ORIGINAL

Legal Department

Nancy B. White
General Counsel - Florida

BellSouth Telecommunications, Inc.
150 South Monroe Street
Room 400
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August 11, 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.:** 040838-TP
Petition for Expedited Review of Code Denials by the Number Pooling Administrator for the Hollywood exchange (West Hollywood)

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 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 /RH

Nancy B. White

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

CERTIFICATE OF SERVICE
Petition for Expedited Review of Code Denials
by the Number Pooling Administrator for the
Hollywood exchange (West Hollywood)

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via First Class U.S. Mail this 11th day of August, 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
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thomas.foley@neustar.com

Nancy B White /RH
Nancy B. White

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Code Denials by the Number Pooling Administrator for the Hollywood exchange (West Hollywood)	))))	Docket No. Filed: August 11, 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 Hollywood 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

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, Hollywood, 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 Hollywood exchange consists of four (4) central offices and four (4) switching entities that utilize numbering resources: Hallandale (HLWDFLHA45E), Main (HLWDFLMADS0), Pembroke Pines (HLWDFLPEDS0) and West Hollywood (HLWDFLWHDS0).

13. On July 30, 2204, BellSouth requested additional numbering resources from NeuStar for the Hollywood – West Hollywood (HLWDFLWHDS0) switch. **See** Attachment 1. Specifically, BellSouth requested 3 dedicated NXXs to meet a request for a specific customer's numbering needs.[1]

14. At the time of the code request, the Hollywood exchange had a MTE of 54.59 and a utilization of 74.51%, while the MTE for the West Hollywood (HLWFLWHDS0) switch was 120.69.

[1] BellSouth only keyed one request for dedicated NXX into NeuStar's automated system. Since the first request was denied the other 2 requests would have been denied as well. Further, the customer does not want the NXX to begin with an 8 or 9.

15. On July 30, 2004, NeuStar's automated number request system denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based 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 Hollywood 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.

18. 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 and the utilization requirements are 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 to meet these requirements 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 these requirements 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 Hollywood exchange; and

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

Respectfully submitted this 11th day of August, 2004.

BELLSOUTH TELECOMMUNICATIONS, INC.

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(305) 347-5558

R. Douglas Lackey
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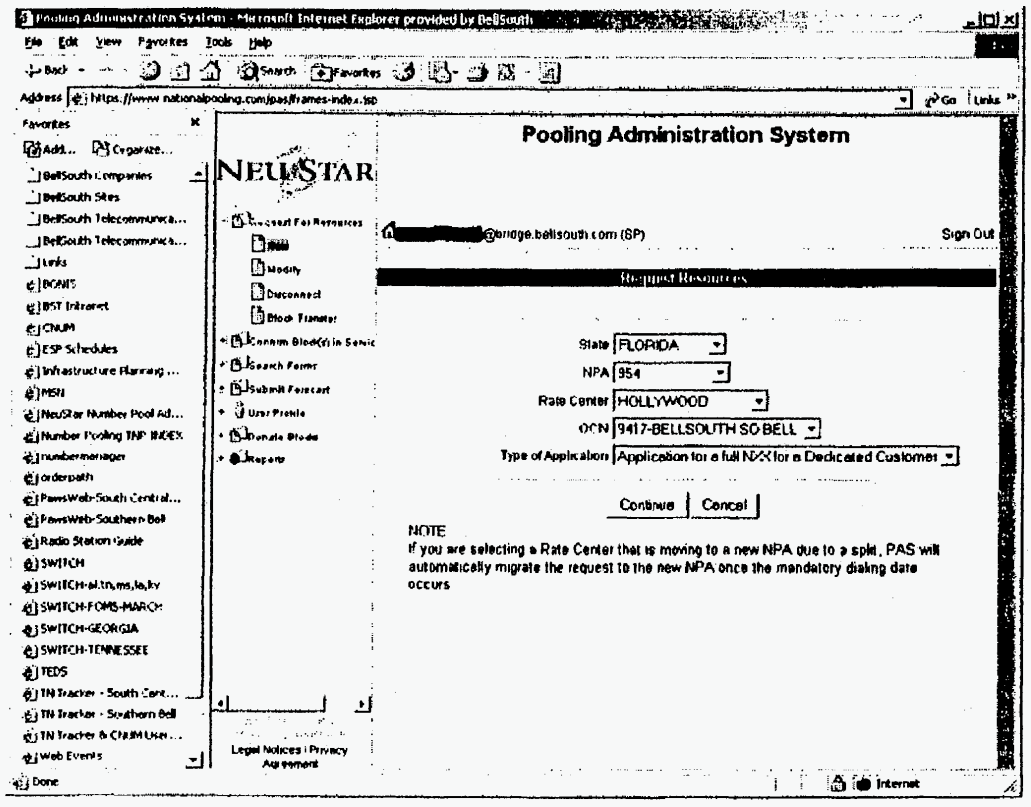
Atlanta, Georgia
(404) 335-0747

546916

Attachment 1



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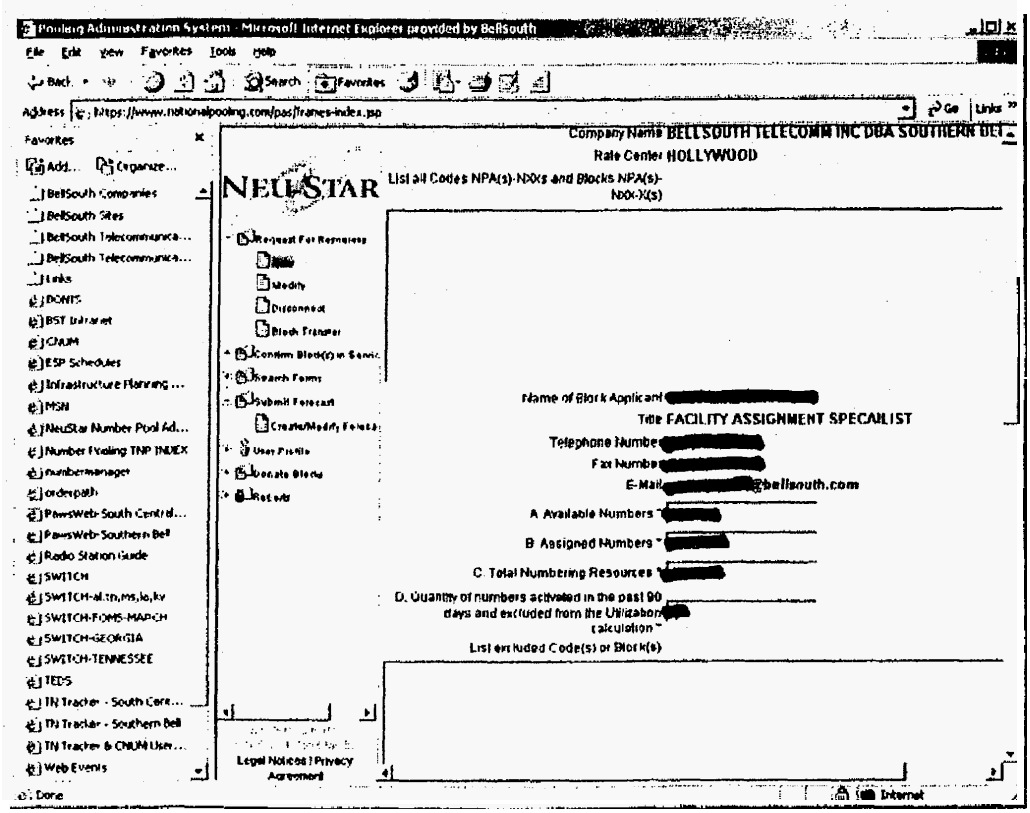
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CNUM
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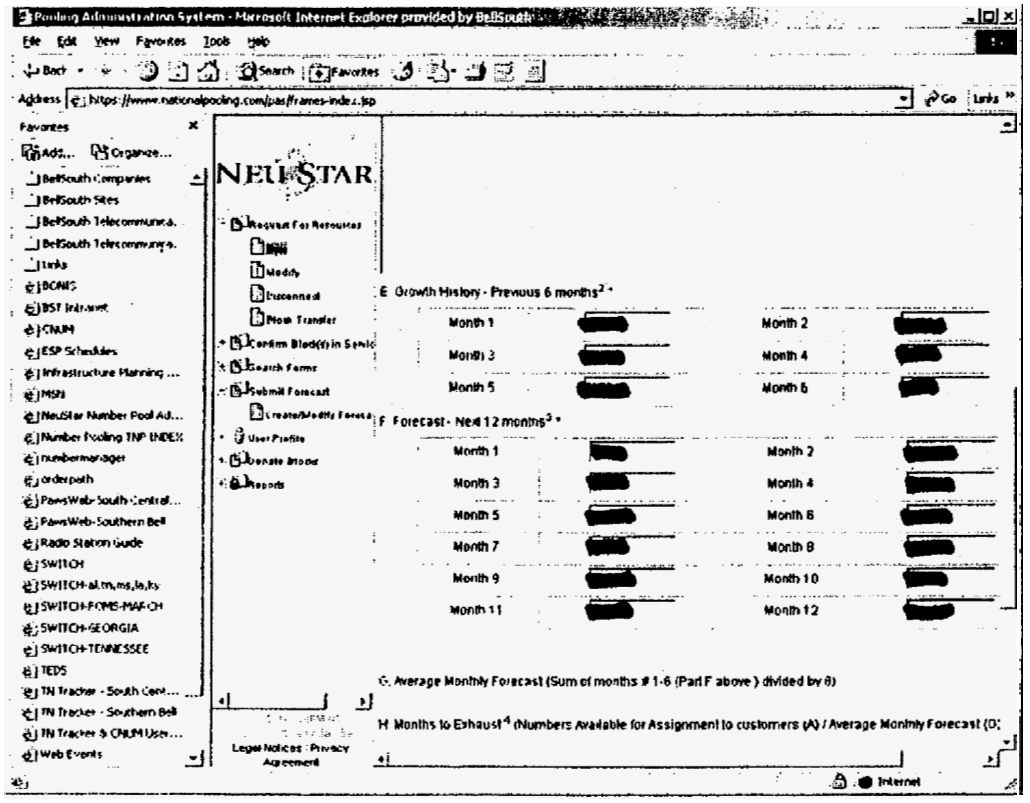
Infrastructure Planning ...
MSN
NeuStar Number Pool Ad...
Number Pooling TNP INDEX
numbermanager
orderpath
PawsWeb-South Central...
PawsWeb-Southern Bell
Radio Station Guide
SWITCH
SWITCH-al,tn,ms,la,ky
SWITCH-FLOMS-MAPCH
SWITCH-GEORGIA
SWITCH-TENNESSEE
TEDS
TN Tracker - South Cent...
TN Tracker - Southern Bell
TN Tracker & CNUM User...
Web Events
NEUSTAR
Company Name BELLSOUTH TELECOMM INC DBA SOUTHERN BEL
Rate Center HOLLYWOOD
List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)
Request For Resources
Modify
Disconnect
Block Transfer
Confirm Block(s) in Servic
Search Forms
Submit Forecast
Create/Modify Forecast
User Profile
Locate Blocks
Reports
Name of Block Applicant
Title FACILITY ASSIGNMENT SPECIALIST
Telephone Number
Fax Number
E-Mail @bellsouth.com
A Available Numbers
B Assigned Numbers
C Total Numbering Resources
D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation
List excluded Code(s) or Block(s)
Legal Notices | Privacy Agreement
Done
Internet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BST Intranet
CNUM
ESP Schedules
Infrastructure Planning ...
MSN
NeuStar Number Pool Ad...
Number Pooling TNP INDEX
numbermanager
orderpath
PawsWeb-South Central...
PawsWeb-Southern Bell
Radio Station Guide
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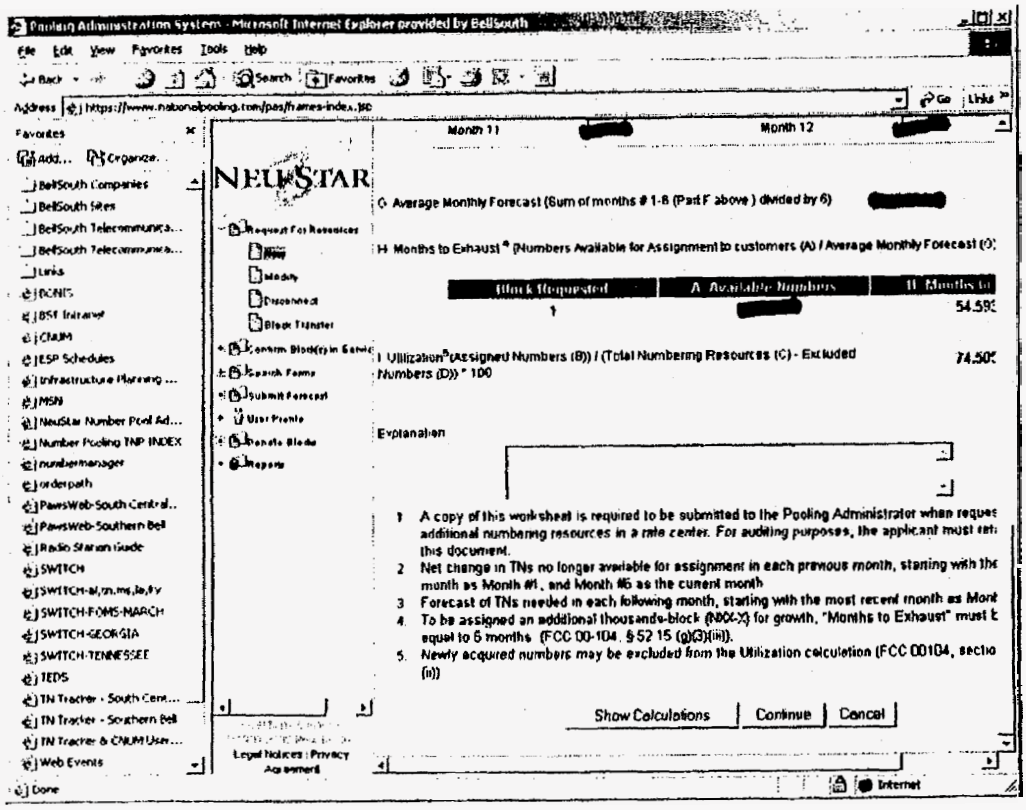
SWITCH-al,tn,ms,la,ky
SWITCH-FOMS-MAP-CH
SWITCH-GEORGIA
SWITCH-TENNESSEE
TEDS
TN Tracker - South Cent...
TN Tracker - Southern Bell
TN Tracker & CNUM User...
Web Events
NEUSTAR
Request For Resources
Modify
Disconnect
New Transfer
Confirm Block(s) in Synch
Search Forms
Submit Forecast
Create/Modify Forecast
User Profile
Update Inbox
Reports
Legal Notices : Privacy Agreement
E Growth History - Previous 6 months[2] *
Month 1
Month 2
Month 3
Month 4
Month 5
Month 6
F Forecast - Next 12 months[3] *
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 Exhaust[4] (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G)
Internet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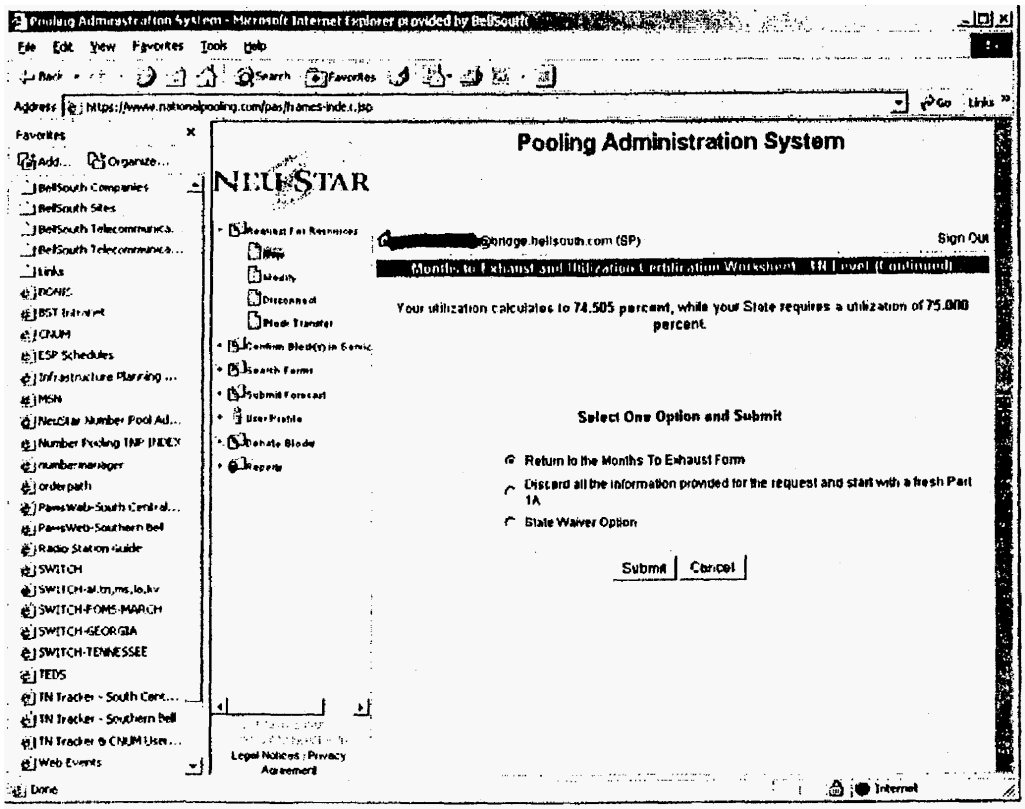
SWITCH-TENNESSEE
TEDS
TN Tracker - South Cent...
TN Tracker - Southern Bell
TN Tracker & CNUM User...
Web Events
Done
NEUSTAR
Request For Resources
New
Modify
Disconnect
Block Transfer
Confirm Block(s) in Gamma
Search Forms
Submit Forecast
User Profile
Donate Blocks
Reports
Legal Notices | Privacy Agreement
Month 11
Month 12
G Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6)
H Months to Exhaust [4] (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G)
Block Requested
A Available Numbers
H Months to
54.59
I Utilization[5](Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100
74.50
Explanation
1 A copy of this worksheet is required to be submitted to the Pooling Administrator when reques additional numbering resources in a rate center. For auditing purposes, the applicant must ret this document.
2 Net change in TNs no longer available for assignment in each previous month, starting with the 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 Mont
4 To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must b 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, sectio (ii))
Show Calculations
Continue
Cancel
Internet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Favorites
Add... Organize...
BellSouth Companies
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TN Tracker - Southern Bell
TN Tracker & CNUM User...
Web Events
Done
NEUSTAR
Request For Resources
Modify
Disconnect
Block Transfer
Confirm Block(s) in Service
Search Forms
Submit Forecast
User Profile
Donate Blocks
Reports
Legal Notices : Privacy Agreement
Pooling Administration System
[redacted]@bridge.bellsouth.com (SP)
Sign Out
Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)
Your utilization calculates to 74.505 percent, while your State requires a utilization of 75.000 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 1A
State Waiver Option
Submit
Cancel
Internet

Attachment 2

Hollywood
Utilization Summary
Report
(West Hollywood)

Exchange	Central Office	Wire Center CLLI	Blocks	Available TNs	Average Growth	MTE	Util
Hollywood	Pembroke Pines	HLWDFLPEDS0	235	[redacted]			
Hollywood	Main	HLWDFLMADS0	101	[redacted]			
Hollywood	West Hollywood	HLWDFLWHDS0	169	[redacted]			
Hollywood	Hallandale	HLWDFLHA45E	61	[redacted]			

Customer Information

[redacted]