

James Meza III
Attorney

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
(305) 347-5561

March 13, 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

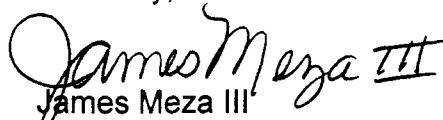
Re: **Docket No. 020236-TL**
Petition for Expedited Review of Growth Code Denials
By the North American Numbering Administration for the
Miami Exchange (Silver Oaks)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Expedited Review of NXX 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
(2)

Enclosures

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

DOCUMENT NUMBER DATE

02937 MAR 13 8

FPSC-COMMISSION CLERK


CERTIFICATE OF SERVICE
Petition for Expedited Review of NXX Code Denial
For the Miami Exchange (Silver Oaks)

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

U.S. Mail this 13th 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
(27)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth) Docket No.
Code Denial by the North American Numbering)
Administration for the Miami Exchange) Filed: March 13,2002
(Silver Oaks))
_____)

PETITION FOR EXPEDITED REVIEW OF NXX 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 North American Plan Administrator’s (“NANPA”) denial of BellSouth’s request for additional numbering resources in the Miami 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. NANPA is an independent non-governmental entity, which is responsible for administering and managing the North American Numbering Plan (“NANP”). *See* 47 C.F.R. § 52.13(a),(b).

JURISDICTION

3. The Commission has jurisdiction of this matter pursuant to 47 C.F.R. § 52.15(g)(iv). This provision provides that a carrier may challenge the NANPA’s decision to deny numbering resources to the appropriate state regulatory commission.

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. As a result of FCC 00-104, the FCC adopted 47 C.F.R. § 52.15 (g)(iii) and (iv) which provides:

All service providers shall maintain no more than a six-month inventory of telephone numbers in each rate center or service area in which it provides telecommunications service.

The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resources application requirements established in this part. The NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state regulatory commission may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein.

7. 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.

8. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to NANPA and NeuStar, the pooling administrator, for assignment of additional numbering resources to meet the demands of its customers in several Florida exchanges, including Jacksonville, Ft. Lauderdale, Orlando, North Dade, West Palm and Miami.

9. BellSouth has completed these applications in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines and filled out the necessary Months-to-Exhaust 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.

12. As for this request for additional numbering resources for the Miami exchange, BellSouth states the following:

13. The Miami exchange consists of twenty-four (24) central offices and twenty-eight (28) switching entities that utilize numbering resources: Airport (MIAMFLAPDS0), Alhambra (MIAMFLAEDS0 and MIAMFLAERS0), Allapattah (MIAMFLAL63E), Bayshore (MIAMFLBA85E), Miami Beach (MIAMFLBRDS0), Biscayne (MIAMFLBCDS0), Canal (MIAMFLCADS0), Dadeland Blvd (MIAMFLDBRS1), Flagler (MIAMFLFLDS0), Grande (MIAMFLGRDS0 and MIAMFLGRDS1), Hialeah (MIAMFLHLDS0), Indian Creek (MIAMFLICDS0), Key Biscayne (MIAMFLKEDS0), Metro (MIAMFLMERS0 and MIAMFLME32E), Miami

Shores (MIAMFLSH75E), North Miami (MIAMFLNMDS0), Northside (MIAMFLNSDS0), Opa Locka (MIAMFLOL68E), Palmetto (MIAMFLPLDS0 and MIAMFLPLRS0), Poinciana (MIAMFLPBDS0), Red Road (MIAMFLRRDSO), Silver Oaks (MIAMFLSODS0), West Dade (MIAMFLWDDS0), and West Miami (MIAMFLWMDS0).

14. On February 28, 2002, BellSouth requested additional numbering resources from NANPA for the Silver Oaks switch. See Attachment 1. Specifically, BellSouth requested a dedicated 10,000 consecutive DID numbers in order to serve a specific customer served by the Silver Oaks switch. The customer proposed dialing patterns requires an NXX in the format of NX5.

15. At the time of the code request, the Miami exchange had a MTE of 14.43 and a utilization of over 72%, while the MTE for the Silver Oaks (MIAMFLSODS0) switch was 4.27.

16. On March 12, 2002, NANPA denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based MTE criteria, notwithstanding the fact that BellSouth's is unable to provide the numbering resources requested by the specific customer. See Attachment 2. 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 Miami exchange. See Attachment 3.

17. BellSouth's request for additional numbering resources to provide the numbers requested above in the Miami exchange would not materially impact exhaustion of available numbers in the 786 area code.

18. As discussed above, both the FCC Order and NANPA's Central Office Code Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See 47 C.F.R. § 52.15(g)(3)(iv); § 13.0 of the NANPA Central Office Code (NXX) Guidelines.

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, NANPA looks at the number of 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, thereby jeopardizing its ability to adequately comply with its carrier of last resort obligations.

21. BellSouth requests that the Commission's reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

(a) NANPA'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.

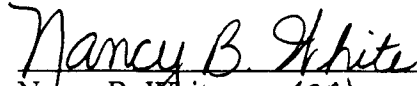
(c) As a result of NANPA's denial of BellSouth's request for additional numbering resources, BellSouth will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, BellSouth requests:

1. The Commission review the decision of the NANPA to deny BellSouth's request for additional numbering resources for the Miami exchange; and
2. The Commission direct NANPA to provide the requested code for the Miami exchange as discussed above.

Respectfully submitted this 13th day of March, 2002

BELLSOUTH TELECOMMUNICATIONS, INC.



Nancy B. White (22)

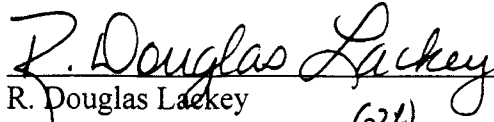
James Meza III

150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5558



R. Douglas Laekey

675 West Peachtree Street (22)

Suite 4300

Atlanta, Georgia

(404) 335-0747

436541

Central Office Code (NXX) Assignment Request - Part 1
Revised August 6, 2001

Type of Application: New Change¹ Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: BellSouth Telecommunications, Inc
Headquarters Address: Room 22P69- BSC/675 West Peachtree Street, N.E.
City, State, Zip: Atlanta, Georgia, 30375
Contact Name: [REDACTED]
Contact Address: same as above
City, State, Zip: same as above
Phone: [REDACTED] FAX: [REDACTED] E-Mail: [REDACTED]

Code Administrator:²

Name: Genevieve-Pauline Terrah Adgee
Address: Suite 570/1800 Sutter Street
City, State, Zip: Concord, California 94520-2561
Phone: 925 363-8705 FAX: 925 363-8714

1.2 NPA 786 NXX:³ [REDACTED] LATA: 4607 PCN: 9417 Parent Company's OCN(s) 9400

Switching Identification (Switching Entity/POI)⁵ MIAM FL S0D50

Locality/City/Wire Center: MIAMI Rate Center:⁶ MIAMI

Homing Tandem Operating Co. BST Tandem Homing CLLI™:⁸ MIAM FL GROS

1.3 Dates: Date of Application: 2/28/02 Requested Effective Date:^{9 10} ASAP

1.4 Type of company/entity requesting the code:

- a). LEC (LEC, IC, CMRS, Other)
- b). b) Type of service DD (e.g., Cellular - Type 2)
- c). Code Assignment Preference (Optional) 786-NX5-XXXX (Needs to be 786 & 3rd digit of NXX needs to be 5)
- d). Codes that are undesirable, if any see above
- e). Type of change: _____

1.5 Type of Request (Initial, growth, etc.): Growth
If an initial code, attach (1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

Pool Indicator _____ (YES)¹¹

1.6 NPA Jeopardy Criteria Apply: Yes _____ No X

1.7 Code request for new service (Explain): Dedicated Code for [REDACTED] - CUST-Needs 786 NX5-XXXX

1.8 Part 2 is attached _____ Part 2 is not attached XXX for RDBS & BRIDS^{12, 13}

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (<http://www.atis.org/atis/dc/inc/incdocs.htm>) as of the date of this application¹⁴:

[REDACTED] [REDACTED] BellSouth NXX Code Administrator 2/28/02
Signature of Code Applicant¹⁵ Title Date

CO CODE ASSIGNMENT

MONTHS TO EXHAUST CERTIFICATION WORKSHEET - TN Level¹
(Worksheet to be used for Requests for Additional Codes for Growth)

Date: 2/28/02 Company Name: Bellsouth
Rate Center: MIAMI
NPA(s)-NXXs included in growth calculation²: See Attached

Signature of Authorized Representative of Code Applicant: [Redacted]
Title: Code Administrator Telephone No.: [Redacted] FAX No.: [Redacted]

A. Telephone Numbers (TNs) Available for Assignment (See Glossary³): [Redacted]

Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
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B. Previous 6-month growth history⁴: [Redacted]

C. Forecast - Next months 1-12⁵: [Redacted]

D. Average Monthly Forecast (Sum of months 1-6 Part C above divided by 6): [Redacted]

E. Months to Exhaust⁶ = $\frac{\text{Telephone Numbers (TNs) Available for Assignment (A)}}{\text{Average Monthly Forecast (D)}}$ = 14.43

F. Utilization Level⁷ = $\frac{\text{(TNs) Assigned}}{\text{Total Numbering Resources in Applicant's Inventory}} \times 100$ = 72 %

Explanation:

[Redacted] Request dedicated code --- 786 NXX-XXXX
third digit of NXX needs to be 5. due to dialing pattern

1 A copy of this worksheet is required to be submitted to the Code Administrator; for audit purposes, it must be in the applicant's files.
 2 Report on all resources for the requested geographic area, including newly acquired codes.
 3 Definitions of terms may be found in the Glossary section of the Central Office Code (NXX) Assignment Guidelines.
 4 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.
 5 Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
 6 To be assigned an additional CO Code (NXX) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (u) (3) (iii)).

770 945-7231

BELLSOUTH

MAR 04 2002 7:09AM

ATTACHMENT 2

Greer, Stan L

From: terah.adger@NeuStar.com
 To: [REDACTED]
 Cc: terah.adger@NeuStar.com;
 Subject: Part 3 Response for Tracking #: 786-145312

**Central Office Code (NXX) Assignment Request - Part3
 Effective May 18, 1998**

Code Request Tracking Number: 786-145312

Administrator's Response/Confirmation

Date of Application: February 28, 2002 Date of Receipt: February 28, 2002
 Date of Response: March 12, 2002 Effective Date: _____
 Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL

Code Administrator Contact Information:

Terah Adger Phone: 9253638705
 Signature of Code Administrator
 Terah Adger Fax: 9253638714
 Name (print)

- x NPA: 786 Code Assigned: Date of NXX Code Assignment:**
- a. Switch Identification (Switching Entity/POI): MIAMFLSODS0 Rate Center: MIAMI
- b. The Code Administrator is _____, is not responsible for inputting Part 2 information into RDBS and BRIDS.
- c. Routing and Rating information complete: Yes No
 Additional RDBS and BRIDS information necessary as follows:
 No
- d. To be published in the LERG and TMP by
 Additional RDBS and BRIDS information needs to be received by the code administrator no later than

Code Reserved: Date of Reservation:

Your code will be honored until
 Switch Identification (Switching Entity / POI):

Form incomplete

Additional information required in the following section(s):

x Form complete, code request denied

Explanation: Months to exhaust exceeds 6.0 months (MTE = 14.43)

Assignment activity suspended by the administrator

Explanation:

Further Action:

3/13/2002

NPA in jeopardy: Yes No

If yes, refer to Section 7 of the assignment guidelines.

Change/Disconnect List:

Remarks:

DR:11 According to the Central Office Code Assignment Guidelines, Section 4.2.1, code holders requesting growth codes must demonstrate that existing codes within the rate center will exhaust within 6.0 months. If you are in disagreement with the disposition of this code request, please refer to the Central Office Code (NXX) Assignment Guidelines for the appeals process. OCN 9417

305 NPA
 Number Pooling Report January 2, 2002

Attachment 3

TMRC NPA	CLLJ	SWITCH TYPE	WC	ENTITY	NPA	TTA	K-BLOCK TOTAL	AVAIL	AVG GRWTH PER MO	MTE	NXX REOD	NXX EFFECT DATE	NON-CTM DONATABLE BLOCKS	CTM Donstable	CTM COUNTS
MIAMI	MIAMFLAEDSO	5ESS	FAH	L	305	442	170	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	1
MIAMI	MIAMFLAERSO	DMS100	FAH	L	305	520	10	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	1
MIAMI	MIAMFLAL63E	1AESS	FAL	K	305	633	60	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	61
MIAMI	MIAMFLAPDSO	DMS100	FAP	K	305	871	80	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	
MIAMI	MIAMFLBA85E	1AESS	FBA	L	305	854	80	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	
MIAMI	MIAMFLBCDSO	DMS100	FBC	K	305	573	50	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	1
MIAMI	MIAMFLBRSO	5ESS	FMB	K	305	672	110	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	
MIAMI	MIAMFLCADSO	DMS100	FCA	L	305	552	190	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	100
MIAMI	MIAMFLDBRS1	5ESS	FDA	L	306	670	20	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	100
MIAMI	MIAMFLFLDSO	5ESS	FFL	L	306	541	80	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]	[REDACTED]	1
															47

305 NPA
Number Pooling Report January 2, 2002

TMRC NPA	CLLI	SWITCH TYPE	WC	ENTITY	NPA	TTA	K-BLOCK TOTAL	AVAIL	AVG GRWTH PER MO	MTE	NXX REQD	NXX EFFECT DATE	NON-CTM DONATABLE BLOCKS	CTM Donatable	CTM COUNTS
MIAMI	MIAMFLGRDS0	DMS100	FGH	L	305	350	40								1
MIAMI	MIAMFLGRDS1	5ESS	FGH	L	305	350	460								1
															100
MIAMI	MIAMFLHDS0	5ESS	FHL	K	305	826	220								2
															1
MIAMI	MIAMFLHDS0	5ESS	FHL	K	305	826	202					/06/2001			
MIAMI	MIAMFLCDS0	5ESS	FIC	K	305	861	70								60
MIAMI	MIAMFLKEDS0	5ESS	FKB	L	305	361	20					/06/2001			

305 NPA
Number Pooling Report January 2, 2002

TMRC NPA	CLLI	SWITCH TYPE	WC	ENTITY	NPA	TTA	K-BLOCK TOTAL	AVAIL	AVG GRWTH PER MO	MTE	NXX REQD	NXX EFFCT DATE	NON-CTM DONATABLE BLOCKS	CTM Donatable	CTM COUNTS
MIAMI	MIAMFLME32E	1AESS	FME	K	305	324	100								1
MIAMI	MIAMFLMERSO	DMS100	FGH	L	305	111	1								
MIAMI	MIAMFLNMDSO	DMS100	FNM	K	305	891	60								41
															17
MIAMI	MIAMFLNSDSO	5ESS	FNS	K	305	691	60								
MIAMI	MIAMFLOL68E	1AESS	FOI	K	305	681	70								
MIAMI	MIAMFLPBDSO	DMS100	FPD	K	305	883	90								1

305 NPA
 Number Pooling Report January 2, 2002

Attachment 3

TMRC NPA	CLLI	SWITCH TYPE	WC	ENTITY	NPA	TTA	K-BLOCK TOTAL	AVAIL	AVG GRWTH PER MO	MTE	NXX REQD	NXX EFFCT DATE	NON-CTM DONATABLE BLOCKS	CTM Donatable	CTM COUNTS
MIAMI	MIAMFLPBH05	5ESS	FPD	K	305	111	1								
MIAMI	MIAMFLPLD50	5ESS	FPM	K	305	591	330								
MIAMI	MIAMFLPLRS0	DMS100	FPM	K	305	590	20								1
															1
															4
															4
															1
															7
															1
															1
MIAMI	MIAMFLRRD50	5ESS	FSM	L	305	661	120								
															31
MIAMI	MIAMFLSH75E	1AESS	FSH	K	305	751	80								
MIAMI	MIAMFLSOD50	5ESS	FSK	L	305	595	120								
MIAMI	MIAMFLWDD50	DMS100	FWD	L	305	302	90								
MIAMI	MIAMFLWMD50	5ESS	FWM	L	305	261	110								
															3

305 NPA
Number Pooling Report January 2, 2002

Attachment 3

TMRC NPA	CLLI	SWITCH TYPE	WC	ENTITY	NPA	TTA	K-BLOCK TOTAL	AVAIL	AVG GRWTH PER MO	MTE	NXX REQD	NXX EFFECT DATE	NON-CTM DONATABLE BLOCKS	CTM Donatable	CTM COUNTS
TOTAL							3114	179,849	12,905	13.94			122	30	612
Contact Information															