

ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
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Room 400
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June 28, 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

RECEIVED-FPSC
04 JUN 28 PM 4:35
COMMISSION
CLERK

Re: Docket No.: 040621-TL
**Petition for Expedited Review of Growth Code Denials
by the Number Pooling Administrator for the Miami exchange
(Red Road)**

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

Nancy B. White

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

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DOCUMENT NUMBER-DATE

07063 JUN 28 2004

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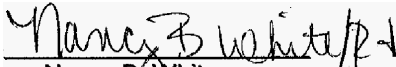
CERTIFICATE OF SERVICE
Petition for Expedited Review of Growth Code Denials by the
Number Pooling Administrator for the Miami exchange (Red Road)

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

First Class U.S. Mail this 28th 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
Thomas Foley
NPA Relief Planner
820 Riverbend Blvd.
Longwood, Florida 32779-2327
Tel. No.: (407) 389-8929
Fax. No.: (407) 682-1108
thomas.foley@neustar.com


Nancy B. White

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth)	Docket No.
Code Denials by the Number Pooling Administrator)	
for the Miami exchange (Red Road))	Filed: June 28, 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 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. 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

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FPSC-COMMISSION CLERK.

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. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to North American Numbering Plan Administrator (“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, Jacksonville, Keys, Miami, North Dade, Orlando, Palm Coast, Sebastian, Weekiwachee Springs, and West Palm Beach.

9. BellSouth has completed these applications in accordance with INC guidelines and filled out the necessary Months-to-Exhaust and Utilization 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 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.

12. 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), Beach (MIAMFLBRDS0), Biscayne (MIAMFLBCDS0), Canal (MIAMFLCADS0), Dadeland (MIAMFLDBRS1), Flagler (MIAMFLFLDS0), Grande (MIAMFLGRDS0 and MIAMFLGRDS1), Hialeah (MIAMFLHLDS0), Indian Creek (MIAMFLICDS0), Key Biscayne (MIAMFLKEDS0), Metro (MIAMFLME32E and MIAMFLMERS0), Shores (MIAMFLSH75E), North Miami (MIAMFLNMDS0), Northside (MIAMFLNSDS0), Opa Locka (MIAMIFLOLDS0), Palmetto (MIAMFLPLDS0 and MIAMFLPLRS0), Poinciana (MIAMFLPBDS0), Red Road (MIAMFLRRDS0), Silver Oaks (MIAMFLSODS0), West Dade (MIAMFLWDDS0) and West Miami (MIAMFLWMDS0).

13. On April 15, 2004, BellSouth requested additional numbering resources from NeuStar for the Miami – Red Road (MIAMFLRRDS0) switch. See Attachment 1. Specifically, BellSouth requested three (3) consecutive numbering blocks in the format of NPA-NXX8 to meet a request for a specific customer.

14. At the time of the code request, the Miami exchange had a MTE of 139 and a utilization of 78.476%, while the MTE for the Red Road (MIAMFLRRDS0) switch was .31.

15. On April 22, 2004, NeuStar's automated number request system denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based MTE 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 Miami exchange and the customer contact information. See Attachment 2.

16. 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).

17. 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.

¶8. 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:

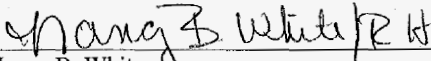
1. **The Commission review the** decision of NeuStar to deny BellSouth's request for additional numbering resources for the Miami exchange; and

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

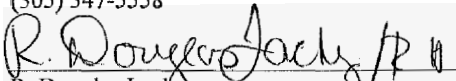
Respectfully submitted this 28th day of June, 2004.

&

BELLSOUTH TELECOMMUNICATIONS, INC.


Nancy B. White

c/o Nancy H. Sims
150 South Monroe Street
Suite 400
Tallahassee, Florida 32301
(305) 347-5558


R. Douglas Lackey

675 West Peachtree Street, Suite 4300
Atlanta, Georgia
(404) 335-0747

542544

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

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

Pooling Administration System

Request Resources

State: FLORIDA
 NPA: 785
 Rate Center: MIAMI
 OCN: 9417-BELLSOUTH SO BELL
 Type of Application: Application for Individual Blocks
 Quantity of Blocks Requested: 3

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

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

Pooling Administration System

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 BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & TEL
 Headquarters Address :
 City: Birmingham
 State: AL
 Zip: [REDACTED]

Contact Name :
 Contact Address :
 City: Birmingham
 State: AL
 Zip: [REDACTED]
 Telephone : [REDACTED]
 E-mail : [REDACTED]@bridge.bellsouth.com

Pooling Administrator :

Contact Name Mr Gary Zahn
 Contact Address 1000 Sutter St, Ste. 700
 City Concord
 State CA
 Zip 94520
 Telephone 9253638753
 E-mail gary.zahn@noustar.biz

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

NEUSTAR

Telephone: [Redacted] E-mail: gary.zahn@neustar.biz

1.2 General Information

Request For Resources

LRN Needed No: NFA 786 LATA: 460

OCN: 9417 BELLSOUTH SO BELL

Parent Company OCN: 9417

Number of Thousands-Blocks Requested: 3

Switch Identification (Switching Identity/PC): MIAMFLRDS0 City or Wire Center Name: MIAMFLRDS0

Rate Center: MIAMI Rate Center Sub Zone: [Redacted]

1.3 Dates

Date of Application: Thursday, April 15, 2004

Requested Block Effective Date: 16 / May / 2004

Request Expedited Treatment: Yes No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider: [Select One]

b) Primary type of service Blocks to be used for: [Select One]

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NEUSTAR

1.4 Type of Service Provider Requesting the 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. [Redacted] [Delete]

d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any. [Redacted] [Delete]

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

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Address: https://www.nationalpooling.com/locations/index.jsp

NEUSTAR

Request For Resources

New
 Modify
 Discover
 Block Transfer
 Request Block(s) in Service
 Search Form
 Submit Forecast
 User Profile
 Associate Blocks
 Reports

d) Thousands-Block(s) (NPA-NXX(s)) 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):

1.5 Type of Request

Initial block for rate center: Yes
 Growth block for rate center: Yes
 Change block N/A: Yes
 Disconnect block N/A: Yes

I hereby certify that the above information requesting an NXX block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX) Pooling Administration Guidelines ITC 98-0127-023.

CONTINUE Cancel

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/profiles/index.jsp

NEUSTAR

Date: Thursday, April 15, 2004
OCN 9417

Company Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL & T
Rate Center: MIAMI

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

(305) 284, 661, 662, 663, 665, 666, 667, 668, 669, 669, 740 (786)
 268, 624, 662, 699, 624, 621, 552, 470, 380, 337, 317, 314, 275, 265, (305)
 243, 250, 260, 261, 262, 263, 254, 265, 266, 267, 269, 270, 271, 273, 274, 275, 279, 285, 324, 325,
 326, 343, 357, 361, 369, 312, 438, 841, 922, 492, 444, 445, 446, 987, 988, 600, 461, 476, 492, 520,
 524, 529, 541, 545, 547, 549, 549, 550, 560, 567, 569, 571, 572, 573, 576, 595, 595, 596, 631, 633,
 634, 635, 636, 637, 638, 642, 643, 644, 616, 640, 649, 670, 671, 728, 751, 754, 756, 757, 758, 759,
 762, 774, 795, 806, 831, 656, 857, 859, 859, 860, 861, 863, 864, 865, 866, 867, 868, 869, 870, 871,
 874, 876, 882, 883, 883, 885, 887, 889, 889, 891, 892, 893, 895, 899, 908, 901, 993

Name of Block Applicant: [REDACTED]
 Title: TN Administration Specialist
 Telephone Number: [REDACTED]
 Fax Number: [REDACTED]
 E-Mail: [REDACTED]@hrinfo@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 L2000 calculation: [REDACTED]

List excluded Code(s) or Block(s): [REDACTED]

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Address: <https://www.nstar numbering.com/pa/frames-index.jsp>

NEU STAR

Request For Resources

Request For Resources

Monthly

Disconnect

Block Transfer

Request for Resources in Service of

Search Forms

Business Forecast

User Profile

Resource Blocks

Reports

E. Growth History - Previous 6 months²

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

F. Forecast - Next 12 months³

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)

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

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Address: <https://www.nstar numbering.com/pa/frames-index.jsp>

NEU STAR

Request For Resources

Request For Resources

Monthly

Disconnect

Block Transfer

Request for Resources in Service of

Search Forms

Business Forecast

User Profile

Resource Blocks

Reports

I. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 2529,000

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

Block Requested	A. Available Numbers	H. Months to Exhaust
1	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]

J. Utilization⁶ (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 78.476

Explanation

- A copy of this worksheet is required to be submitted to the Pooling Administrators when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
- 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.
- Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
- To be assigned an additional thousand-block (1000's) for growth, "Months to Exhaust" must be less than or equal to 6 months (FCC OB-104, § 52.15 (g)(3)(ii)).
- Newly acquired numbers may be excluded from the Utilization calculation (FCC OB104, section 52.15 (g)(3)).

Show Calculations Continue Cancel

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File Edit View Favorites Tools Help

Address <https://www.nationalpooling.com/pooling/index.jsp> Go Links

Favorites

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- BellSouth Sites
- BellSouth Telecommunc...
- BellSouth Telecommunc...
- Links
- Alabama Tele Credit M...
- BellSouth Educational A...
- ComcastPC
- ESP Schedules
- Help - bagnet.luc.luc.co...
- Help - bagnet.luc.luc.co...
- Infrastructure Planning
- Login number manager
- Login order book
- MSN
- MR - Non-Management...
- my BellSouth
- My BellSouth Number Pool A...
- PAWS Documents & Res...
- PAWSWeb - South Cent...
- PAWSWeb - Southern Bell
- Roku Station Guide
- Search ABCD - myBellSouth
- SWITCH
- switch.west.bor.tlc.com...
- SWITCH ga.us.sc
- SWITCHIL.but.tlc.com
- TN Teacher - South Cent...
- Home

NEUSTAR

Request to Exhaust
My City
Management
Block Transfer
Consent (Required) in Service of
Search Form
Submit Form
User Profile
Private Billing
Records

bridge.bellsouth.com (SP) Sign Out

Months To Exhaust and Utilization Certification Worksheet - IT 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
- Clear and all the information provided for the request and start with a fresh Part 1A
- State Waiver Option

Submit Cancel

Internet

**Miami
Utilization Summary
Report**

Attachment 2

Exchange	Central Office	Wire Center CLLI	Blocks	Available TNs	Average Growth	MTE	Util
Miami	Airport	MIAMFLAPDS0					
Miami	Alhambra	MIAMFLAEDS0					
Miami	Alhambra	MIAMFLAERS0					
Miami	Allapattah	MIAMFLAL63E					
Miami	Bayshore	MIAMFLBA85E					
Miami	Beach	MIAMFLBRDS0					
Miami	Biscayne	MIAMFLBCDS0					
Miami	Canal	MIAMFLCADS0					
Miami	Dadeland	MIAMFLDBRS1					
Miami	Flagler	MIAMFLFLDS0					
Miami	Grande	MIAMFLGRDS0					
Miami	Grande	MIAMFLGRDS1					
Miami	Hialeah	MIAMFLHLDS0					
Miami	Indian Creek	MIAMFLICDS0					
Miami	Key Biscayne	MIAMFLKEDS0					
Miami	Metro	MIAMFLME32E					
Miami	Metro	MIAMFLMERS0					
Miami	Shores	MIAMFLSH75E					
Miami	North Miami	MIAMFLNMDS0					
Miami	Northside	MIAMFLNSDS0					
Miami	Opa Locka	MIAMFLOLD0					
Miami	Palmetto	MIAMFLPLDS0					
Miami	Palmetto	MIAMFLPLRS0					
Miami	Poinciana	MIAMFLPBDS0					
Miami	Red Road	MIAMFLRRDS0					
Miami	Silver Oaks	MIAMFLSODS0					
Miami	West Dade	MIAMFLWDDS0					
Miami	West Miami	MIAMFLWMDS0					

Miami
Utilization Summary
Report

Attachment 2

Customer Information

[REDACTED]
[REDACTED]
Phone: [REDACTED]
Cell Phone: [REDACTED]
Email Address: [REDACTED]