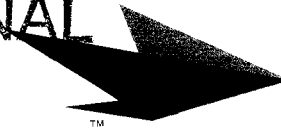


ORIGINAL



**EMBARQ**™

Embarq Corporation  
Mailstop: FLTLH00102  
1313 Blair Stone Rd.  
Tallahassee, FL 32301  
EMBARQ.com

Voice | Data | Internet | Wireless | Entertainment

March 6, 2007

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 FPSC  
07 MAR -6 PM 4:54  
COMMISSION  
CLERK

Re: Docket No. 070148-TL

Dear Ms. Bayó:

Enclosed for filing on behalf of Embarq Florida, Inc. (Embarq), is the original and fifteen copies of Embarq's redacted Petition for expedited Review of NXX-X Code Denial, 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  
Counsel

Enclosure

RECEIVED & FILED  
*[Signature]*  
FPSC-BUREAU OF RECORDS

Susan S. Masterton  
COUNSEL

LAW AND EXTERNAL AFFAIRS- REGULATORY  
Voice: (850) 599-1560  
Fax: (850) 878-0777

02062 MAR-6 5

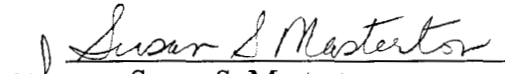
FPSC-COMMISSION CLERK

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

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by U.S.  
Mail this 6<sup>th</sup> day of March, 2007 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

ORIGINAL

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth  
Code Denials by the North American Numbering  
Plan Administration for the Crawfordville Exchange

Docket No. 070148-TL  
Date Filed: March 6, 2007

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

Embarq Florida, Inc. (Embarq), 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 Embarq's requests for additional numbering resources in the Crawfordville Exchange. In support of this petition, Embarq states:

**PARTIES**

1. Embarq 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.

DOCUMENT NUMBER-DATE

02062 MAR-6 5

FPSC-COMMISSION CLERK

## **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. Embarq has utilized mechanisms such as number pooling to manage its numbering resources in the most efficient manner. However, Embarq 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 carriers 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 Crawfordville Exchange consists of one (1) central office and one (1) switching entity that utilizes numbering resources.
11. On February 21, 2007 Embarq Florida requested additional numbering resources from NeuStar for the Crawfordville exchange. See Attachment 1. Specifically, in order to meet the telephone number needs of one of its customers, Embarq requested 100 new consecutive DID numbers in the Crawfordville (CFVLFLXADS0) wire center. The customer has requested 100 numbers and has indicated they need a block which does not begin with a 0, 1, 8 or 9. Embarq 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 Crawfordville exchange had a MTE of thirty-six (36) months and a utilization of 90%. There are no blocks of unassigned numbers large enough to meet the request of this customer in this switch.
13. On February 21, 2007, NeuStar denied Embarq's request for additional numbering resources because Embarq had not met the MTE criteria, notwithstanding the fact that Embarq's Crawfordville switch is at 90% utilization and does not have available blocks of numbers in sufficient quantity to meet the customer's requirements. See Attachment 1.

14. Embarq's request for additional numbering resources to meet this customer's requirement in the Crawfordville would not materially impact exhaustion of available numbers in the 850 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. Embarq's inability to provide this customer with the requested blocks of numbers prevents Embarq 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.

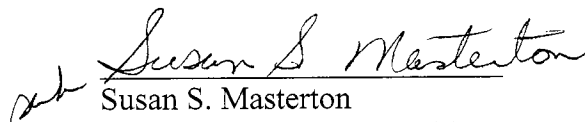
19. Embarq requests that the Commission reverse NeuStar's decision to withhold numbering resources from Embarq on the following grounds:

- (a.) NeuStar's denial of numbering resources to Embarq interferes with Embarq's ability to service its customers within the State of Florida.
- (b.) As a result of NeuStar's denial of Embarq's request for additional numbering resources, Embarq will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, Embarq Florida, Inc. requests:

- 1. The Commission review the decision of NeuStar to deny Embarq's request for additional numbering resources for the Crawfordville exchange, and
- 2. The Commission directs NeuStar to provide the requested numbering resources for the Crawfordville exchange as discussed above.

Respectfully submitted this 6<sup>th</sup> day of March, 2007.

  
Susan S. Masterton  
Counsel for Embarq Florida, Inc.  
P.O. Box 2214  
Tallahassee, FL 32316-2214  
850-599-1560



Screen One - PAS

<b>Pooling Administration System</b>	
john.king@embarq.com (SP)	Sign Out
Part 1A	
Type of Application : <b>New</b>	Type of Application : <b>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>EMBARQ FLORIDA CNTL</b>	
Headquarters Address: <b>5454 W. 110 St.</b>	
City: <b>Overland Park</b>	State: <b>ME</b>
Zip: <b>66211</b>	
Contact Name <b>Mr John B King</b>	
Contact Address <b>555 Lake Border Dr.</b>	
City <b>Apopka</b>	State <b>FL</b>
Zip <b>32703</b>	
Telephone <b>(407) 889-8643</b>	Fax <b>(407) 889-1595</b>
E-mail <b>john.king@embarq.com</b>	
<b>Pooling Administrator :</b>	
Contact Name <b>Ms Dara Sodano</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) 363-8730</b>	Fax <b>(925) 363-7697</b>
E-mail <b>dara.sodano@neustar.biz</b>	
<b>1.2 General Information</b>	
LRN Needed <input type="checkbox"/> No	NPA <b>850</b> LATA <b>953</b>
OCN <b>0340-EMBARQ FLORIDA CNTL</b>	Parent Company OCN <b>0340</b>
Number of Thousands-Blocks Requested <b>1</b>	Switch Identification (Switching Identity/POI) <b>CFVFLXADS0</b>
Rate Center <b>CRAWFORDVILLE</b>	City or Wire Center Name <b>CRAWFORDVILLE</b>
	Rate Center Sub Zone
<b>1.3 Dates</b>	
Date of Application <b>Wednesday, February 21, 2007</b>	
<input type="text" value="24"/> <input type="text" value="Mar"/> <input type="text" value="2007"/>	

Screen One - PAS

Requested Block Effective Date   
 Request Expedited Treatment  Yes  No

1.4 Type of Service Provider Requesting the Thousands-Block

a) Type of Service Provider \*

b) Primary type of service Blocks to be used for \*

<p>c) Thousands-Block(s) (NPA-NXX-X) assignment preference Click here to see the available blocks in the pool.</p> <p>NOTE: The blocks available list shows the blocks that are available at the time a request is submitted. These same blocks may not be available at the time the request is processed. Therefore, it is recommended that you provide additional block preferences in the event those blocks are not available.</p>	<input type="text"/> <input type="button" value="&gt;&gt;&gt;"/>	<input type="text"/> <input type="button" value="&gt;&gt;&gt;"/>	<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="&gt;&gt;&gt;"/>	<input type="text"/> <input type="button" value="&gt;&gt;&gt;"/>	<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)

1.5 Type of Request

Initial block for rate center  Yes  
 Growth block for rate center  Yes  
 Change block   
 Disconnect block

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 (ATIS-0300066)

**Instructions for filling out each Section of the Part 1A form:**  
 Section 1.1 Contact Information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

MTE

# Pooling Administration System

john.king@embarq.com (SP)

Sign Out

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

You have requested more blocks than you will exhaust in six months: a

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



MTE

# Pooling Administration System

john.king@embarq.com (SP)

Sign Out

## Months to Exhaust and Utilization Certification Worksheet - TN Level<sup>1</sup>

Date **Wednesday, February 21, 2007**

OCN **0340**

Company Name **EMBARQ FLORIDA CNTL**

Rate Center **CRAWFORDVILLE**

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

850-926

Name of Block Applicant **Mr John B King**

Title **Engineer II**

Telephone Number **(407) 889-6643**

Fax Number **(407) 889-1595**

E-Mail **john.king@embarq.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)

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

Month 1		Month 2	
Month 3		Month 4	
Month 5		Month 6	

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

Month 1		Month 2	
---------	--	---------	--

MTE

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]

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

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

Block Requested	A. Available Numbers	H. Months to Exhaust
1	[REDACTED]	36.248

I. Utilization <sup>5</sup> (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) \* 100 [REDACTED] 89.790

Explanation

[REDACTED]  
needs 100 consecutive DID numbers that do not conflict with the CISCO equipment they have but

<sup>1</sup>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.

<sup>2</sup>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.

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

<sup>4</sup>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)).

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

Show Calculations

Continue

Cancel