	Month 6	[REDACTED]
Month 7	[REDACTED]	Month 8	[REDACTED]
Month 9	[REDACTED]	Month 10	[REDACTED]
Month 11	[REDACTED]	Month 12	[REDACTED]

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6)

H. Months to Exhaust⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Explanation

[REDACTED]

- A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
- Net change in TNE no longer available for assignment in each previous month, starting with the most distant month as

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Address: https://www.nationalpooling.com/pa/frames-index.jsp

Search X

NEUSTAR

Choose a category for your search:

- Request For Resources
- Modify
- Disconnect
- Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
- User Profile
- Donate Block
- Help

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Month 9	[REDACTED]	Month 10	[REDACTED]
Month 11	[REDACTED]	Month 12	[REDACTED]

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 476,000

H. Months to Exhaust⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	[REDACTED]	11,832
2	[REDACTED]	13,933

I. Utilization⁵ (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 82.39%

Explanation

[REDACTED]

- A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
- Net change in TNE 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.
- Forecast of TNE needed in each following month, starting with the most recent month as Month #1.
- To be assigned an additional thousand-block (NOC-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 03-104, § 52.15 (g)(3)(ii)).
- Newly acquired numbers may be excluded from the Utilization calculation (FCC 03-104, section 52.15 (g)(3)(ii)).

Show Calculations Continue Cancel

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- Request For Reserves
- Modify
- Discontinue
- Block Transfer
- Confirm Block(s) in Service (Part 4)
- Search Forms
- Submit Forecast
- Create/Modify Forecast
- User Profile
- Donate Block
- Response

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Done

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Months to Exhaust and Libration Certification Worksheet - TN Level [continued]

You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option

Selection: E, mod up
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Internet

**Weekiwachee
Utilization Summary
Report**

Attachment 2

Exchange	Central Office	Wire Center CLLI	Blocks	Avg Growth Per Month	Available TNs	MTE
Weekiwachee Springs	Spring Hill	WWSPFLSHDS0	51	████████	████████	████████
Weekiwachee Springs	Highland	WWSPFLHIDS0	30	████████	████████	████████