

James Meza III Attorney

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

June 6, 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. 020494-TP

Petition for Expedited Review of NXX Code Denial

Miami Exchange (Grande)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Expedited Review of NXX Code Denial for the Miami Exchange (Grande), which we ask that you file in the captioned 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 II

(24)

Enclosures

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

DOCUMENT NUMBER - DATE

FPSC-BUREAU OF RECORDS 5942 JUN-68

FPSC-COMMISSION CLERK

HARMY)

CERTIFICATE OF SERVICE Petition for Expedited Review of NXX Code Denial Miami Exchange (Grande)

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

U.S. Mail this 6th day of June, 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

∄ames Meza III

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 (Grande)	.)	Filed: June 6, 2002
)	

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

- 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

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 its existing numbering inventory within the rate center will be exhausted within six months of the application. Prior to this ruling, the industry and NANPA used the Central Office Code Assignment Guidelines to make code assignments. Under these guidelines, in order to obtain additional numbering resources, the applicant's existing number inventory within the applicant's serving switch had to exhaust within a specific months-to-exhaust ("MTE") of the code application or the carrier had 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 meet a 60 percent initial utilization threshold. FCC 00-429 at ¶ 26. Based on these two FCC orders, carriers are now 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. On December 28, 2001, the FCC released FCC 01-362, which reaffirmed the MTE and utilization criteria as well as

implementing a safety valve when carriers are unable to get additional numbering resources.

- 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 Daytona Beach, DeLand, Ft. Lauderdale, Gainesville, Jacksonville, Miami, North Dade, Orlando, Stuart, and West Palm.
- 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), Biscavne (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 April 24, 2002, BellSouth requested additional numbering resources from NANPA for the Grande (MIAMFLGRDS1) switch. See Attachment A. Specifically, BellSouth requested an entire NXX in order to serve a specific customer served by the Grande (MIAMFLGRDS1) switch.
- 15. At the time of the code request, the Miami exchange had a MTE of 11.75 and a utilization of 74%, while the MTE for the Grande (MIAMFLGRDS1) switch was 22.75.

- 16. On May 2, 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 B. 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 and the customer contact information. See Attachment C.
- 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 305/786 area codes.
- 18. As discussed above, both the FCC Rules 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 95 rate centers in Florida with 31 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:

- The Commission review the decision of the NANPA to deny BellSouth's request for additional numbering resources for the Miami (Grande -MIAMFLGRDS1) exchange; and
- 2. The Commission direct NANPA to provide the requested codes for the Miami exchange as discussed above.

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Respectfully submitted this 6th day of June, 2002

BELLSOUTI	H TELEC		IUNIC/	ATIONS,	INC.
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Nancy B. White

(OX)

James Meza III

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Suite 400

Tallahassee, Florida 32301

(305) 347-5558

R. Douglas Lackey (つん)

675 West Peachtree Street, Suite 4300

Atlanta, Georgia (404) 335-0747

449378

ATTACHMENT A

Central Office Code (NXX) Assignment Request - Part1 June 19, 2000

Code Request Tracking Number: 786-153137

	Type of Application: New Change Delete	
	1.1 Contact Information:	
	Code Applicant:	
	Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL& TEL	
	Headquarters Address: 675 W PEACHTREE ST NW	
	Headquarter City, State, Zip: ATLANTA ga 30375	
1	Contact Name:	
\boldsymbol{a}	Address:	
3	City, State, Zip:	
4	Phone: FAX: E-Mail:	
5	2	-
	Name: Terah Adger	
	Address: 1800 Sutter Street	
	City, State, Zip: Concord CA. 94520	
	Phone: 9253638705 Fax: 9253638714	
	1.2:	
	NPA: 786 NXX: LATA: 46017 OCN: Parent Company's OCN(s): 9417	
	Switching Identification (Switching Entity/POI): 4 MIAMFLGRDS1	
	Locality/City/Wire Center: MIAMI Rate Center: MIAMI	
	Homing Tandem Operating Co.: BELLSOUTH Homing Tandem CLLI: MIAMFLGR05T	
6	Additional Information:	
	1.3 Dates: Date of Application: <u>April 24. 2002</u> Requested Effective Date: § June 29, 2002	_
	1.4 Type of company/entity requesting the code:	
	a) RBOC (LEC, IC, CMRS, Other)	
	b) Type of Service: Wireline (e.g., Cellular - Type 2)	
	c) Code Assignment Preference (Optional)	
	d) Codes that are undesirable, if any 999.666	
	e) Please Explain Type of Change:	
	1	

1.5 Type of Request (Initial, If an initial code, attach (1) e within 60 days.		(2) pr oof	of ability to place code in service
If a growth code, attach mon	ths to exhaust worksheet.		
Pool Indicator: 10 No			
Change/Disconnect List: _			
1.6 NPA Jeopardy Criteria A 1.7 Code Request for new ser		x	-
1.8 Part 2 is attached	Part 2 is not attached	Yes	for RDBS & BRIDS 11,12
	hat this application has be nent Guidelines posted to t /inc/incdocs.htm) as of the	en prepa he ATIS	

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Identify type and reason for change(s) in Section 1.4(e).

A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

^{3.} Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (973-884-8355) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the Traffic Routing Administration (TRA) on 732-699-6700.

^{4.} This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character COMMON LANGUAGE Location Identification (CLLI) of the applicant's switch or POI.

 $[\]stackrel{5}{\sim}$ Rate Center name must be a tariffed Rate Center associated with toll billing.

Applies to any code applicant connecting to the Public Switched Telephon. Network via a tandem owned by a different carrier.

This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

 $[\]frac{8}{2}$ Code applicants should request an effective date that is at least 56 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

 $[\]underline{9}$. Requests for code assignment should not be made more than six months prior to the requested effective date.

^{10.} The Pool Administrator will indicate if the NXX being requested will be used for thousands block number pooling.

^{11.} Applicant is not required to submit Part 2 of the code request form if it is doing its own RDBS and BRIDS entries, or if the applicant has arranged for a third party to input the Part 2 forms data on its behalf.

^{12.} WARNING! It is the code applicant's responsibility to arrange input of Part 2

Months To Exhaust Certification Worksheet - TN Leveil

(Worksheet to be used for Requests for Additional Codes for Growth)

Code Request Tracking Number: 786-153137

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ATTACHMENT B

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

Code Request Tracking Number: 786-153137

Administrator's R	esponse/Confirmation
Date of Application: April 24, 2002	Date of Receipt: April 24, 2002
Date of Response: May 2, 2002	Effective Date:
Company/Entity Name: BELLSOUTH TELECOMM	INC DBA SOUTHERN BELL TELA TEL
Code Administrator Contact Information:	
Terah Adger Signature of Code Administrator	Phone: 9253638705
Terah Adger. Name (print)	Fax: 9253638714,
8 NPA: 786 a. Switch Identification (Switching Entity/POI): MIA	Code Assigned: Date of NXX Code Assignment: AMFLGRDS1 Rate Center: MIAMI
b. The Code Administrator is, is nut _X resp c. Routing and Rating information complete: Yes Additional RDBS and BRIDS information necessa No	ponsi ble for inputting Part2informationinto RDBS and BRIDSNo_X_
Codt Reserved: Your code will be honored until	be received by the code administrator no later than Date of Reservation:
Switch Identification (Switching Entity / POI): Form incomplete Additional information required in the following se	ection(s);
Form complete, code request denied	
Explanation:Months to exhaust exceeds 6.0 m	onths (11.74 reported)
_ Assignment activity suspended by the administ	rator
Explanation:	•
Further Action:	
X NPA in jeopardy: Yes No X	
If yes, refer to Section 7 of the assignment guideli	nės.
Change/Disconnect List:	And a supplier of the supplier
Remarks: DR:11 According to the Central Office Code requesting growth codes must demonstrate that existing months. If you are in disagreement with the disposition of NEX Assignment Guidelines for the appeals process.	codes within the rate center will extrause where 5.9 of this code request, please refer to the Central Office Gode

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ATTACHMENT (

305/786 NPAs

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305/786 NPAs

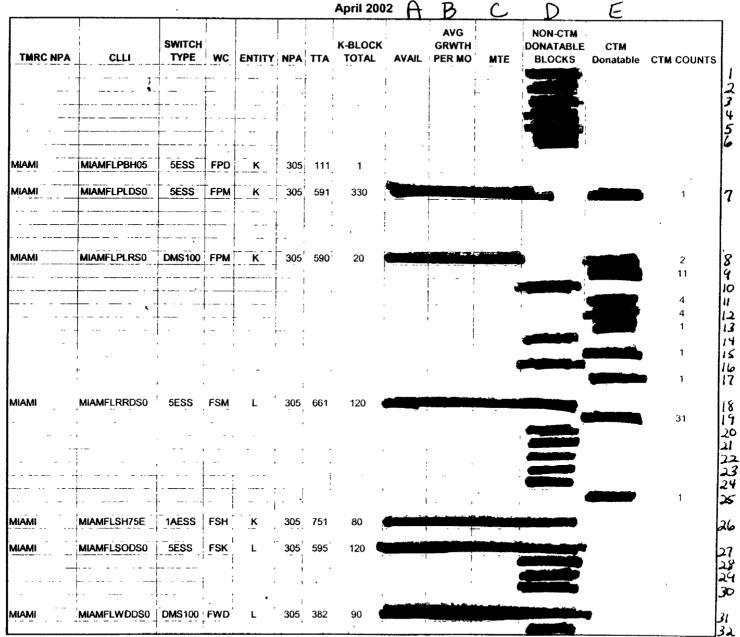
Miami Number Pooling Summary Report April 2002 🛆 AVG · NON-CTM SWITCH K-BLOCK **GRWTH** DONATABLE CTM TMRC NEA CLLI TYPE WC ENTITY NPA TTA TOTAL AVAIL PER MO MTE BLOCKS Donatable CTM COUNTS МІАМІ MIAMFLDBRS1 5ESS FDA MIAMI MIAMFLFLDS0 5ESS 305. 541 38 10 11 13 14 MÌAMI 15 MIAMI FGR 305 350 16 17 18 19 100 20 25 27 28 29 37 32 MIAMI 34 35 36 31

305/786 NPAs

Miami Number Pooling Summary Report

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305/786 NPAs Miami Number Pooling Summary Report



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305/786 NPAs Miami Number Pooling Summary Report

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