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COMMISSION CLERK

DATE: May 25, 2006
TO: Victor S. McKay, Research Assistant, Office of the General Counsel VSM PKW
FROM: Catherine S. Beard, Regulatory Analyst I, Division of Competitive Markets & Enforcement CSB
RE: Docket No. 060394-TL – Recommendation to Office of the General Counsel – Request for waiver of Pooling Administrator’s Months-to-Exhaust and Utilization requirements so required NXX code may be assigned to create Location Routing Number (LRN) in Gainesville LATA, by US LEC of Florida, Inc. PKW

On May 1, 2006, US LEC of Florida, Inc. (US LEC) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar), for the Gainesville exchange, Gainesville (GSVLFLSMFMD) switch. US LEC requested a full NXX code to support a new LRN switch in Gainesville. On May 1, 2006, US LEC’s request for a full NXX code of numbers was denied because it did not meet the months-to-exhaust utilization criteria required for additional numbering resources.

On May 12, 2006, US LEC filed a petition requesting that the Commission overturn NeuStar’s decision. In accordance with Commission Order PSC-02-0352-PAA-TL, (Docket No. 020087-TL) which approved an expedited process for the NeuStar code denials, staff has examined the US LEC petition and has determined the following:

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

- 1) The carrier has demonstrated that is has a customer in need of numbering resources or the carrier has a switch in a multi-switch rate center which has a MTE of less than six months;
- 2) The carrier has shown that it is unable to provide services to customers because of NeuStar’s denial of the numbering resources or the carrier has shown that it will be unable to provide services to customers from a switch in a multi-switch rate center because its supply of numbers in is less than six months;
- 3) The customer will not be able to obtain service from the provider of his/her choice because the carrier does not have the numbers available or the customers will not be able to have a choice of providers because a provider will run out of numbers for that switch in a multi-switch rate center within six months.

Since the three criteria of PSC-02-0352-PAA-TL have been met, please prepare an administrative Proposed Agency Action Order to be issued within seven business days of this memorandum (June 6, 2006), as outlined in the expedited code denial process order. NeuStar should be directed to provide US LEC the needed numbering resources to meet its customer’s needs in the Gainesville exchange, Gainesville (GSVLFLSMFMD) switch. Also, please allow staff assigned to the docket to review the Order before it is issued. If you have any questions, please call Catherine Beard at (850) 413-7080.

DOCUMENT NUMBER-DATE

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cc: Division of Competitive Markets and Enforcement (Bulecza-Banks, Casey)
Office of General Counsel (P. Wiggins)
Division of Commission Clerk & Administrative Services (Docket No. 060394-TL)