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March 2, 2006

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

Re: Docket No. 060187-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

DOCUMENT NUMBER-DATE

01854 MAR-2 06

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 2<sup>nd</sup> day of March, 2006 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 ) Docket No. \_\_\_\_\_  
Code Denials by the North American Numbering )  
Administration for the Fort Myers Exchange ) Filed: March 2, 2006  
 )  
 )  
\_\_\_\_\_ )

**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 (“NeuStar”) denial of Sprint’s requests for additional numbering resources in the Fort Myers 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 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 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 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

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 Fort Myers Exchange consists of eight (8) central offices and eight (8) switching entities that utilize numbering resources: Alva (ALVAFLXARS1), Cypress Lake (CYLKFLXADS0), Regional Airport (CYLKFLXBRS0), Fort Myers (FTMYFLXADS0), East Fort Myers (FTMYFLXBRS0), South Fort Myers (FTMYFLXCDS2), Cypress Lake – Iona/Punta Rassa (IONAFLXARS0), Cypress Lake – San Carlos Park (SCPKFLXARS0).
11. On February 17, 2006 Sprint requested additional numbering resources from NeuStar for the Fort Myers exchange. See Attachment 1. Specifically, in order to meet the telephone number needs of one of its customers, Sprint requested a complete NXX in the South Ft. Myers (FTMYFLXCDS2) wire center. The customer has requested 10,000 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 Fort Myers exchange had a MTE of longer than six months and a utilization of 75%. On a switch basis, the South Ft. Myers Switch (FTMYFLXCDS2) has an MTE of longer than 6 months

and utilization of 70%. There are no blocks of un-assigned numbers large enough to meet the request of this customer in this switch.

13. On February 17, 2006, NeuStar denied Sprint's request for additional numbering resources because Sprint would not exhaust all the blocks within six months, notwithstanding the fact that Sprint's South Ft. Myers 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 Fort Myers Exchange would not materially impact exhaustion of available numbers in the 239 area code.
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 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 blocks of numbers 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 Fort Myers exchange, and
2. The Commission direct NeuStar to provide the requested numbering resources for the Fort Myers exchange as discussed above.

Respectfully submitted this 2<sup>nd</sup> day of March, 2006

A handwritten signature in cursive script, appearing to read "Susan S. Masterton".

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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](#)

### Request Resources

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State

NPA

Rate Center

OCN

Type of Application

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**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.

## Pooling Administration System

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

[Sign Out](#)

### Request Full NXX (Dedicated Customer)

Do you already have a block/code in this rate center? <input checked="" type="radio"/> Yes <input type="radio"/> No
Will all blocks be activated on the same switch? <input checked="" type="radio"/> Yes <input type="radio"/> No
Will there be multiple block effective dates requested? <input type="radio"/> Yes <input checked="" type="radio"/> No
<input type="button" value="Back"/> <input type="button" value="Continue"/> <input type="button" value="Cancel"/>

# Pooling Administration System

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

Sign Out

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

Date **Friday, February 17, 2006**

OCN **0341**

Company Name **SPRINT UNITED TEL FL**

Rate Center **FORT MYERS**

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

239/

225, 226, 267, 274, 275, 277, 278, 332, 334, 335, 336, 337, 338, 339, 343, 344, 415, 418, 432, 433,  
437, 454, 461, 466, 476, 477, 479, 481, 482, 489, 561, 590, 690, 693, 694, 728, 745, 768, 931, 936,  
938, 939, 985

Name of Block Applicant **Ms Gloria J Johnson**

Title **Network Operations Tech II**

Telephone Number **(407) 889-6159**

Fax Number **(407) 884-1955**

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

A B C D

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

Month 1	<input type="text"/>	Month 2	<input type="text"/>
Month 3	<input type="text"/>	Month 4	<input type="text"/>
Month 5	<input type="text"/>	Month 6	<input type="text"/>



## Pooling Administration System

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

[Sign Out](#)

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

Based on the information provided, you will not exhaust all blocks in the requested NXX in 6 months.

#### 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 Walver Option

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

Date: 02/15/2006 OCN: \_\_\_\_\_ Company Name: SPRINT

Rate Center: Fort Myers, FL THIS NXX NEEDS TO BE ASSIGNED TO SWITCH FTMYFLXCDS2 (South Ft Myers switch)

Name of Block Applicant: SPRINT Signature: \_\_\_\_\_

List all Codes NPA(s)-NXXs and BlocksNPA(s)-NXX-X(s): 239-225,226,267,274,275,277,278,332,334,335,336,337,338,339,343,344,415,418,432,433,437,454,461,466,476,477,479,481,482,489,561,590,690,693,694,728,745,768,931,936,938,939,985

Title: \_\_\_\_\_ Telephone No.: \_\_\_\_\_ FAX No.: \_\_\_\_\_

E-Mail: \_\_\_\_\_

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: \_\_\_\_\_

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
[REDACTED]											

E. Growth History - Previous 6 months<sup>2</sup> [REDACTED]

F. Forecast - Next 12 months<sup>3</sup> [REDACTED]

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

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

I. Utilization<sup>5</sup>  $\frac{\text{Assigned Numbers (B)} - \text{Excluded Numbers (D)}}{\text{Total Numbering Resources (C)} - \text{Excluded Numbers (D)}} * 100 = 75\%$

[REDACTED] needs a whole NXX-10,000 consecutive numbers. PLEASE PROCEED WITH A WAIVER/APPEAL WHEN THIS REQUEST IS DENIED- [REDACTED]

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 (a)(3)(iii)).



1  
2  
3  
4

**Customer Contact Information:**

