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May 12, 2006

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

Re: Docket No. 060391 - T2

Dear Ms. Bayó:

Enclosed for filing on behalf of Embarq Florida, Inc. d/b/a Sprint Florida f/k/a Sprint-Florida, Incorporated ("Sprint Florida"), is the original and fifteen copies of Sprint Florida's redacted Petition for expedited Review of NXX-X Code Denial, which we ask that you file in the captioned new docket.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

If you have any questions regarding this electronic filing, please do not hesitate to call me at 850-599-1560.

Sincerely,

Susan S. Masterton
Attorney, Sprint Florida

Enclosure

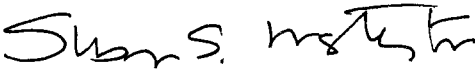
DOCUMENT NUMBER-01
04178 MAY 12
FPSC-COMMISSION CL

CERTIFICATE OF SERVICE
DOCKET NO. _____

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S.
Mail this 12th day of May, 2006 to the following:

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

NANPA
Tom Foley, Relief Planner
Eastern Region
820 Riverbend Blvd.
Longwood, FL 32779-2327



Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth
Code Denials by the North American Numbering
Plan Administration for the North Naples Exchange

Docket No. _____
Date Filed: May 12, 2006

PETITION FOR EXPEDITED REVIEW OF NXX-X CODE DENIAL

Embarq Florida, Inc. d/b/a Sprint Florida f/k/a Sprint-Florida, Incorporated (“Sprint Florida”), 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-01-1973-PCO-TL, petitions the Commission to review the Pooling Administrator’s (“NeuStar”) denial of Sprint Florida’s requests for additional numbering resources in the North Naples Exchange. In support of this petition, Sprint Florida states:

PARTIES

1. Sprint Florida is 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 the 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 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 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 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 (c) [THOUSANDS-BLOCK NUMBER (NXX-X) POOLING ADMINISTRATION GUIDELINES (TBPAG) dated May 20, 2005] and Appendix 3. These requirements are known as the six (6) months-to-exhaust (“MTE”) and utilization threshold.
8. Sprint Florida has utilized mechanisms such as number pooling to manage its numbering resources in the most efficient manner. However, Sprint Florida is required in this instance to petition the Commission for relief.
9. 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 BellSouth’s Petition and the Commission’s efforts to make numbering resources available to carriers, the

commission issued Order No. PSC-01-1973-PCO-TL setting forth an expedited code denial process. On March 15, 2002, the Commission issued Order No. PSC-02-0352-PAA-TL adopting the same expedited code denial process for pooling areas.

10. The North Naples Exchange consists of one (1) central office and one (1) switching entity that utilizes numbering resources.
11. On May 8, 2006 Sprint Florida requested additional numbering resources from NeuStar for the North Naples exchange. See Attachment 1. Specifically, in order to meet the telephone number needs of one of its customers, Sprint Florida requested 500 new DID numbers in the North Naples (NNPLFLXADS1) wire center. The customer specified that its system can only support certain numbers and as such must begin with the following: 72, 73, 74, 75, 77, 78, 85, 86, 87. Sprint Florida cannot currently meet this request given there are no specific available blocks of numbers to give the customer.
12. At the time of the code request, the North Naples exchange had a MTE of more than six (6) months and a utilization of 96. There are no blocks of unassigned numbers that meet the customer specified criteria noted above, that is large enough to meet the request of this customer in this switch.
13. On May 8, 2006, NeuStar denied Sprint Florida's request for additional numbering resources because Sprint Florida would not exhaust all the blocks within six months, notwithstanding the fact that Sprint Florida's North Naples switch does not have available specified blocks of numbers in sufficient quantity to meet the customer's requirements. See Attachment 1.

14. Sprint Florida's request for additional numbering resources to meet this customer's requirement in the North Naples Exchange would not materially impact exhaustion of available numbers in the 239 area code.
15. As discussed above, both the FCC Order and INC guidelines provided that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 11.1(c).
16. Under earlier 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 and NANPA look at the MTE criteria and utilization threshold for the rate center and allow exceptions. The current process is arbitrary and may result 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.
17. Sprint Florida's inability to provide this customer with the requested blocks of numbers prevents Sprint Florida from providing the quality of service this customer desires and expects.
18. This Commission has previously received similar requests from numerous carriers, both ILECs and CLECS in which the carriers have asked the PSC to overrule a decision of NANPA and NeuStar. The Commission has granted these requests.

19. Sprint Florida requests that the Commission reverse NeuStar's decision to withhold numbering resources from Sprint Florida on the following grounds:

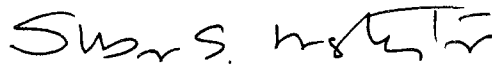
(a.) NeuStar's denial of numbering resources to Sprint Florida interferes with Sprint Florida's ability to service its customers within the State of Florida.

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

WHEREFORE, Sprint Florida requests:

1. The Commission review the decision of NeuStar to deny Sprint Florida's request for additional numbering resources for the North Naples exchange, and
2. The Commission directs NeuStar to provide the requested numbering resources for the North Naples exchange as discussed above.

Respectfully submitted this 12th day of May, 2006



Susan S. Masterton
Attorney for Sprint Florida
P.O. Box 2214
Tallahassee, FL 32316-2214
850-599-1560

MTE

Pooling Administration System

 sharon.kincaid@sprint.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Based on the information provided, you will not exhaust all blocks in the requested NXX in 6 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

MTE

Pooling Administration System

sharon.kincaid@sprint.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level¹

Date Monday, May 8, 2006

OCN 0341

Company Name **SPRINT UNITED TEL FL**

Rate Center **NORTH NAPLES**

List all Codes NPA(s)-NXXs and Blocks NPA(s)-
NXX-X(s)

239-254, 239-449, 239-513, 239-514, 239-566, 239-591, 239-592, 239-593, 239-594, 239-596, 239-597, 239-598

Name of Block Applicant **Ms sharon r kincaid**

Title **network translation engineer**

Telephone Number **(407) 889-1567**

Fax Number

E-Mail **sharon.kincaid@sprint.com**

A. Available Numbers *

B. Assigned Numbers *

C. Total Numbering Resources *

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

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months²

Month 1	<input type="text" value=""/>	Month 2	<input type="text" value=""/>
Month 3	<input type="text" value=""/>	Month 4	<input type="text" value=""/>
Month 5	<input type="text" value=""/>	Month 6	<input type="text" value=""/>

MTE

F. Forecast - Next 12 months^{3*}

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) [REDACTED]

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]	26712.575

I. Utilization⁵(Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 95.831

Explanation

[REDACTED] needs 500 new DID numbers for their expanding [REDACTED] in North Naples. Their existing numbering plan can only support numbers [REDACTED]

¹A 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.

²Net 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.

³Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁴To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).

⁵Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Show Calculations Continue Cancel

Appendix 3 - Modified August 6, 2001

**MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET - TN Level 1
(Thousands-Block Number Pooling Growth Block Request)**

Date: 05/05/06 OCN: 0341 Company Name: SPRINT

Rate Center: NO NAPLES

Name of Block Applicant: SPRINT Signature: _____

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s): (239) 254, 449, 513, 514, 566, 591, 592, 593, 594, 596, 597, 598

Title: _____ Telephone No.: _____ FAX No.: _____ E:Mail _____

- 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: _____
List excluded Code(s) or Block(s): _____

	Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12			
E. Growth History - Previous 6 months ²	<u>[REDACTED]</u>														
F. Forecast - Next 12 months ³	<u>[REDACTED]</u>														
G. Average Monthly Forecast (Sum of months #1-6 (Part F above) divided by 6):	<u>[REDACTED]</u>														
H. Months to Exhaust ⁴	<u>Numbers Available for Assignment to Customers (A)</u>												=	<u>0</u>	
	<u>Average Monthly Forecast (G)</u>														
I. Utilization ⁵	<u>Assigned Numbers (B) - Excluded Numbers (D)</u>												* 100	=	<u>96%</u>
	<u>Total Numbering Resources (C) - Excluded Numbers (D)</u>														

Explanation:

[REDACTED] needs 500 new DID numbers for their expanding [REDACTED] in North Naples. Their existing numbering plan can only support numbers that begin with 72, 73, 74, 75, 77, 78, 85, 86, 87. There are no available blocks of numbers to give them. [REDACTED] is requesting that we receive a new exchange. Contact person is [REDACTED]

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 distant month as Month #1, and Month #6 as the current month.
 3 Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
 4 To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g) (3) (iii)).
 5 Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Customer Contact Information:

