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COMMISSION CLERK

DATE: September 12, 2003
TO: Jeremy Susac, Attorney, Office of the General Counsel
FROM: Shevie Brown, Regulatory Analyst, Division of Competitive Markets and Enforcement
RE: Docket No. 030874-TP, metroPCS Inc. (metroPCS) Petition for Expedited Review of Growth Code Denials by NeuStar for the Fort Myers, Naples, and Port Charlotte Exchanges(FTMYFLDZ2MD).

JOB PR CRAB

On September 2, 2003, metroPCS filed a petition requesting that the Commission overturn NeuStar's decision to deny numbering resources in the Fort Myers, Naples, and Port Charlotte rate centers. Specifically, metroPCS requested sixteen (16) 1,000 number blocks in Fort Myers, fifteen (15) 1,000 number blocks in Naples and six (6) 1,000 number blocks in Port Charlotte. In accordance with Commission Order PSC-02-0352-PAA-TL which approved an expedited process for code denials and PSC-03-0953-PAA-TP which approved the expedited process to include CMRS providers, we have examined the metroPCS petition and have determined the following:

- 1) The carrier has demonstrated that by launching its initial market entry in October 2003, it will have customers in need of immediate numbering resources;
2) The carrier has shown that it will be unable to provide services to these potential customers because of NeuStar's denial of numbering resources; and
3) The potential customers cannot obtain service from the provider of its choice because the carrier does not have numbers available to fulfill the customers' needs.

Since the three required criteria of Order PSC-02-0352-PAA-TL and PSC-03-0953-PAA-TP have been met, please prepare an administrative Proposed Agency Action (PAA) Order to be issued within seven business days of this memorandum (September 23, 2003) as outlined in the expedited code denial process order. NeuStar should be directed to provide metroPCS the numbering resources to meet its customer's needs, specifically, sixteen (16) 1,000 number blocks in the Fort Myers rate center, fifteen (15) 1,000 number blocks in the Naples rate center, and six (6) 1,000 number blocks in the Port Charlotte rate center. Please be sure that in the Order, NeuStar is directed to provide the numbers, not NANPA. Also, please allow staff assigned to the docket to review the Order before it is issued. Please note that the September 23rd issuance of the Order is conditional on a Consummating Order being issued in Docket 030600-TP September 15, 2003. This is the docket which authorizes CMRS providers to use our expedited process. If you have any questions, please call Shevie Brown at 413-6638.

cc: Division of Competitive Markets and Enforcement (Bulecza-Banks, Casey)
Office of the General Counsel (B. Keating)
Division of the Commission Clerk & Administrative Services (Docket No. 030874-TP)

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