

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
Tallahassee, Florida 32301
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June 17, 2004

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.: 040574 - TP
**Petition for Expedited Review of Growth Code Denials
by the Number Pooling Administrator for the Winter Park
exchange**

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 captioned *new* docket.

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,

Nancy B White / P#
Nancy B. White

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

DOCUMENT NUMBER-DATE

06742 JUN 17 8

FPSC-COMMISSION CLERK

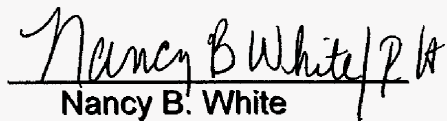
CERTIFICATE OF SERVICE
Petition for Expedited Review of Growth Code Denials by the
Number Pooling Administrator for the Winter Park exchange

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

First Class U.S. Mail this 17th day of June, 2004 to the following:

Staff Counsel
Florida Public Service
Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

NANPA
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thomas.foley@neustar.com


Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth)
Code Denials by the Number Pooling Administrator)
for the Winter Park exchange)

Docket No.

Filed: June 17, 2004

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 Winter Park 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 a competitive local exchange company (“CLEC”) 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). This

provision provides 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. These requirements are known as the six (6) months-to-exhaust (“MTE”) and utilization threshold.

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. On October 4, 2001, the Commission issued Order No. PSC-01-1973-PCO-TL setting forth an expedited code denial process for non-pooling areas. On March 15, 2002, the Commission issued Order No. PSC-02-0352-PAA-TL adopting the same expedited code denial process for pooling areas.

10. The Winter Park exchange consists of two (2) central offices and two (2) switching entities that utilize numbering resources: Colonial (ORLDFLCLDS1) and Magnolia (ORLDFLMADS1).

11. On June 3, 2004, BellSouth requested additional numbering resources from NeuStar for the Winter Park – Magnolia (ORLDFLMADS1) switch. See Attachment 1. Specifically, BellSouth requested a full NXX to meet a request of a specific customer for an NXX in the format of NPA-3X(1,2 or 4).

12. At the time of the code request, the Winter Park exchange had a MTE of 53.45 and a utilization of 64.243%, while the MTE for the Magnolia (ORLDFLMADS1) switch was 9.40 and a utilization of 59.84%.

13. On June 3, 2004, NeuStar's automated number request system denied BellSouth's request for additional numbering resources because BellSouth had not met the utilization criteria, notwithstanding the fact that BellSouth is unable to provide the numbering resources requested by the specific customer. See Attachment 1. Pursuant to Commission Order No. PSC-01-1973-PCO-TL, attached to this Petition is the MTE, utilization rate for each switch in the Winter Park exchange and the customer contact information. See Attachment 2.

14. 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 decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 12(c).

15. 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 nor NANPA looks at the number of 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.

16. 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 NeuStar to deny BellSouth's request for additional numbering resources for the Winter Park exchange; and

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

Respectfully submitted this 17th day of June, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

/RA

Nancy B. White
c/o Nancy H. Sims
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Suite 400
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(305) 347-5558

/RA

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Atlanta, Georgia
(404) 335-0747

541561

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

NEUSTAR

Request For Resources

gondge.bellsouth.com (SP) Sign Out

Request Resources

State: FLORIDA

NPA: 407

Rate Center: WINTERPARK

OCN: 2741-BELLSOUTH TELECOMM

Type of Application: Application for a full NXX for a Dedicated Customer

Continue Cancel

NOTE:
If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Legal Notices - Privacy

Address: https://www.nationalpooling.com/pas/legal/notice.html

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

Pooling Administration System

NEUSTAR

gondge.bellsouth.com (SP) Sign Out

Months to Expiration and Duration Certificate (Via Internet) (FR) (FR)

Date: Thursday, June 3, 2004

OCN: 2741

Company Name: BELL SOUTH TELECOMMUNICATIONS, INC.

Rate Center: WINTER PARK

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

Name of Block Applicant: [REDACTED]

Title: SPECIALIST

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: [REDACTED]

Legal Notices - Privacy Agreement

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

NEUSTAR

Request For Resources

Modify

Disconnected

Block Transfer

Transfer Blocks in Service

Search Forms

Submit Forecast

User Profile

Generate Blocks

Report

E Growth History - Previous 6 months²

Month 1		Month 2	
Month 3		Month 4	
Month 5		Month 6	

F Forecast - Next 12 months³

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

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

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

Legal Notices - Privacy Agreement

Internet

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

NEUSTAR

Request For Resources

Modify

Disconnected

Block Transfer

Transfer Blocks in Service

Search Forms

Submit Forecast

User Profile

Generate Blocks

Report

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

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

Block Requested	A Available Resources	H Months to Exhaust
		53.452

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

64.243

Explanation

- 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 (XXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(ii))
- 5 Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (ii))


Show Calculations Continue Cancel

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Internet

- Favorites
- Add Organize
 - BellSouth Companies
 - BellSouth Sites
 - BellSouth Telecommunication...
 - BellSouth Telecommunication...
 - Links
 - Acts of Faith
 - BASIC
 - BPCS MSOC Tally Tool
 - BellSouth Forms
 - homeweb
 - ESP Schedules
 - Health Check
 - http://user2.home.bellsouth.com...
 - Infrastructure Planning Mem...
 - lotario
 - Links
 - MSN
 - MTR - Man-Management Pay...
 - Neustar Number Pool Admin...
 - Number Manager
 - ORBIT Customer Markets Ho...
 - OrderPath
 - PaveWeb-South Central Bell
 - PaveWeb-Southern Bell
 - Radio Station Guide
 - SWITCH
 - SWITCH-west
 - TM Tracker - South Central Bell
 - TM Tracker - Southern Bell
 - Done

Pooling Administration System


Request For Resources
Sign Out

Months To Exhaust and Utilization Calculation Worksheet - Part I (continued)

Your utilization calculates to **64.243 percent**, while your State requires a utilization of **70.800 percent**.

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 I A
- State Warning Option

[Legal Notice](#)
[Privacy Agreement](#)

**Winter Park
Utilization Summary
Report**

Attachment 2

Exchange	Central Office	Wire Center CLLI	Avg Growth Per Month	Available TNs	MTE	Utilization
Winter Park	Colonial	ORLDFLCLDS1	██████	██████	██████	██████
Winter Park	Magnolia	ORLDFLMADS1	██████	██████	██████	██████

Customer Contact Information

██████████

██████████

Telephone Number: ██████████