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Room 400
Tallahassee, Florida 32301
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ORIGINAL

Legal Department
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August 29, 2002

Mrs. Blanca S. Bayó
Division of the Commission Clerk and
Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 020934-TL
**Petition for Expedited Review of Growth Code Denial by the North
American Number Plan Administrator and the Number Pooling
Administrator for the Orlando Exchange (Magnolia)**

Dear Ms. Bayó:

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

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,


James Meza III
(2A)

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

RECEIVED & FILED


FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE
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CERTIFICATE OF SERVICE

Docket No. _____

**Petition for Expedited Review of Growth Code Denial by the North
American Number Plan Administrator and the Number Pooling
Administrator for the Orlando Exchange (Magnolia)**

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

U.S. Mail this 29th day of August, 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
(28)

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth)	Docket No.
Code Denial by the North American Number)	
Plan Administrator and the Number Pooling)	
Administrator for the Orlando Exchange (Magnolia))	Filed: August 29, 2002
<hr/>		

PETITION FOR EXPEDITED REVIEW OF NXX CODE DENIALS

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to 47 C.F.R. § 52.15(g)(iv), Federal Communications Commission ("FCC") Order FCC 00-104, Industry Numbering Committee ("INC") Guidelines, and Florida Public Service Commission ("Commission") Order No. PSC-01-1873-PCO-TL, petitions the Commission to review the North American Numbering Plan Administrator's (NANPA) and Number Pooling Administrator's ("NeuStar") denial of BellSouth's request for additional numbering resources in the Orlando exchange.¹ 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.

¹ Because this is a request for a dedicated NXXs and the Orlando exchange is a pooling area, NeuStar forwarded BellSouth's request to NANPA for handling. Although NeuStar denied BellSouth's request for additional numbering resources, NANPA would have to issue a new NXX.

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FPSC-COMMISSION CLERK

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).

3. 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

4. The Commission has jurisdiction of this matter pursuant to 47 C.F.R. § 52.15(g)(iv) and INC Number Pooling Guidelines Sections 3.7 and 12(c). These provisions provides that a carrier may challenge NANPA’s or NeuStar’s decision to deny numbering resources to the appropriate state regulatory commission.

BACKGROUND AND REQUEST FOR RELIEF

5. 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.

6. 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.

7. 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.

8. 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.

9. 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. These requirements are known as the six (6) months-to-exhaust ("MTE") and utilization threshold.

10. 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 Daytona Beach, DeLand, Ft. Lauderdale, Gainesville, Jacksonville, Miami, North Dade, Orlando, Stuart, and West Palm.

11. BellSouth has completed these applications in accordance with INC's and/or NANPA's guidelines and filled out the necessary Months-to-Exhaust Certification Worksheets as required.

12. 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.

13. 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.

14. As for this request for additional numbering resources for the Orlando exchange, BellSouth states the following:

15. The Orlando exchange consists of consists of six (6) central offices and six (6) switches, Azalea Park (ORLDFLAPDS0), Colonial (ORLDFLCLDS0), Magnolia (ORLDFLMADS1), Pinycastle (ORLDFLPCDS0), Pinehills (ORLDFLPHDS0), and Sand Lake (ORLDFLSADS0).

16. On August 20, 2002, BellSouth requested additional numbering resources from NeuStar for the Magnolia (ORLDFLMADS1) switch. See Attachment 1. Specifically, BellSouth requested a dedicated NXX to meet a customer's demand for specific numbering resources.

17. At the time of the code request, the Orlando exchange had a MTE of 11.53 and a utilization of 73.77%, while the MTE for the Magnolia (ORLDFLMADS1) switch was – 22.69.

18. On August 20, 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's MTE in the specific switch is less than 6 MTE. 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 Orlando exchange. See Attachment 3.

19. BellSouth's request for additional numbering resources to provide the numbers requested above in the Orlando exchange would not materially impact exhaustion of available numbers in the 407/321 area codes.

20. As discussed above, the FCC Rules, NANPA's Central Office Code Guidelines, and NeuStar's Number Pooling Guidelines provide that state regulatory authorities have the power and authority to review NANPA's and NeuStar's decisions 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; INC Number Pooling Guidelines Sections 3.7 and 12(c).

21. 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 and NeuStar look 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.

22. 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.

23. 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.

WHEREFORE, BellSouth requests:

1. The Commission review the decision of the NeuStar to deny BellSouth's request for additional numbering resources for the Orlando (Magnolia – ORLDFLMADS1) exchange; and

2. The Commission direct NANPA to provide the requested code for the Orlando exchange as discussed above.

Respectfully submitted this 29th day of August, 2002

BELLSOUTH TELECOMMUNICATIONS, INC.

Nancy B. White

Nancy B. White (28)

James Meza III

150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5558

R. Douglas Lackey

R. Douglas Lackey (28)

675 West Peachtree Street, Suite 4300

Atlanta, Georgia

(404) 335-0747

459897

Pooling Administration System

Michael W Parker @bellsouth.com (SP)

Sign Out

PART 1A

Type of Application : New

1.1 Contact Information :

Note: If any of the contact info is incorrect, edit your user profile.

Block Applicant :

Company Name

Headquarters Address * 675 W Peachtree St. NE

City * Atlanta

State * GA

Zip * 30375

Contact Name [REDACTED]

Contact Address [REDACTED]

City [REDACTED]

Zip [REDACTED]

State [REDACTED]

Telephone [REDACTED]

Fax [REDACTED]

E-mail [REDACTED]@bellsouth.com

Pooling Administrator :

Contact Name Mr Kevin Gatchell

Contact Address 1800 Sutter St. Ste. 780

City Concord

State CA

Zip 94520

Telephone 9253638742

Fax 9253637692

E-mail kevin.gatchell@neustar.biz

1.2 General Information

LRN Needed No

NPA 407

LATA * 458

OCN 9417-BELLSOUTH SO
BELL

AOCN * 9400

Parent Company OCN * 9417

Number of Thousands-Blocks Requested 10

Switch Identification (Switching Identity/POI) * ORLDFLMADS1

City or Wire Center Name

Rate Center ORLANDO

Rate Center Sub Zone

1
2
3
4
5
6

1.3 Dates

Date of Application Tuesday, August 20, 2002

Requested Block Effective Date 15 Sep 2002

Request Expedited Treatment Yes No

1.4 Type of Service Provider Request: Thousands-Block

a) Type of Service Provider: Incumbent Local Exchange Carrier (ILEC)

b) Primary type of service Blocks to be used for: Wireline

c) Thousands-Block(s) (NPA-NXX-X) assignment preference: Click here to see the available blocks in the pool

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any

e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) N/A

1.5 Type of Request

Initial block for rate center Yes

Growth block for rate center Yes

Change block N/A

Disconnect block N/A

I hereby certify that the above information requesting an NXXX block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXXX) Polling Administration Guidelines INC 99-0127-023

Pooling Administration System

Michael W. Parker michael.w.parker@bellsouth.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level

Date Tuesday, August 20, 2002
OCN 9417

Company Name
Rate Center ORLANDO

List all Codes NPA(s)-NXXs and Blocks NPA(s)-
NXX-X(s)

321-201, 321-841, 321-843, 407-236, 407-237, 407-244, 407-245, 407-246, 407-254, 407-316, 407-317, 407-318, 407-418, 407-419, 407-420, 407-422, 407-423, 407-425, 407-426, 407-428, 407-471, 407-481, 407-487, 407-540, 407-642, 407-648, 407-649, 407-650, 407-835, 407-836, 407-839, 407-841, 407-843

Name of Block Applicant [REDACTED]
Title Network Manager
Telephone Number [REDACTED]
Fax Number [REDACTED]
E-Mail [REDACTED]@bellsouth.com

A. Available Numbers * [REDACTED]

B. Assigned Numbers [REDACTED]

C. Total Numbering Resources * [REDACTED]

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation [REDACTED]

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months²

Month 1	[REDACTED]	Month 2	[REDACTED]
Month 3	[REDACTED]	Month 4	[REDACTED]
Month 5	[REDACTED]	Month 6	[REDACTED]

1
2
3
4
5
6
7
8

9
10
11

F Forecast - Next 12 months^{3*}

1
2
3
4
5
6
7

Month 1	[REDACTED]	Month 2	[REDACTED]
Month 3	[REDACTED]	Month 4	[REDACTED]
Month 5	[REDACTED]	Month 6	[REDACTED]
Month 7	[REDACTED]	Month 8	[REDACTED]
Month 9	[REDACTED]	Month 10	[REDACTED]
Month 11	[REDACTED]	Month 12	[REDACTED]

G Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) [REDACTED]

H Months to Exhaust⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G)) **11.53**

I Utilization⁵ (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100

73.77

Explanation

For future growth and a customer request for a dedicated code [REDACTED]

1. A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
2. 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.
3. Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
4. To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).
5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

[REDACTED]

Central Office Code (NXX) Assignment Request - Part 1
Revised September 24, 2001

Type of Application: New Change¹ Delete

1.0 GENERAL INFORMATION

1.1 Contact information:

Code Applicant:

Company/Entity Name: BELLSOUTH TELECOMMUNICATIONS

Headquarters Address: 675 W. PEACHTREE ST. NE

City, State, Zip: ATLANTA, GA 30375

Contact Name: [REDACTED]

Contact Address: [REDACTED]

City, State, Zip: [REDACTED]

Phone: [REDACTED] FAX: [REDACTED] E-Mail: [REDACTED]@bridge.BellSouth.com

Name: TERAH ADGER

Address: 1800 SUTTER ST

City, State, Zip: CONCORD, CA. 94520

Phone: 925-363-8705 FAX: 925-363-8714

1.2 NPA: 321 NXX:³ _____ LATA: 45806 OCN:⁴ 9417 Parent Company's OCN(s) 9417 _____

Switching Identification (Switching Entity/POI)⁵ ORLDFLMADS1

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

Homing Tandem Operating Co.⁷: BELLSOUTH Tandem Homing CLLITM:⁸ ORLDFLMA04T

1.3 Dates: Date of Application: 8/16/02 Requested Effective Date:⁹ 10/21/02

1.4 Type of company/entity requesting the code:

a) LEC (LEC, IC, CMRS, Other)

b) b) Type of service (e.g., Cellular - Type 2)

c) Code Assignment Preference (Optional)

d) Codes that are undesirable, if any

e) Type of change:

6 7 1.5 Type of Request (Initial, growth, etc.): REQUEST FOR DEDICATED CODE FOR [REDACTED]

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 _____

1.7 Code request for new service (Explain): _____

1.8 Part 2 is attached _____ Part 2 is not attached for BIRRDs^{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/clc/inc/incdocs.htm>) as of the date of this application¹⁴:

8 [REDACTED] Signature of Code Applicant¹⁵

[REDACTED] Title

AUGUST 16, 2002

Date

Months To Exhaust Certification Worksheet - TN Level¹

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

Code Request Tracking Number: 321-162001

Date: August 7, 2002 Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUT
TEL

Switching Entity/Point of Interconnection (CLLI): ORLDFLMADSI Rate Center: ORLAN

Total Number of NXXs: 121

1 Signature of Authorized Representative of Code Applicant: [REDACTED]
2 Title: [REDACTED] Telephone No.: [REDACTED] FAX No.: [REDACTED]

3 A Telephone Numbers (TNs) Available For Assignment (See Glossary²):
[REDACTED]
Month #1 Month #2 Month #3 Month #4 Month #5 Month #6 Month #7 Month #8 Month

4 B Previous 6-month growth history⁴: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

5 C Forecast - Next months 1-12⁵: [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

6 D Average Monthly Growth Rate (From Part C above): [REDACTED]

E Months to Exhaust⁶=Telephone Numbers (TNs) Available for Assignment (A)/Average Monthly Growth

F Utilization Level⁷=Telephone Numbers (TNs) Assigned Total Numbering Resources in Applicant's Inven

Explanation.

7 Request for dedicated code for [REDACTED]

Pooling Administration System

michael.w.parker@bellsouth.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - IN Level (Continued)

You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option



7

407/321 ORLANDO
MTE SUMMARY REPORT
AUGUST 2002

Attachment 3

TMRC NPA 407	CLLI	SW TYPE	WC	ENTITY	NPA	TTA	K-BLK TOTAL	A	B	C	NON CTM DONATABLE BLOCKS	CTM DONATABLE	CTM COUNTS
								AVAIL	AVG GRWTH PER MO	MTE			
ORLANDO	ORLDFLAPDS0	5E	FAZ	P	321	380	210	[REDACTED]	[REDACTED]	[REDACTED]			1
	ORLDFLCLDS0	5E	FCO	P	407	894	71	[REDACTED]	[REDACTED]	[REDACTED]			2
	ORLDFLMADS1	DM	FOM	P	321	648	349	[REDACTED]	[REDACTED]	[REDACTED]			3
	ORLDFLPCDS0	5E	FPT	P	407	240	200	[REDACTED]	[REDACTED]	[REDACTED]			4
	ORLDFLPHDS0	5E	FPI	P	407	293	190	[REDACTED]	[REDACTED]	[REDACTED]			5
	ORLDFLSADS0	5E	FSE	P	407	351	176	[REDACTED]	[REDACTED]	[REDACTED]			6
TOTAL							1196	[REDACTED]	[REDACTED]	[REDACTED]			7
Customer Contact Information													
[REDACTED]													

1
2
3
4
5
6
7
8
9
10

8