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-M-E-M-O-R-A-N-D-U-M-

DATE: June 17, 2005

TO: Kira Scott, Attorney, Office of the General Counsel *KS*

CSB

FROM: Catherine S. Beard, Regulatory Analyst I, Division of Competitive Markets & Enforcement *CSB*

RE: Docket No. 050394-TL – Recommendation to the Office of the General Counsel – Petition for expedited review of code denials by Neustar, Pooling Administration for Fort Myers exchange, by Sprint-Florida, Inc.

On June 2, 2005, Sprint-Florida, Inc. (Sprint) submitted a code request application to the Number Pooling Administrator (NeuStar) for two (2) 1,000 blocks of consecutive numbers, specifically not in the format NXX-0, 8 or 9XXX, for the Fort Myers exchange, Cypress Lake (CYLKFLXADS0) switch. The number blocks are necessary to meet a specific customer's request. Also on June 2, 2005, NeuStar denied Sprint's application because it did not meet the utilization criteria required, based on the FCC's month-to-exhaust (MTE) formula.

On June 7, 2005, Sprint filed a petition requesting that the Commission overturn NeuStar's decision to deny numbering resources in the Cypress Lake (CYLKFLXADS0) switch. In accordance with Commission Order PSC-02-0352-PAA-TL (Docket No. 020087-TL), which approved an expedited process for NeuStar code denials, we have examined the Sprint petition, along with the confidential supplemental information, and have determined the following:

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC _____
- OTH _____

- 1) The carrier has demonstrated that it has a customer in need of immediate numbering resources;
- 2) The carrier has shown that it will be unable to provide services to a potential customer because of the Pooling Administrator's denial of the numbering resources;
- 3) A potential customer cannot obtain service from the provider of his/her choice because the carrier does not have the numbers available.

Since the three criteria of Order PSC-02-0352-PAA-TL have been met, please prepare an administrative Proposed Agency Action (PAA) Order to be issued within seven business days of this memorandum (June 28, 2005), as outlined in the expedited code denial process orders. NeuStar should be directed to provide Sprint the needed numbering resources in the Cypress Lake (CYLKFLXADS0) switch, for two (2) 1,000 block of consecutive numbers, specifically

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not in the format NXX-0, 8 or 9XXX. Please allow staff assigned to the docket to review the Order before it is issued. If you have any questions, please call Catherine Beard (850)413-7080.

cc: Division of Competitive Markets (Bulecza-Banks, Casey)
Office of General Counsel (B. Keating)
Division of Commission Clerk & Administrative Services (Docket No. 050383-TL)