



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

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

DATE: October 9, 2009

TO: Jamie Morrow, Attorney, Office of the General Counsel

FROM: Jim Polk, Regulatory Analyst, Division of Regulatory Compliance *J.P.*

RE: Recommendation to Office of the General Counsel - Docket No. 090466-TL for expedited review of NXX-X code denial by North American Numbering Administrator for Tallahassee exchange by Embarq Florida, Inc.

RECEIVED-FPSC
09 OCT -9 PM 3:19
COMMUNICATIONS PLAN

On September 3, 2009, Embarq Florida, Inc., (Embarq) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar) for the Tallahassee exchange for a new switch (TLHSFLXAPS0).

Embarq requested a full NXX for the new switch (TLHSFLXAPS0) for Location Routing Number (LRN) purposes, specifically, Embarq is installing a new packet switch in Tallahassee from which new services will be offered to both new and existing customers. Embarq will retain only the 0xxx block and will return the other nine blocks to the number pool. At the time of the code request, the Tallahassee exchange had a Months-to-Exhaust (MTE) of longer than the six (6) months and a utilization of 40%. On September 3, 2009, Embarq's request for additional numbering resources was denied, because it did not meet MTE and a utilization criteria.

On October 1, 2009, 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 Embarq petition and has determined the following:

- 1) The carrier has demonstrated that it needs an LRN to install a new packet switch in Ft. Myers;
- 2) The carrier has shown that it is unable to provide services to future potential customer because of NeuStar's denial of the numbering resources; and
- 3) The future customers will not be able to obtain service from the provider of their choice, because the carrier does not have the numbers available.

Since 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 (October 20, 2009), as outlined in the expedited code denial process order. NeuStar should be directed to provide Embarq the needed numbering resources to meet its LRN needs in the Tallahassee exchange for the new switch, (TLHSFLXAPS0)

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 Regulatory Compliance (Harvey, Casey)
Office of General Counsel (A. Teitzman)
Office of Commission Clerk (Docket No. 090466-TL)

DOCUMENT NUMBER-DATE
10436 OCT-9 8
FPSC-COMMISSION CLERK