



Susan S. Masterton  
Attorney

ORIGINAL

Law/External Affairs  
FTLH00103  
1313 Blair Stone Rd.  
Tallahassee, FL 32301  
Voice 850 599 1560  
Fax 850 878 0777  
susan.masterton@mail.sprint.com

June 10, 2005

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

RECEIVED  
05 JUN 10 PM 4:55  
COMMISSION  
CLERK

Re: Docket No. 050407-TL

Dear Ms. Bayó:

Enclosed are the original and fifteen copies of Sprint's Petition for expedited Review of NXX-X Code Denial and the original and fifteen copies of Sprint's Request for Confidential Classification, which we ask that you file in the captioned new docket.

Copies are being served on the parties in this docket pursuant to the attached certificate of service.

If you have any questions regarding this electronic filing, please do not hesitate to call me at 850-599-1560.

Sincerely,

Susan S. Masterton

Enclosure

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER DATE

05598 JUN 10 03

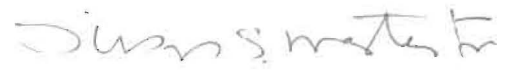
FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**  
**DOCKET NO. \_\_\_\_\_**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S.  
Mail this 10<sup>th</sup> day of June, 2005 to the following:

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

NANPA  
Tom Foley, Relief Planner  
Eastern Region  
820 Riverbend Blvd.  
Longwood, FL 32779-2327



Susan S. Masterton

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth )  
Code Denials by the North American Numbering )  
Administration for the Tallahassee Exchange )  
 )  
 )  
\_\_\_\_\_ )

Docket No. 050407 - TL  
Filed: June 10, 2005

**PETITION FOR EXPEDITED REVIEW OF NXX-X CODE DENIAL**

Sprint-Florida, Incorporated (“Sprint”), 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-01-1973-PCO-TL, petitions the Commission to review the Pooling Administrator’s (“NewStar”) denial of Sprint’s requests for additional numbering resources in the Tallahassee Exchange. In support of this petition, Sprint states:

**PARTIES**

1. Sprint is 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 the Industry Numbering Committee’s (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 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
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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 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 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 75 percent for the specific rate center. See INC Guidelines Section 4.3 (c) [THOUSANDS-BLOCK NUMBER (NXX-X) POOLING ADMINISTRATION GUIDELINES (TBPAG) dated May 20, 2005] and Appendix 3. These requirements are known as the six (6) months-to-exhaust (“MTE”) and utilization threshold.
  8. Sprint has utilized mechanisms such as number pooling to manage its numbering resources in the most efficient manner. However, Sprint is required in this instance to petition the Commission for relief.
  9. On May 25, 2001, BellSouth petitioned the Commission to develop an expedited process to review NANPA’s denial of a request for additional
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numbering resources to minimize the delay carrier's experience in attempting to challenge a denial by NANPA. As a result of BellSouth's Petition and the Commission's efforts to make numbering resources available to carriers, the commission issued Order No. PSC-01-1973-PCO-TL setting forth an expedited code denial process. 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 Tallahassee Exchange consists of eight (8) central offices and nine (9) switching entities that utilize numbering resources: Calhoun St. (TLHSFLXADS0 and TLHSFLXADS1), Willis Road (TLHSFLXBDS0), Mabry (TLHSFLXCDS0), Blair Stone (TLHSFLXDDS0), FSU (TLHSFLXEDS0), Thomasville Rd. (TLHSFLXFDS0), Woodville (TLHSFLXGRLD) and Perkins Rd. (TLHSFLXHDS0).
11. On June 7, 2005 Sprint requested additional numbering resources from NeuStar for the Tallahassee exchange. See Attachment 1. Specifically, in order to meet the telephone number needs of one of its customers, Sprint requested 10,000 consecutive numbers (one complete NXX) in the Tallahassee (TLHSFLXADS0) wire center. The customer has requested 10,000 consecutive numbers. Sprint cannot currently meet this request given the inventory of numbers available at this time in this switch.
12. At the time of the code request, the Tallahassee exchange had a MTE of 699 and a utilization of 62.4%. On a switch basis, the Calhoun Street Switch (TLHSFLXADS0) has an MTE of much greater than 6 and utilization of 66%.

There are no blocks of un-assigned numbers large enough to meet the request of this customer in this switch.

13. On June 7, 2005, NeuStar denied Sprint's request for additional numbering resources because Sprint had not met the utilization criteria, notwithstanding the fact that Sprint's Calhoun St. switch does not have available blocks of numbers in sufficient quantity to meet the customer's requirements. See Attachment 1.
  14. Sprint's request for additional numbering resources to meet this customer's requirement in the Tallahassee Exchange would not materially impact exhaustion of available numbers in the 850 area code. (The 850 NPA is currently scheduled to exhaust 1Q2010.)
  15. As discussed above, both the FCC Order and INC guidelines provided that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 11.1(c).
  16. Under earlier 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 and NANPA look at the MTE criteria and utilization threshold for the rate center and allow exceptions. The current process is arbitrary and may result in (1) decisions contrary to the public interest and welfare of consumers in the
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State of Florida; and (2) decisions that do not necessarily promote the efficient use of telephone numbers.

17. Sprint's inability to provide this customer with the requested NXX prevents Sprint from providing the quality of service this customer desires and expects.
18. This Commission has previously received similar requests from numerous carriers, both ILECs and CLECS in which the carriers have asked the PSC to overrule a decision of NANPA and NeuStar. The Commission has granted these requests.
19. Sprint requests that the Commission reverse NeuStar's decision to withhold numbering resources from Sprint on the following grounds:
  - (a.) NeuStar's denial of numbering resources to Sprint interferes with Sprint's ability to service its customers within the State of Florida.
  - (b.) As a result of NeuStar's denial of Sprint's request for additional numbering resources, Sprint will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, Sprint requests:

1. The Commission review the decision of NeuStar to deny Sprint's request for additional numbering resources for the Tallahassee exchange, and



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

Respectfully submitted this 10<sup>th</sup> day of June, 2005

Susan S. Masterton, Esq.

Susan S. Masterton  
Attorney for Sprint  
P.O. Box 2214  
Tallahassee, FL 32316-2214  
850-599-1560

## Pooling Administration System

 jeannie.johnson@mail.sprint.com (SP)

[Sign Out](#)

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

Your utilization calculates to **62.412 percent**. The FCC 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

<b>Pooling Administration System</b>	
jeannie.johnson@mail.sprint.com (SP)	Sign Out
<b>Part 1A</b>	
<b>Type of Application : New</b>	
<b>1.1 Contact Information :</b>	
<i>Note: If any of the contact info is incorrect, edit your user profile.</i>	
<b>Block Applicant :</b>	
Company Name <b>CENTRAL TEL CO FL</b> Headquarters Address: <b>555 Lake Border Drive</b> City: <b>Apopka</b> State: <b>FL</b> Zip: <b>32703</b>	
Contact Name <b>Ms Gloria J Johnson</b> Contact Address <b>555 Lake Border Drive</b> City <b>Apopka</b> State <b>FL</b> Zip <b>32703</b> Telephone <b>(407) 889-6159</b> Fax <b>(407) 889-1595</b> E-mail <b>jeannie.johnson@mail.sprint.com</b>	
<b>Pooling Administrator :</b>	
Contact Name <b>Mr Gary Zahn</b> Contact Address <b>1800 Sutter St. Ste. 780</b> City <b>Concord</b> State <b>CA</b> Zip <b>94520</b> Telephone <b>(925) 363-8753</b> Fax <b>(925) 363-7688</b> E-mail <b>gary.zahn@neustar.biz</b>	
<b>1.2 General Information</b>	
LRN Needed No NPA <b>850</b> LATA * <input style="width: 50px;" type="text" value="953"/> OCN <b>0340-CENTRAL TEL CO FL</b> Parent Company OCN * <input style="width: 50px;" type="text" value="0341"/> Number of Thousands-Blocks Requested <b>1</b> Switch Identification (Switching Identity/POI) * <input style="width: 150px;" type="text" value="TLHSFLXADS0"/> City or Wire Center Name <input style="width: 150px;" type="text" value="TALLAHASSEE"/> Rate Center <b>TALLAHASSEE</b> Rate Center Sub Zone <input style="width: 150px;" type="text"/>	
<b>1.3 Dates</b>	

Date of Application **Tuesday, June 7, 2005**

Requested Block Effective Date **8 Jul 2005**

Request Expedited Treatment  Yes  No

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**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**

<p>c) Thousands-Block(s) (NPA-NXX-X) assignment preference Click here to see the available blocks in the pool.</p>	<input type="text"/>	<input type="button" value="OK"/>	<input type="button" value="Delete"/>
<p>d) Thousands-Block(s) (NPA-NXX-X) that are undesirable for this assignment, if any</p>	<input type="text"/>	<input type="button" value="OK"/>	<input type="button" value="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**

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**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**

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I hereby certify that the above information requesting an NXX-X 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-X) Pooling Administration Guidelines INC 99-0127-023

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### Pooling Administration System

jeannie.johnson@mail.sprint.com (SP)

Sign Out

#### Months to Exhaust and Utilization Certification Worksheet - TN Level

Date Tuesday, June 7, 2005

OCN 0340

Company Name CENTRAL TEL CO FL

Rate Center TALLAHASSEE

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

850-210, 216, 219, 222, 224, 297, 298, 309, 325, 350, 383, 385, 386, 402, 412, 421, 422, 425, 504,  
513, 531, 536, 552, 553, 561, 56, 574, 575, 576, 577, 580, 599, 656, 668, 671, 681, 841, 847, 877,  
878, 893, 894, 906, 907, 915, 942, 243, 410, 413, 414, 431, 487, 488, 644, 645, 853, 891, 921 &  
922

Name of Block Applicant Ms Gloria J Johnson

Title Switch Design Analyst

Telephone Number (407) 889-6159

Fax Number (407) 889-1595

E-Mail jeannie.johnson@mail.sprint.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)

[REDACTED]

#### E. Growth History - Previous 6 months<sup>2</sup>

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

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F. Forecast - Next 12 months<sup>3</sup> \*

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]

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

H. Months to Exhaust<sup>4</sup> (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

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Explanation

[REDACTED] needs 10,000 numbers in the TLHSFLXADS0 switch and we don't have them within the TLHS rate center.

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))



4 Date: 06/09/2005 OCN: Company Name: SPRINT

5 Rate Center: Tallahassee, FL

6 Name of Block Applicant: SPRINT Signature:

7 List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s): 850-222, 224, 425, 513, 521, 577, 891

8 Title: Telephone No.: FAX No.:

9 E:Mail:

10 A. Available Numbers:

11 B. Assigned Numbers:

12 C. Total Numbering Resources:

13 D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation:

14 List excluded Code(s) or Block(s):

Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
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17 E. Growth History - Previous 6 months<sup>2</sup>

19 F. Forecast - Next 12 months<sup>3</sup>

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

21 H. Months to Exhaust<sup>4</sup>  $\frac{\text{Numbers Available for Assignment to Customers (A)}}{\text{Average Monthly Forecast (G)}} = \text{zero}$

22 I. Utilization<sup>5</sup>  $\frac{\text{Assigned Numbers (B) - Excluded Numbers (D)}}{\text{Total Numbering Resources (C) - Excluded Numbers (D)}} * 100 = 66\%$

23 Customer is requesting a new NXX 10,000 numbers for the TLHSFLXADS0 switch in Tallahassee switch.

24 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.

25 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.

26 3 Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

27 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)).

28 5 Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

1 Appendix 3 - Modified August 6, 2001

2 MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORKSHEET - TN Level 1  
3 (Thousands-Block Number Pooling Growth Block Request)

4 Date: 06/07/2005 OCN: 0341 Company Name: SPRINT

5 Rate Center: Tallahassee, FL (TLHSFLXADS0)

6 Name of Block Applicant: SPRINT Signature: /S/jeannie johnson

7 List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s): 850-210,216,219,222,224,297,298,309,325,350,383,385,386,402,412,421,422,425,504,513,514,521,  
8 523,531,536,552,553,561,562,574,575,576,577,580,599,656,668,671,681,841,847,877,878,893,894,906,907,915,942,243,410,413,414,431,487,488,644,645,853,  
9 891,921,922

10 Title: Switch Design Analyst Telephone No.: (407) 889-6159 FAX No.: (407) 884-1955

11 E-Mail: jeannie.johnson@mail.sprint.com

12 A. Available Numbers: 

13 B. Assigned Numbers: 

14 C. Total Numbering Resources: 

15 D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation: \_\_\_\_\_

16 List excluded Code(s) or Block(s): \_\_\_\_\_

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


19 E. Growth History - Previous 6 months<sup>2</sup> 

21 F. Forecast - Next 12 months<sup>3</sup> 

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

23 H. Months to Exhaust<sup>4</sup> 
$$\frac{\text{Numbers Available for Assignment to Customers (A)}}{\text{Average Monthly Forecast (G)}} = \underline{699}$$

24 I. Utilization<sup>5</sup> 
$$\frac{\text{Assigned Numbers (B)} - \text{Excluded Numbers (D)}}{\text{Total Numbering Resources (C)} - \text{Excluded Numbers (D)}} \times 100 = \underline{62.4\%}$$

25  Tallahassee, FL needs 10,000 consecutive numbers in the TLHSFLXADS0 Tallahassee switch but we don't have 10,000 consecutive  
26 numbers within the Tallahassee Rate Center. If this request is denied, please proceed with the appeal process.

27 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  
28 copy of this document.

29 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.

30 3 Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

31 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)).

32 5 Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))



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**Customer Contact Information:**

