March 16, 2009

Ann Cole, Commission Clerk
Office of the Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
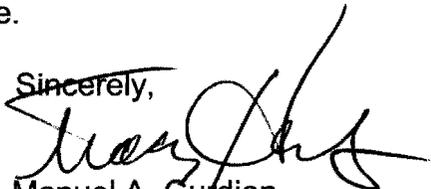
090127-TL

Re: **Petition for the Expedited Review of Growth Code
Denials by the Number Pooling Administrator for the
Jacksonville Exchange (Loretto)**

Dear Ms. Cole:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc. d/b/a AT&T Florida's Petition for Expedited Review of NXX-X Code Denial, which we ask that you file in the captioned *new* docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

Manuel A. Gurdian

cc: All Parties of Record
Jerry D. Hendrix
Gregory R. Follensbee
E. Earl Edenfield, Jr.

COM _____
ECR _____
GCL _1_
OPC _____
(RCP) _____
SSC _____
SGA _____
ADM _____
CLK Noounye

DOCUMENT NUMBER-DATE

02255 MAR 16 09

FPSC-COMMISSION CLERK

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth)   Docket No.
Code Denials by the Number Pooling Administrator)
for the Jacksonville exchange (Loretto))   Filed: March 16, 2009
_____)

PETITION FOR EXPEDITED REVIEW OF NXX-X CODE DENIAL

BellSouth Telecommunications, Inc. d/b/a AT&T Florida ("AT&T Florida"),

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-01-1873-PCO-TL, petitions the Commission to review the Pooling Administrator's

("NeuStar") denial of AT&T Florida's requests for additional numbering resources in the

Jacksonville exchange. In support of this petition, AT&T Florida states:

PARTIES

1.   AT&T Florida is a corporation organized and formed under the laws of the

State of Georgia and 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 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.   The Jacksonville exchange consists of eighteen (18) switching entities that utilize numbering resources: Arlington (JCVLFLARDS0), Atlantic (JCBHFLABRS0), Avenues (MNDRFLAVDS0), Beachwood (JCVLFLBWDS0), Clay Street (JCVLFLCLDS0), Ft. Caroline (JCVLFLFCDS0), Ft. George (FTGRFLMARS0), International Airport (JCVLFLIARS0), Lake Forest (JCVLFLLFDS0), Loretto (MNDRFLLODS0), Normandy (JCVLFLNODS0), Oceanway (JCVLFLOWDS0), Riverside (JCVLFLRV38E), San Jose (JCVLFLSJ73E), San Marco (JCVLFLSMDS0), San Pablo (JCBHFLSPRS0), Southpoint (JCVLFLJTRSA), and Wesconnett (JCVLFLWCDS0).

5.   On March 3, 2009, AT&T Florida requested additional numbering resources from NeuStar for the Loretto (MNDRFLLODS0) switch. See Attachment 1. Specifically, AT&T Florida requested 3 blocks to meet the request of a specific customer for 3,000 consecutive numbers in the format of NPA NX1 or NPA-NX5.

6.   At the time of the code request, the Jacksonville exchange had a MTE of 62.98 and a utilization of 70.80%, while the MTE for the Loretto (MNDRFLLODS0) switch had a MTE of 63.73.

7.   On March 3, 2009, NeuStar's automated number request system denied AT&T Florida's request for additional numbering resources because AT&T Florida had not met the utilization based criteria, notwithstanding the fact that AT&T Florida is unable to provide the numbering resources requested by the specific customer.   See

2

Attachment 1. Pursuant to Commission Order No. PSC-01-1973-PCO-TL, attached to this Petition is the MTE and utilization rate for each switch in the Jacksonville exchange and the customer's contact information. See Attachment 2.

8.   As discussed above, both the FCC Order and the INC guidelines provide that state regulatory authorities have the power and authority to review NeuStar's decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 12(c).

9.   Under earlier MTE 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 nor NANPA looks at the number of MTE and utilization for the entire rate center without exception. The current process is arbitrary and results 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.

10.   AT&T Florida requests that the Commission's reverse NeuStar's decision to withhold numbering resources from AT&T Florida on the following grounds:

(a)   NeuStar's denial of numbering resources to AT&T Florida interferes with AT&T Florida's ability to serve its customers within the State of Florida.

(b)   The MTE at the rate center level requirement is discriminatory against the incumbent LEC, since the ILEC is typically the only local service provider with multiple switches in a rate center. The ILEC deploys multiple switches in a rate center in order to meet customer demand for telephone service. The FCC's rules for obtaining numbering

3

resources both penalizes and discriminates against the ILECs for deploying multiple switches. AT&T Florida believes that it is patently unfair to require that the ILEC only get six (6) MTE in all the switches it has deployed in a rate center, when the CLECs, only have to meet the MTE requirement in the single switch that they have deployed to serve their customers in a single rate center or even multiple rate centers.
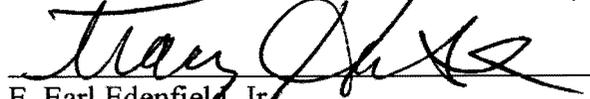
(c)   As a result of NeuStar's denial of AT&T Florida's request for additional numbering resources, AT&T Florida will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, AT&T Florida requests:

1.   The Commission review the decision of NeuStar to deny AT&T Florida's request for additional numbering resources for the Jacksonville exchange; and

2.   The Commission direct NeuStar to provide the requested numbering resources for the Jacksonville exchange as discussed above.

Respectfully submitted this 16th day of March, 2009.

BELLSOUTH TELECOMMUNICATIONS, INC. d/b/a AT&T FLORIDA

E. Earl Edenfield, Jr.
Tracy W. Hatch
Manuel A. Gurdian
c/o Gregory R. Follensbee
150 South Monroe Street
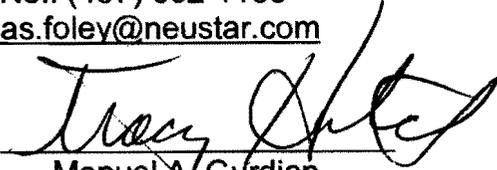Suite 400
Tallahassee, Florida 32301
(305) 347-5558

730950

4

CERTIFICATE OF SERVICE
Petition for the Expedited Review of Growth Code
Denials by the Number Pooling Administrator for the
Jacksonville Exchange (Loretto)

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via

First Class U.S. Mail this 16th day of March, 2009 to the following:

Staff Counsel
Florida Public Service
  Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

NANPA
Thomas Foley
NPA Relief Planner
820 Riverbend Blvd.
Longwood, Florida 32779-2327
Tel. No.: (407) 389-8929
Fax. No.: (407) 682-1108
thomas.foley@neustar.com

Manuel A. Gurdian

Attachment 1

Greer, Stan L

From:	dara.sodano@neustar.biz
Sent:	Thursday, March 12, 2009 9:06 AM
To:	███████████
Cc:	PA_Part3@neustar.biz

REDACTED

Subject: PAS - Pooling Administrator's Response/Confirmation for Tracking Number: 904-JACKSONVL-FL-278501

NEUSTAR® Pooling Administration System
Trusted to bring networks together

Dated 12 March 2009

November 21, 2003   Attachment 3
ATIS-0300066.at3

Pooling Administrator's Response/Confirmation
TBPAG Part 3

Tracking Number : **904-JACKSONVL-FL-278501**

Date of Application:	03/12/2009	Effective Date:	
Date of Receipt:	03/12/2009	Date of Response:	03/12/2009

Service Provider Name: **BELLSOUTH SO BELL**

(Telcordia ™ LERG ™ Routing Guide) OCN: **9417**

NPAC SOA SPID :

Pooling Administrator Contact Information:

Dara Sodano	Phone:	**925-363-8730**
Signature of Pooling Administrator		
Dara Sodano	Fax:	**925-363-7697**
Name (print)		
Email:		**dara.sodano@neustar.biz**

NPA-NXX or NPA-___NXX-X :	_____	
	Block Assigned:	_____
	Block Reserved :	_____
	Block Reservation Expiration Date :	_____
	Block/Code Modified :	_____
	Block/Code	

3/13/2009

REDACTED

Disconnected : _____

Block Contaminated(Yes or No) : _____
If Yes,enter the number of TNs contaminated : _____

Switch Identification(Switch Entity/POI): [1] **MNDRFLLODS0**
Rate Center: **JACKSONVL**
Rate Center Sub Zone: _____

__X__ Form Complete, request denied.
Explanation:
DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new code is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands'Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

____ Request withdrawn.
Explanation:

____ Assignment activity suspended by the administrator.
Explanation:

Remarks:

[1] This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls.This must be the CLLI [TM] Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia,LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies,Inc.)

Pooling Administration System

████████████att.com (SP)   • **Sign Out**

Time : 03/12/2009 09:19:08 AM EDT

Appendix 3   May 16, 2008

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level[1]
(Thousands-Block Number Pooling Growth Block Request)

Tracking Number: **904-JACKSONVL-FL-279501**
Date: **03/12/2009**   OCN:**9417**   Company Name:**BELLSOUTH SO BELL**

Rate Center: **JACKSONVL**

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

Name of Block Applicant:████████   Signature:████████

Title:████████████
FAX No.:

Telephone No.:████████

E-mail:████████**@att.com**

A. Available Numbers:████████

B. Assigned Numbers:████████

C. Total Numbering Resources:████████

D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation [2]████████

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
E. Growth History - Previous 6 months[3]	██	██	██	██	██							
F. Forecast - Next 12 months[4]	██	██	██	██	██	██	██	██	██	██	██	██

G. Average Monthly Forecast (Sum of months 1-6 (Part F above) divided by 6)████████

H. Months
to
Exhaust[5]
=

<u>Numbers Available for Assignment to Customers(A)</u>

Average Monthly Forecast(G)

Block Requested	Available Numbers	Months To Exhaust
1		62.975
2		63.215
3		63.455

I.

Utilization[6] $\frac{\text{Assigned Numbers(B) - Excluded Numbers(D)}}{\text{Total Numbering Resources(C)-Excluded Numbers(D)}} \times 100 = 70.801$

=

Explanation: _____

[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]Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received =10,000).

[3]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.

[4]Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

[5]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, section 52.15 (g) (3) (iii)).

[6]Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g) (3)(ii))

Back

Pooling Administration System

🏠 ███████ @att.com (SP)   • **Sign Out**

Time : 03/12/2009 09:18:54 AM EDT

Printable Version

Central Office Code (NXX) Assignment Request
Part 1 December 9, 2005

Tracking Number: **904-JACKSONVL-FL-278501**

Full NXX: Pool Replenishment

Type of Application: ☑ New   Change   Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: **BELLSOUTH SO BELL**

Headquarters Address: ████████████████

City, State, Zip: ████████████

Contact Name: ████████

Contact Address: ████████████

City, State, Zip: ████████

Phone: ████ E-mail: ███████att.com FAX: ████████

Code Administrator: [2]

Name: **Michael Ortega**

Address: **46000 Center Oak Plaza**

City, State, Zip: **Sterling , VA , 20166**

Phone: **571-434-5348**   FAX: **571-434-5502**

1.2 NPA: **904**   NXX: [3] **9417 9400**   LATA: **452**   OCN: [4] Parent Company's OCN(s)

Switching Identification(Switch Entity/POI) [5]
MNDRFLLODS0

Locality/City/Wire Center: Rate Center: [6] **JACKSONVL**

Homing Tandem Operating Co: [7] **AT&T**   Tandem Homing CLLI [8] **JCVLFLSM01T**

1.3 Dates: Date of Application: **03/12/2009**   Request Effective Date: [9] [10] **05/17/2009** —

REDACTED

By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.

Request Expedited Treatment? Yes _____ No __X__

1.4   a)   Type of company/entity requesting the code: __**Incumbent Local Exchange Carrier (ILEC)**__ (LEC, IC, CMRS, Other)

    b) Types of service: ___**Wireline**___ (e.g., Cellular - Type 2)

    c) Code Assignment Preference (Optional)   **CUSTOMER REQUEST NXX ENDING IN 1...** ▮▮▮▮▮

    d) Codes that are undesirable, if any _____ **ALL EXCEPT ABOVE**

    e) Type of change(Mark **all** that apply)

      ☐ OCN-Intra-company [11]   ☐ Switching Id   ☐ Rate Center   ☐ Tandem Homing CLLI

      ☐ OCN-Inter-company [12]   ☐ Effective Date   ☐ LATA   ☐ Extend Reservation

1.5   Type of Request (Initial, growth, etc.) ____**Growth**____

If an initial code, attach(1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.

    Pooling Indicator: [13] ☑ Yes   ☐ No

1.6   NPA Jeopardy Criteria Apply: ☐ Yes   ☐ No

1.7   Code request for new service (Explain): _____

_____

_____

1.8   Part 2 is attached _____ Part 2 is not attached __X__ for BIRRDS [14][15] Additional Documentation is attached _____ Additional Documentation is not attached __X__

Comments:

_____

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (http://www.atis.org/atis/clc/inc/incdocs.htm) as of the date of this application: [16]

Signature of Code Applicant   Title   Date

[1] Identify type and reason for change(s) in Section 1.4(e).

[2] A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

[3] The NXX field is required for any code request in which there is a change or the NXX is being returned.

[4] Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (973-884-8355) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the Telcordia [TM] Routing Administration (TRA) on 732-699-6700.

[5] This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character Telcordia [TM] COMMON LANGUAGE CLLI [TM] Location Identification of the applicant's switch or POI. (Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc.)

[6] Rate Center name must be a tariffed Rate Center associated with toll billing.

[7] Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

[8] This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI [TM] Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

[9] Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

[10] Requests for code assignment should not be made more than six months prior to the requested effective date.

[11] Select if you are the current Code Holder

[12] Select if you are not the current Code Holder

[13] The Applicant will indicate "YES" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.

[14] Applicant is not required to submit Part 2 of the code request form if it is doing its own Telcordia [TM] Business Integrate Routing and Rating Database System (BIRRDS) entries, or if the applicant has arranged for a third party to input the Part 2 forms data on its behalf.

[15] WARNING! It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDS. The 45 calendar day nationwide minimum interval cut-over for BIRRDS will not begin until input into BIRRDS has been completed.

[16] An incomplete form may result in delays in processing this request.

Back

Legal Notice

8

Pooling Administration System

🏠 ████████att.com (SP)   • Sign Out

Time : 03/13/2009 11:28:15 AM EDT

Months to Exhaust and Utilization Certification Worksheet - TN Level(Continued)[1]

Your Utilization calculates to 70.801%. The FCC required the utilization of 75.000%.
You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

🔘 Return to the Months To Exhaust Form

⚪ Need to request a State Waiver

⚪ Received a State Waiver

[Submit] [Cancel]

REDACTED

Jacksonville
Utilization Summary
Report

Exchange	Central Office	Wire Center CLLI	Blocks	Average Growth	Available TNs	MTE	Util
Jacksonville	Arlington	JCVLFLARDS0	102				
Jacksonville	Atlantic	JCBHFLABRS0	20				
Jacksonville	Avenues	MNDRFLAVDS0	50				
Jacksonville	Beachwood	JCVLFLBWDS0	146				
Jacksonville	Clay Street	JCVLFLCLDS0	292				
Jacksonville	Ft. Caroline	JCVLFLFCDS0	34				
Jacksonville	Ft. George	FTGRFLMARS0	5				
Jacksonville	Int. Airport	JCVLFLIARS0	11				
Jacksonville	Lake Forest	JCVLFLLFDS0	51				
Jacksonville	Loretto	MNDRFLLODS0	81				
Jacksonville	Normandy	JCVLFLNODS0	64				
Jacksonville	Oceanway	JCVLFLOWDS0	38				
Jacksonville	Riverside	JCVLFLRV38E	61				
Jacksonville	San Jose	JCVLFLSJ73E	131				
Jacksonville	San Marco	JCVLFLSMDS0	135				
Jacksonville	San Pablo	JCBHFLSPRS0	48				
Jacksonville	Southpoint	JCVLFLJTRSA	79				
Jacksonville	Wesconnett	JCVLFLWCDS0	101				

Customer Contact Information