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

DATE: November 1, 2007

TO: Victor S. McKay, Research Assistant, Office of the General Counsel *VSM*

FROM: Jim Polk, Regulatory Analyst I, Division of Competitive Markets & Enforcement *J.P.*

RE: Recommendation to Office of the General Counsel - Docket No. 070657-TL – Petition for expedited review of NXX-X code denial by Number Pooling Administrator for North Cape Coral Exchange by Embarq Florida, Inc. (Embarq).

On October 15, 2007, Embarq Florida, Inc. (Embarq) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar) for the North Cape Coral Exchange, (CPCRFLXBDS1) switch. Embarq requested one (1) 1,000 block of numbers specifically to meet the request of a customer for 1,000 consecutive numbers. On October 15, 2007, Embarq's request for additional numbering resources was denied because it did not meet the months-to-exhaust and utilization criteria.

On October 22, 2007, Embarq filed a petition requesting that the Commission overturn NeuStar's decision. In accordance with Commission Order No. PSC-02-0352-PAA-TL, (Docket No. 020087-TL) which approved an expedited process for the NeuStar code denials, staff has examined the AT&T petition and has determined the following:

- 1) The carrier has demonstrated that it has a customer in need of numbering resources;
- 2) The carrier has shown that it is unable to provide services to this potential customer because of NeuStar's denial of the numbering resources; and
- 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.

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 (November 13, 2007), as outlined in the expedited code denial process order. NeuStar should be directed to provide Embarq the needed numbering resources to meet its customer's needs in the North Cape Coral Exchange, (CPCRFLXBDS1) switch. Please allow staff assigned to the docket to review the Order before it is issued. If you have any questions, please call Jim Polk at (850) 413-6510.

cc: Division of Competitive Markets and Enforcement (Casey)
Office of General Counsel (P. Wiggins)
Division of Commission Clerk & Administrative Services (Docket No. 070657-TL)

DOCUMENT NUMBER-DATE

09934 NOV-15

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