

James Meza III
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BellSouth Telecommunications, Inc.
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March 7, 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


Re: **Docket No. 020191-72**
Petition for Expedited Review of Growth Code Denials
By the North American Numbering Administration for the
Stuart Exchange (Stuart Main)

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 caption 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
(62)

Enclosures

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

DOCUMENT NUMBER DATE
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FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
Petition for Expedited Review of Growth Code Denials
By the North American Numbering Administration for the
Stuart Exchange (Stuart Main)

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

U.S. Mail this 7th day of March, 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
(2)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth) Docket No.
Code Denials by the North American Numbering)
Administration for the Stuart Exchange)
(Stuart Main))
_____) Filed: March 7, 2002

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 Stuart. 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). These provisions provide 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.

8. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to 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, Stuart and West Palm Beach.

8. BellSouth has completed these applications in accordance with INC guidelines and filled out the necessary Months-to-Exhaust and Utilization Certification Worksheets as required.

9. 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.

10. 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. On March 5, 2002, the Commission voted on a Proposed Agency Action that extended this expedited process to denials of additional code requests by NeuStar. An order reflecting this decision has yet to be issued.

11. As for this request for additional numbering resources for the Stuart exchange, BellSouth states the following:

12. The Stuart ~~exchange~~ consists of one central office and one switching entity that utilizes numbering resources: Stuart Main (STRTFMADS0).

13. On February 21, 2002, BellSouth requested additional numbering resources from NeuStar for the Stuart Main switch. See Attachment 1. Specifically, the request was to provide 2,000 consecutive numbers for a specific customer.

14. At the time of the code request, the Stuart exchange had a MTE of 8.75 and a utilization of 72.95%.

15. On February 27, 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 confidential customer contact information and confidential block request and response (Attachment 1 and 2) form. See Attachment 3.

16. BellSouth's request for additional numbering resources to provide the numbers requested above in the Stuart exchange would not materially impact exhaustion of available numbers in the 561/772 area codes.

17. 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 or NANPA's decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 12(c).

18. 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 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.

19. BellSouth requests that the Commission 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) BellSouth is unable to provide the requested numbers without the reversal of NeuStar's decision.

(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.

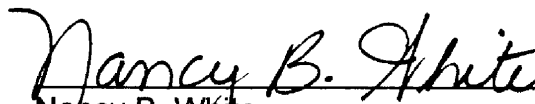
WHEREFORE, BellSouth requests:

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

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

Respectfully submitted this 7th day of March, 2002.

BELLSOUTH TELECOMMUNICATIONS, INC.



Nancy B. White

James Meza III

(21)

150 South Monroe Street

Suite 400

Tallahassee, Florida 33201

(305) 347-5558



R. Douglas Lackey

(21)

675 West Peachtree Street

Suite 4300

Atlanta, Georgia

(404) 335-0747

437128

Stuart Code Denial Appeal

Customer Contact Information

[REDACTED]

Greer, Stan L

From: [REDACTED]
Sent: Thursday, February 21, 2002 12:48 PM
To: Parker, Michael W
Subject: FW: *** Number Pool Thousand Block Application Form Part 1A ***

-----Original Message-----

From: PoolAdminFL@numberpool.org [mailto:PoolAdminFL@numberpool.org]
Sent: Thursday, February 21, 2002 12:33 PM
To: [REDACTED]@bellsouth.com
Subject: *** Number Pool Thousand Block Application Form Part 1A ***

, thank you for filling out our form.
This is the information you submitted on Thursday, February 21, 2002 at 10:33:03

Hello ,

Below is what you submitted to NeuStar Pooling Administration at
<http://www.numberpool.org>.

Type Of Application: New
Company Name: BellSouth Telecommunications
Company Address: 675 West Peachtree St. NE
Company City: Atlanta
Company State: GA
Company Zip: 30375
Block Applicant Name: [REDACTED]
Block Applicant Address: [REDACTED]
Block Applicant City: [REDACTED]
Block Applicant State: [REDACTED]
Block Applicant Zip: [REDACTED]
Block Applicant Phone: [REDACTED]
Block Applicant Fax: [REDACTED]
Pool Admin Contact Name: Gary Zahn
Pool Admin Address: 1800 Sutter Street Suite 780
Pool Admin City: Concord
Pool Admin State: CA
Pool Admin Zip: 94520

Pool Administrator Phone: 925-363-8753

Pool Administrator Fax: 925-363-7688

Pool Administrator EMail: gary.zahn@neustar.com

LRN needed: no

NPA: 561/772

LATA: 460

OCN: 9417

AOCN: 9400

Parent Company OCN: 9400

Blocks Requested: 2

Switch Identification: STRTFLMADS0

City or Wire Center Name: Stuart

Rate Center: Stuart

Date of Application: 2/21/02

Request Expedited Treatment: No

Type of Service Provider: LEC

Primary Type of service blocks to be used for: DID/Wireless

Thousands Block NXX X that are undesirable for this assignment if any: 0, 8, 9's

Growth code rate center: Yes

Signature of Block Applicant: 

Title: Network Manager

Date: 2/21/02

formtype: part1a

state: FL

Tracking Number: 51711a

Greer, Stan L

From: [REDACTED]
Sent: Thursday, February 21, 2002 12:48 PM
To: Parker, Michael W
Subject: FW: *** Thousand Block Application Form Part 1B ***

-----Original Message-----

From: PoolAdminFL@numberpool.org [mailto:PoolAdminFL@numberpool.org]
Sent: Thursday, February 21, 2002 12:35 PM
To: [REDACTED]@bellsouth.com
Subject: *** Thousand Block Application Form Part 1B ***

[REDACTED] thank you for filling out our form.
This is the information you submitted on Thursday, February 21, 2002 at 10:35:28

Hello [REDACTED],

Below is what you submitted to NeuStar Pooling Administration at
<http://www.numberpool.org>.

part1a: 51711a

Type Of Request: Activation

Pool Admin Contact Name: Gary Zahn

Pool Admin Address: 1800 Sutter Street Suite 780

Pool Admin City State Zip: Concord, CA 94520

Pool Administrator Phone: 925-363-8753

Pool Administrator Fax: 925-363-7688

Pool Administrator EMail: gary.zahn@neustar.com

Block Applicant Company Name: BellSouth Tel.

Block Applicant Address: [REDACTED]

Block Applicant City State Zip: [REDACTED]

Block Applicant Phone: [REDACTED]

Block Applicant Fax: [REDACTED]

Block Applicant Service Provider NPAC SOA SPID: 9417

Rate Center: Stuart

Block Applicant LRN: [REDACTED]

NPAC Activate Block Range: Yes

Class DPC: 252046150

Class SSN: 000

LIDB DPC: 252202253

LIDB SSN: 000

CNAM DPC: 252202232

CNAM SSN: 000

ISVM DPC: 252046150

ISVM SSN: 000

Remarks: Customer, [REDACTED], needs 2K consecutive numbers we cannot provide.

=====

Block (1K) Range

Block Effective Date

Section C (To Only Be Filled Out By The NPAC): (NPAC is to Activate/Modify the Block (1K), as indicated on this form. When the Block (1K) Activation/Modification is complete and the data in this section inserted, NPAC sends a copy of the completed form to the Pooling Administrator and Block Holder.)

-

Block 1K Request Complete yes or no

Complete Date

Complete Time

NPAC Personnel performing change

-

Block Holder sent Completed Form yes or no

Block Holder Mailed Date

Block Holder Mailed Time

Block Holder Contact Name

-

Pool Administrator sent Completed Form yes or no

Pool Administrator Mailed Date

Pool Administrator Mailed Time

Pool Administrator Contact Name

Remarks

formtype: part1b

state: FL

Tracking Number: 54701b

Greer, Stan L

From: [REDACTED]
Sent: Thursday, February 21, 2002 12:48 PM
To: Parker, Michael W
Subject: FW: *** Number Pool Appendix 3 ***

-----Original Message-----

From: PoolAdminFL@numberpool.org [mailto:PoolAdminFL@numberpool.org]
Sent: Thursday, February 21, 2002 12:41 PM
To: [REDACTED]@bellsouth.com
Subject: *** Number Pool Appendix 3 ***

[REDACTED], thank you for filling out our form.
This is the information you submitted on Thursday, February 21, 2002 at 10:40:44

Hello [REDACTED],

Below is what you submitted to NeuStar Pooling Administration at
<http://www.numberpool.org>.

Date: 2/21/02

OCN: 9417

Company Name: BellSouth Tel.

Rate Center: Stuart

NPA S List All: 772-219, 220, 221, 223, 283, 286, 287, 288, 463, 781

Title: Network Manager

Phone Number: [REDACTED]

Fax Number: [REDACTED]

Available Numbers: 6563

Assigned Numbers: 72945

Total Numbering Resources: 100000

Qty of numbers activated in the past 90 days: 0

List excluded Code s or Block s: 0

Previous 6 month growth history MONTH1: [REDACTED]

Previous 6 month growth history MONTH2: [REDACTED]

Previous 6 month growth history MONTH3: [REDACTED]

Previous 6 month growth history MONTH4: [REDACTED]

Previous 6 month growth history MONTH5: [REDACTED]

Previous 6 month growth history MONTH6: 792

Forecast Next Months 1 12 MONTH1: [REDACTED]

Forecast Next Months 1 12 MONTH2: [REDACTED]

Forecast Next Months 1 12 MONTH3: [REDACTED]

Forecast Next Months 1 12 MONTH4: [REDACTED]

Forecast Next Months 1 12 MONTH5: [REDACTED]

Forecast Next Months 1 12 MONTH6: [REDACTED]

Forecast Next Months 1 12 MONTH7: [REDACTED]

Forecast Next Months 1 12 MONTH8: [REDACTED]

Forecast Next Months 1 12 MONTH9: [REDACTED]

Forecast Next Months 1 12 MONTH10: [REDACTED]

Forecast Next Months 1 12 MONTH11: [REDACTED]

Forecast Next Months 1 12 MONTH12: [REDACTED]

Average Monthly Forecast: [REDACTED]

Months To Exhaust: 8.746779209240337

Utilization: 72.94500000000001

Explanation: Customer, [REDACTED] in need of 2K consecutive numbers we cannot provide from current inventory.

formtype: appendix3

state: FL

Tracking Number: 923ap

Greer, Stan L

From: PoolResponseGZ@numberpool.org
Sent: Wednesday, February 27, 2002 5:07 PM
To: [REDACTED]
Subject: *** Pool Administrator's Response/Confirmation ***

[REDACTED] thank you for filling out our form.
This is the information you submitted on Wednesday, February 27, 2002 at 15:06:45

Hello [REDACTED]

Below is what you submitted to NeuStar Pooling Administration at
<http://www.numberpool.org>.

Pooling Admin Name: Gary Zahn
Pooling Admin Phone: 925-363-8753
Pooling Admin Fax: 925-363-7688
Pooling Admin Email: gary.zahn@neustar.com
Date of Application: 2/21/02
Date of Receipt: 2/21/02
Response Date: 2/27/02
Service Provider Name: BellSouth
LERG OCN: 9417
NPAC SOA SPID: 9417
Block Applicant Phone: [REDACTED]
Block Applicant Fax: [REDACTED]
NPA NXX: 561/772
Switch Identification Switching Entity POI: STRTFLMADS0
Rate Center: STUART

Form complete block request denied: YOUR REQUEST FOR 2 BLOCKS IN THE STUART RATE CENTER IS BEING DENIED DUE TO THE FACT THAT YOUR MONTHS TO EXHAUST IS GREATER THAN 6.0.

formtype: part3
Tracking Number: 965p3