



November 7, 2012

**VIA HAND DELIVERY**

Ann Cole, Commission Clerk  
Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

RECEIVED FPSC  
12 NOV -7 PM 4:43  
COMMISSION  
CLERK

RE: Docket No. 120281-TX  
Petition for Expedited Review of Growth Code Denials by the North American  
Numbering Plan Administration for the Winter Park Exchange of Embarq  
Communications, Inc. d/b/a CenturyLink Communications

Dear Ms. Cole:

Enclosed for filing on behalf of Embarq Communications, Inc. d/b/a CenturyLink  
Communications (ECI) are the original and seven copies of ECI's 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*

*dot* Susan S. Masterton  
Enclosure

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
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Susan S. Masterton  
Senior Corporate Counsel  
315 S. Calhoun Street, Suite 500  
Tallahassee, FL 32301  
850-599-1560 (voice)  
850-224-0794 (fax)  
susan.masterton@centurylink.com

DOCUMENT NUMBER-DATE  
07531 NOV-7 12

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by regular U.S. Mail on this 7<sup>th</sup> day of November, 2012 to the following:

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

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

*sab* *Susan S Masterton*  
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 Winter Park Exchange by Embarq Communications, Inc. d/b/a CenturyLink Communications

Docket No. 120281-TX

Date Filed: November 7, 2012

**PETITION FOR EXPEDITED REVIEW OF NXX-X CODE DENIAL**

Embarq Communications, Inc. d/b/a CenturyLink Communications (ECI), 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 ECI's request for additional numbering resources in the Winter Park Exchange. In support of this petition, ECI states:

**PARTIES**

1. ECI is a competitive local exchange company ("CLEC") authorized to provide local exchange 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 Committee's (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.

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## **BACKGROUND AND REQUEST FOR RELIEF**

4. ECI's Winter Park Exchange consists of one (1) central office and one (1) switching entity that utilizes numbering resources.

5. On November 6, 2012, ECI requested additional numbering resources from NeuStar for the Winter Park exchange. (See Attachment 1 which was filed under Claim of Confidentiality with the Commission Clerk's Office.) Specifically, in order to meet the telephone number needs of one of its customers, ECI requested ten thousand (10,000) consecutive numbers (i.e., an entire NXX) in the Orlando (ORLDFLERDSO) switch within the Winter Park rate center. ECI cannot currently meet this request given the inventory of numbers available at this time in this switch. This customer is growing and needs this code for new DID numbers and for consolidation of some existing DID numbers into the same NPA-NXX.

6. At the time of the code request, the Winter Park exchange had a Months-to-Exhaust (MTE) of much longer than six (6) months and a utilization of 20%. There are no number blocks available in this exchange to meet this request.

7. On November 6, 2012, NeuStar denied ECI's request for additional numbering resources because ECI had not met the MTE and utilization criteria, notwithstanding the fact that ECI's Winter Park exchange does not have the available block of numbers to meet the customer's requirements. (See Attachment 1 which was filed under Claim of Confidentiality with the Commission Clerk's Office.)

8. 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).

9. 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.

10. 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.

11. ECI requests that the Commission use its delegated authority to reverse NeuStar's decision to withhold numbering resources from ECI and waive the Months-to-Exhaust and Utilization requirements on the following grounds:

- (a.) NeuStar's denial of numbering resources to ECI interferes with ECI's ability to service its customers within the State of Florida.
- (b.) As a result of NeuStar's denial of ECI's request for additional numbering resources, ECI will be unable to provide telecommunications services to its customers.

WHEREFORE, ECI requests:

- 1. The Commission review the decision of NeuStar to deny ECI's request for additional numbering resources for the Winter Park exchange, and
- 2. The Commission directs NeuStar to provide the requested numbering resources for the Winter Park exchange as discussed above.

Respectfully submitted on this 7<sup>th</sup> day of November, 2012.

*pl* Susan S. Masterton  
Susan S. Masterton

**ATTACHMENT 1**

**FILED UNDER CLAIM OF  
CONFIDENTIALITY  
PURSUANT TO SECTION  
364.183(1), FLORIDA  
STATUTES.**