

James Meza III
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January 31, 2002

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

020087-TL

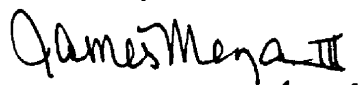
Re: **Petition for Expedited Review of Pooling Administrator's
Denial of Request for Additional Numbering Resources
for the West Palm Beach Exchange (Royal Palm Beach)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Review of Pooling Administrator's Denial of Request for Additional Numbering Resources, which we ask that you file in the caption new 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 0218

01228 JAN 31 8

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE
Code Denial Petition (West Palm Beach Exchange)**

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

U.S. Mail this 31st day of January, 2002 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



James Meza III (UA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Pooling) Docket No.
Administrator's Denial of Request for)
Additional Numbering Resources for the)
West Palm Beach Exchange (Royal Palm Beach)) Filed: January 31, 2002

**PETITION FOR REVIEW OF POOLING ADMINISTRATOR'S
DENIAL OF REQUEST FOR ADDITIONAL NUMBERING RESOURCES**

BellSouth Telecommunications, Inc. ("BellSouth") petitions the Florida Public Service Commission ("Commission") to review the Pooling Administrator's ("NeuStar") denial of BellSouth's request for additional numbering resources in the West Palm 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.

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 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 00-104 ¶183. Pursuant to the INC Guidelines, in order to obtain thousand-block allocations, the carrier must demonstrate that (1) its existing numbering resources for the rate center will exhaust within six (6) months; and (2) it has 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 the 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 Jacksonville, Ft. Lauderdale, Orlando, North Dade, Miami 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. As for this request for additional numbering resources for the West Palm Beach exchange, BellSouth states the following:

13. The West Palm Beach exchange consists of seven (7) central offices and eight (8) switching entities that utilize numbering resources: Gardens (WPDHFLGRDS0), Greenacres (WPBHFLGADS0), Haverhill (WPBHFLHHDS0 and WPBHFLHHRS0), Lake Worth (WPBHFLLEDS0), Main Annex (WPBHFLANDS0), Riviera Beach (WPBHFLRB84E), and Royal Palm Beach (WPBHFLRPDS0).

14. On January 4, 2002, BellSouth requested additional numbering resources from NeuStar for the Royal Palm Beach switch. See Attachment 1. BellSouth made the request in order to provide 420 consecutive numbers for a customer that requested ISDN service. Since the 1AESS switch that serves the customer, Riviera Beach (WPBHFLRB84E), is not capable of providing ISDN service, BellSouth is required to backhaul the service to a digital switch that is ISDN capable, the Royal Palm Beach switch (WPBHFLRPDS0). However, due to trigger issues between the 1AESS switch and the pooled numbers, BellSouth needs a block of numbers that has been donated to the West Palm Beach pool from the Royal Palm switch in order to meet the customer's numbering needs.

15. At the time of the code request, the West Palm Beach exchange had a MTE of 10.83 and a utilization of over 71.53%, while the MTE for the Royal Palm Beach (WPBHFLRPDS0) switch was 11.

16. On January 11, 2002, NeuStar 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 2. Attached to this Petition is the MTE and utilization rate for each switch in the West Palm Beach exchange as well as the customer contact information. See Attachment 3.

17. BellSouth's request for additional numbering resources would not materially impact exhaustion of available numbers in the 561 area code.

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

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, NeuStar looks at the 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 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.

22. In Order No. PSC PSC-01-1663-PAA-TL, (Jacksonville and Ft. Lauderdale) the Commission reversed NeuStar's decision to deny BellSouth's request for additional numbering resources because it found, among other things, that BellSouth was entitled to obtain numbers in order to serve its customers. The Commission should reach the same conclusion in the instant docket.

WHEREFORE, BellSouth requests:

1. The Commission review the decision of NeuStar to deny BellSouth's request for additional numbering resources for the West Palm Beach exchange; and

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

Respectfully submitted this 31st day of January, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B White

Nancy B. White (LA)

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429791

Greer, Stan L

From: PoolResponseGZ@numberpool.org
Sent: Friday, January 11, 2002 4:16 PM
To: [REDACTED]
Subject: Pool Administrator's Response/Confirmation ***

[REDACTED], thank you from NeuStar.
This is the information that was submitted on Friday, January 11, 2002 at 14:16:28

Hello [REDACTED]

Below is what was submitted by the Pooling Administration at <http://www.numberpool.org>.

Pooling Admin Name: Gary Zahn
Pooling Admin Phone: 925-363-8753
Pooling Admin Fax: 305-768-6254
Pooling Admin Email: gary.zahn@neustar.com
Date of Application: 1/4/02
Date of Receipt: 1/4/02
Response Date: 1/11/02
Service Provider Name: BellSouth
LERG OCN: 9417
NPAC SOA SPID: 9417
Block Applicant Phone: 205-977-3077
Block Applicant Fax: 205-977-3013
NPA NXX: 561
Switch Identification Switching Entity POI: WPBHFLRPDS0
Rate Center: WPALMBCH

Form complete block request denied: THIS REQUEST IS BEING DENIED DUE TO THE FACT THAT YOUR MTE IS OVER 6.0 MONTHS TO EXHAUST. YOU WILL HAVE TO GET AN EXCEPTION FROM THE FL STATE COMMISSION, OR THE FCC.