

State of Florida



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

DATE: June 16, 2008
TO: Timisha Brooks, Attorney, Office of the General Counsel
FROM: Jim Polk, Regulatory Analyst I, Division of Competitive Markets & Enforcement *JP*
RE: Recommendation to Office of the General Counsel - Docket No. 080310-TP – Petition for Expedited Review of Growth Code Denial by the North American Numbering Administrator for the ReedyCreek exchange by PAETEC Business Services. *AB*

On May 13, 2008, US LEC Inc., d/b/a/ PAETEC Business Services (Company) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar) for the ReedyCreek exchange, (MTLDFLBRDS0) switch. PAETEC Business Services requested one (1) block to meet the request of a specific customer for 1,000 consecutive numbers in the format of (407-597-4XXX), (407-597-6XXX), or (407-597-7XXX). On May 13, 2008, PAETEC Business Services' request for additional numbering resources was denied because it did not meet the months-to-exhaust and utilization criteria.

On June 9, 2008, PAETEC Business Services 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 PAETEC Business Services 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 (June 25, 2008), as outlined in the expedited code denial process order. NeuStar should be directed to provide PAETEC Business Services the needed numbering resources to meet its customer's needs in the ReedyCreek exchange, (MTLDFLBRDS0) 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 (Brooks, Teitzman)
Division of Commission Clerk & Administrative Services (Docket No. 080310-TP)

DOCUMENT NUMBER-DATE

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