Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5558

August 24, 2005

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

050567 - TL

Re: **Petition for Expedited Review of Growth Code Denials by the
        Number Pooling Administrator for the Daytona Beach
        exchange (Main-2)**

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 file 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

CERTIFICATE OF SERVICE
Petition for Expedited Review of Growth Code Denials by the
Number Pooling Administrator for the Daytona Beach
exchange (Main-2)

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

First Class U.S. Mail this 24th day of August, 2005 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 Daytona Beach exchange (Main -2)   )   Filed: August 24, 2005
_____)

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 Daytona Beach 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 75 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 Cocoa Beach, Daytona Beach, DeLand, Ft. Lauderdale, Gainesville, Hollywood, Jacksonville, Jensen Beach, Keys, Miami, North Dade, Orlando, Palm Coast, Port St. Lucie, Sebastian, St. Johns, 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 Daytona Beach exchange consists of five (5) central offices and five (5) switching entities that utilize numbering resources: Fentress (DYBHFLFNRS0), Main (DYBHFLMADS0), Ocean Shores (DYBHFLOSRS0), Ormand Beach (DYBHFLOBDS0) and Port Orange (DYBHFLPODS0)

13.   On August 22, 2005, BellSouth requested additional numbering resources from NeuStar for the Main (DYBHFLMADS0) central office. See Attachment 1. Specifically, BellSouth requested one (1) 1,000 consecutive number block to meet a specific customer's request. The customers requested the format of (NPA) NXX-1, 2, or 3XXX.

14.   At the time of the code request, the Daytona Beach exchange had a MTE of 22.58 and a utilization of 79.79%, while the MTE for the Main (DYBHFLMADS0) switch was – 35.96.

15.   On August 22, 2005, NeuStar's automated number request system denied BellSouth's request for additional numbering resources because BellSouth had not met the months-to-exhaust 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 Daytona Beach exchange and the customer contact information for the customer. 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 CLECs, 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 Daytona Beach exchange; and

2.   The Commission direct NeuStar to provide the requested numbering resources for the Daytona Beach exchange as discussed above.

Respectfully submitted this 24th day of August, 2005.

6

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White /RN

Nancy B. White
Manuel A. Gurdian
c/o Nancy H. Sims
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(305) 347-5558

R. Douglas Lackey /RN

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

598806

Pooling Administration System

NEUSTAR

...bridge.bellsouth.com (SP)   Sign Out

Request Resources

State	FLORIDA
NPA	386
Rate Center	DAYTONABCH
OCN	9417-BELLSOUTH SO BELL
Type of Application	Application for Individual Blocks
Quantity of Blocks Requested	1

Continue   Cancel

NOTE:
If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will
automatically migrate the request to the new NPA once the mandatory dialing date occurs.

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

Question? E-mail us
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Pooling Administration System

NEUSTAR

...bridge.bellsouth.com (SP)   Sign Out

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 SO BELL

Headquarters Address:

City: BIRMINGHAM
State: AL
Zip:

Contact Name
Contact Address
City BIRMINGHAM   State AL
Zip   (205) 977-

Request For Resources
- Modify
- Disconnect
- Block Transfer
- Confirm Block(s) in Service
- Search Forms
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  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

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REDACTED

NEUSTAR

- Request For Resources
  - ▢▉
  - ▢ Modify
  - ▢ Disconnect
  - ▢ Block Transfer
- Confirm Block(s) in Service
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

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City BIRMINGHAM   State AL

Zip ▉▉

Telephone ▉▉▉▉▉   Fax ▉▉▉▉

E-mail ▉▉▉▉▉bellsouth.com

Pooling Administrator :

Contact Name Mr Gary Zahn

Contact Address 1800 Sutter St. Ste. 780

City Concord   State CA

Zip 94520

Telephone (925) 363-8753   Fax (925) 363-7688

E-mail gary.zahn@neustar.biz

1.2 General Information

LRN Needed No

NPA 386   LATA * 456

OCN 9417-BELLSOUTH SO BELL

Parent Company OCN * 9417

NEUSTAR

- Request For Resources
  - ▢▉
  - ▢ Modify
  - ▢ Disconnect
  - ▢ Block Transfer
- Confirm Block(s) in Service
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- User Profile
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- Reports

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Number of Thousands-Blocks Requested 1

Switch Identification (Switching Identity/POI) * DYBHFLMADS0   City or Wire Center Name

Rate Center DAYTONA BEACH   Rate Center Sub Zone

1.3 Dates

Date of Application Monday, August 22, 2005

Requested Block Effective Date 22 ▼ Sep ▼ 2005 ▼

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) ▼

b) Primary type of service Blocks to be used for * ▉▉▉▉ ▼

REDACTED

2

NEUSTAR

Request For Resources
Modify
Disconnect
Block Transfer
Confirm Block(s) in Service
Search Forms
Submit Forecast
Create/Modify Forecast
User Profile
Donate Blocks
Reports

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b) Primary type of service Blocks to be used for * [Wireline ▾]

c) Thousands-Block(s) (NPA-NXX-X) assignment preference
Click here to see the available blocks in the pool.

>>>

Delete

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any

>>>

Delete

Internet

NEUSTAR

Request For Resources
Modify
Disconnect
Block Transfer
Confirm Block(s) in Service
Search Forms
Submit Forecast
Create/Modify Forecast
User Profile
Donate Blocks
Reports

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Delete

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

1.5 Type of Request

Initial block for rate center   ○ Yes

Growth block for rate center   ⊙ Yes

Change block   N/A

Disconnect block   N/A

I hereby certify that the above information requesting an NXX-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 (NXX-X) Pooling Administration Guidelines INC 99-0127-023

[Continue]   [Cancel]

Internet

REDACTED

3

NEUSTAR

- Request For Resources
  - [ ]
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Block(s) In Service
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

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Month 1	███	Month 2	███
Month 3	███	Month 4	███
Month 5	███	Month 6	███

F. Forecast - Next 12 months[3] *

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

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

H. Months to Exhaust [4] (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (O))

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

H. Months to Exhaust [4] (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (O))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	███	22.567

I. Utilization[5] (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100   79.791

Explanation

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┌─────────────────────────────────────────┐
│                                          │
│                                          │
└─────────────────────────────────────────┘
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1. 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.
2. Net change in TNs no longer available for assignment in each previous month, starting with the most d___ month as Month #1, and Month #6 as the current month.

REDACTED

Pooling Administration System

...bridge.bellsouth.com (SP)   Sign Out

Months to Exhaust and Utilization 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

Submit   Cancel

6

Exchange	Central Office	Wire Center CLLI	Blocks	Avg Growth Per Month	Available TNs	MTE
Daytona Beach	Fentress	DYBHFLFNRS0	9			
Daytona Beach	Main	DYBHFLMADS0	132			
Daytona Beach	Ocean Shores	DYBHFLOSRS0	11			
Daytona Beach	Ormond Beach	DYBHFLOBDS0	61			
Daytona Beach	Port Orange	DYBHFLPODS0	79			

Customer Contact Information

REDACTED