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April 18, 2017

BY ELECTRONIC FILING

Ms. Carlotta Stauffer, Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

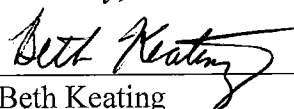
Re: [New Filing] – Petition for Expedited Review of Growth Code Denial by the Number Pooling Administrator for the Molino Exchange by Frontier Communications of the South, LLC

Dear Ms. Stauffer:

Attached for electronic filing, please find a Petition for Expedited Review of Growth Code Denial submitted on behalf of Frontier Communications of the South, LLC.

As always, if you have any questions in this regard, please do not hesitate to contact me.

Sincerely,



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706

BK

cc: General Counsel's Office (Tan)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth) Docket No. _____
Code Denial by the Number Pooling Administrator)
for the Molino Exchange) Filed: April 18, 2017
_____)

PETITION FOR EXPEDITED REVIEW OF GROWTH CODE DENIAL

Frontier Communications of the South, LLC (“Frontier,” or “the Company”), pursuant to 47 C.F.R. § 52.15(g)(iv), Federal Communications Commission (“FCC”) Order FCC-00-104¹, and Florida Public Service Commission (“Commission”) Order No. PSC-01-1973-PCO-TL, petitions the Commission to review the Pooling Administrator’s (“NeuStar” or “NeuStar’s”) denial of Frontier’s request for additional numbering resources in the Molino exchange. Approval of this request will allow Frontier to place a new metaswitch in the 448 LATA.

In support of this petition, Frontier states:

PARTIES

1. Frontier is a statewide-certificated provider of local exchange service and long distance service 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. §2.20(d).

1. On March 31, 2000, the Federal Communications Commission issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization (“FCC 00-104” or the “March Order”). On December 29, 2000, the FCC issued its Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200 (“FCC 00-249” or the “December Order”). These FCC orders addressed issues and strategies relating to the efficient use of numbering resources.

JURISDICTION

3. The Commission has jurisdiction over 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. The Commission is likewise authorized to address this request in accordance with Section 364.16(7), Florida Statutes, 47 C.F.R. §52.15(g)(iv), and 47 U.S.C. §151.

BACKGROUND AND REQUEST FOR RELIEF

4. On or about March 1, 2017, Frontier requested additional numbering resources from NeuStar for the Molino exchange. This request is attached hereto as *Exhibit A*. Exhibit A also includes Frontier's MTE calculations for the request. Frontier initiated this request for additional numbering resources, because the additional resources are necessary for Frontier to establish a new metaswitch. Frontier's new switch will provide adequate growth for services to Frontier's customers. Frontier intends to deploy newer IP technology so that it can serve its customers from a platform that is able to provide IP service. Frontier emphasizes that, while 10,000 blocks have been requested, only 1,000 will be retained and the remaining 9,000 will be returned to NeuStar.

5. Frontier's request was denied on the same date the application was made based on the grounds that Frontier did not meet the MTE and/or utilization threshold required in the Central Office Code (NXX) Guidelines for this request. This decision is attached hereto as Exhibit B.

6. Specifically, 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) and Appendix 3. These requirements are known as the six (6) months-to-exhaust (“MTE”) and utilization threshold. In addition to the months-to-exhaust (“MTE”) requirement, the FCC’s rules also require carriers to meet a rate center utilization threshold of 60 percent to receive additional numbering resources in a given rate center. FCC 00-249 at ¶22; FCC 01-362 ¶¶50-52. The utilization threshold increases by five percent per year until it reaches a maximum 75 percent. Based on the FCC’s orders, carriers must meet both the six-month MTE requirement and the utilization threshold on a rate center basis to obtain additional number resources. *Id.* ¶29.

7. As noted above, both the FCC’s Rules and the INC guidelines contemplate that the state regulatory commissions are authorized to review NeuStar’s decision to deny a request for numbering resources. See INC Number Pooling Guidelines Sections 3.7 and 12(c); *See* 47 C.F.R. §52.15 (g)(4)(iv). Likewise, as noted, Florida Statutes contemplate that it is within the Florida Commission’s jurisdiction to undertake such review. Section 364.16(7), Florida Statutes.

8. Although the current MTE and utilization thresholds were adopted to address conservation of numbering resources, strict adherence to these thresholds will, in many cases, preclude the assignment of numbering resources for legitimate needs. It is for this very reason that procedures have been established for pursuing reversal of a NANPA code denial. In the instant case, denial of Frontier’s request for additional numbering resources will result in the Company being unable to provide needed and improved telecommunications technology and services to its customers in Florida.

9. Frontier requests that the Commission reverse NeuStar's decision to withhold numbering resources from the Company on the following grounds:

a. NeuStar's denial of numbering resources to Frontier interferes with the Company's ability to serve its customers within the State of Florida and to improve such service through the implementation of more advanced technology. Specifically, Frontier Communications will be turning up a new MetaSwitch Virtual Gateway in Molino, FL off the Atmore, AL MetaSwitch CH6010 Gateway in order to provide both TDM and SIP Services in LATA 448. Frontier needs to establish a new NPA/NXX with a LRN in order to set-up the local Routing necessary for this LATA.

b. NeuStar's strict adherence to the MTE and utilization guidelines unfairly restricts Frontier's ability to deploy advanced switching technology that will result in improved service for Frontier's customers. At this time, Frontier has no NPA/NXX from its own pooling that can be used to provide the necessary A-Code for LRN capabilities. Thus, Neustar's decision is not in the public interest.

10. Frontier therefore requests that the Commission review and overturn the attached NANPA decision to withhold numbering resources from Frontier on the grounds that NANPA's decision is not in accordance with the FCC's intent and requirements in allowing telecommunications service providers access to numbering resources upon a sufficient showing of need. Absent a decision that will allow Frontier access to the requested numbering resources, Frontier anticipates that it will suffer a significant competitive harm as its ability both to expand service and to provide improved service over more technologically advanced platforms will be impaired.

11. Finally, Frontier respectfully requests that the Commission conduct its review on an expedited basis, because Frontier's inability to access the requested additional numbering resources impairs Frontier's ability to provide service to its customers in accordance with Chapter 364, Florida Statutes.

WHEREFORE, Frontier Communications of the South, LLC respectfully requests that:

1. The Commission conduct an expedited review of NeuStar's decision to deny Frontier's request for additional numbering resources for the Molino Exchange; and

2. The Commission direct NeuStar to assign to Frontier a new 10,000 block to meet customer needs for new technology and services identified in this Petition and as shown in Exhibits A and B.

Respectfully submitted this 18th day of April, 2017.

By:



Beth Keating
Gunster, Yoakley & Stewart, P.A.
215 South Monroe St., Suite 601
Tallahassee, FL 32301
(850) 521-1706
Attorneys for Frontier Communications of the South, LLC

Exhibit A
(Numbering Resource Request)

**Central Office Code Assignment Guidelines (COCAG)
Central Office Code (NXX) Assignment Request-Part 1**

Revised: January 4, 2016

Tracking Number: 850-MOLINO-FL-992788

Full NXX: LRN

Type of Application: New Change¹
Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity Name: FRONTIER COMMUNICATIONS OF THE SOUTH, LLC - FL

Headquarters Address: 180 S. Clinton Ave.

City, State, Zip: Rochester, NY, 14646

Contact Name: Stephen Bonno

Contact Address: 180 S. Clinton Ave.

City: Rochester

State: NY

ZIP: 14646

Phone: 585-777-8011

Fax: 585-454-6726

E-mail: stephen.bonno@ftr.com

Code Administrator:²

Name: Michael Ortega

Address: 46000 Center Oak Plaza

City: Sterling

State: VA

ZIP: 20166

Phone: 866-623-2282

Fax: 571-434-5502

1.2 NPA: 850 NXX:³ LATA: 448 OCN:⁴4465 Parent
Company's OCN(s) 3400

Switching Identification (Switching Entity/POI) ⁵MOLNFLXAPS0

Locality/City/Wire Center:

Rate Center:⁶MOLINO

Homing Tandem Operating Co.⁷:FRONTIER COMMUNICATIOS

Tandem Homing
CLLI^{TM8}:ROCHNYXA0GT

1.3 Dates

Date of Application:03/01/2017

Requested Effective
Date:^{9,10}

05/06/2017

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

Expedite Documentation must be provided if "Request Expedite" = Yes

Expedited Explanation:

1.4 a) Type of Company/Entity Requesting Code (LEC, IC, CMRS, Other): Incumbent Local Exchange Carrier (ILEC)

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

c) Code Assignment Preference (Optional) 850-604-7X

d) Codes that are undesirable, if any _____

e) Type of Change (Mark all that apply)

OCN-Intra-company¹¹ Switching Id Rate Center Tandem Homing CLLI

OCN-Inter-company¹² Effective Date LATA Extend Reservations

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): NEW THOUSAND BLOCK FOR LRN FOR VOIP SWITCH

1.8 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.

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/inc/incguides.asp>) as of the date of this application¹⁴.

Stephen Bonno

Signature of Code Applicant

Sr. Engineer-Number Planning

Title

03/01/201

7

Date

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

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

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

⁴Operating 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 (800-228-8597) 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 iconectiv Telcordia™ Routing Administration (TRA) on 732-

699-6700.

⁵This is an 11 character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character Common Language[®] Location Code (CLLI[™] Code) of the applicant's switch or POI. Common Language[®] and Telcordia[®] are registered trademarks and CLLI[™], LERG[™] Routing Guide and iconectiv[™] are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

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

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

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

⁹Code 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.

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

¹¹Select if you are the current Code Holder

¹²Select if you are not the current Code Holder

¹³The 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.

¹⁴An incomplete form may result in delays in processing this request.

Tracking Number: 850-MOLINO-FL-992788

Thousands-Block Application Form - Part 1A
Revised: January 4, 2016

Full NXX: LRN

Type of Application: New Change Disconnect

General Application Information

1.1 Contact Information:

Block Applicant:

Company Name: FRONTIER COMMUNICATIONS OF THE SOUTH, LLC - FL

Headquarters Address: 180 S. Clinton Ave.

City: Rochester State: NY ZIP: 14646

Contact Name: Stephen Bonno

Contact Address: 180 S. Clinton Ave.

City: Rochester State: NY ZIP: 14646

Phone: 585-777-8011 Fax: 585-454-6726

E-mail: stephen.bonno@ftr.com

Pooling Administrator:"

Contact Name: Dara Flowers

Contact Address: 1800 Sutter St

City: Concord State: CA ZIP: 94520

Phone: 925-363-8730 Fax: 925-363-7697

E-mail: dara.flowers@neustar.biz

1.2 General Information:

Check one : No LRN needed _____ LRN needed^{III}: X

NPA: 850 LATA: 448 OCN^{IV}: 4465 Parent Company's OCN 3400

Number of Thousands-Blocks Requested : 1

Switch Identification (Switching Entity/POI^V): MOLNFLXAPS0

Rate Center^{VI}: MOLINO

1.3 Dates:

Date of Application^{vii}: 03/01/2017

Requested Effective Date^{viii}: 05/06/2017

Requested Expedited Treatment? (See Section 8.6) Yes _____ No X

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.

1.4 Type of Service Provider Requesting the Thousands-Block :

a) Type of Service Provider : Incumbent Local Exchange Carrier (ILEC) (LEC, IXC, CMRS, Other)

b) Primary Type of Service Blocks to be used for : Wireline

c) Thousands-Block(s) (NXX-X) assignment preference (Optional) 850-604-7X

d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any _____

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) 850-xxx-7,

1.5 Type of Request:

Initial block for rate center : Yes _____ If Yes, attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes X If Yes, attach months to exhaust worksheet

By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

Type of change (Mark all that apply)

OCN: Intra-company^{ix} Switching Id Part 1B

OCN: Inter-company^x Effective Date

Change block : Yes _____ If Yes, list NPA-NXX-X _____

1.6 Block Return :

a) Is this block Contaminated: Yes _____ No _____

b) If Yes how many TNs are NOT available for assignment : _____

c) Have all new Intra SP ports been completed in the NPAC: Yes _____ No _____

d) Has this block been protected from further assignment: Yes _____ No _____

Disconnect block : Yes _____ If Yes, list NPA-NXX-X _____

Remarks:

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 available on the ATIS web site (www.atis.org/inc) or by contacting inc@atis.org as of the date of this application.

Stephen Bonno
Signature of Block Applicant

Sr. Engineer-Number Planning
Title

03/01/2017
Date

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.

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia Technologies, Inc. dba iconectiv (iconectiv™) LERG™ Routing Guide^{x1}. The Operating Company Number (OCN) assigned to the service provider and the OCN of its parent company. An OCN is a four-character alphanumeric NECA-assigned Company Code or a four-character alphanumeric identifier assigned by the iconectiv™ Telecom Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification. Explanations of these terms may be found in the footnotes.

Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.

Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS or VoIP. Also indicate the primary type of business in which the numbering resource is to be used. Service Providers may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.

Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.

Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool except when a service provider is exiting the market or is exchanging a block that was identified as being over 10% contaminated. If the block being returned is over 10% contaminated, the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied.

The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Footnotes:

¹Identify the type of change(s) in Section 1.5.

²The Pool Administrator is available to assist in completing these forms.

³A CO Code application will also need to be submitted to the PA.

⁴Operating 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 should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to TRA (732-699-6700).

⁵This is an eleven-character descriptor of the switch provided by the owning entity for the

purpose of routing calls. This is the 11 character CLLITM Code of the switch /POI.

^vRate Center name must be a tariffed Rate Center.

^{vii}Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

^{viii} Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the PSTN prior to the effective date of the block(s).

^{ix} Select if you are the current Block Holder.

^x Select if you are not the current Block Holder

^{xi} Common Language[®] and Telcordia[®] are registered trademarks and CLLITM, LERGTM Routing Guide and iconectivTM are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

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Next 12
months⁵

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6): **100.0**

H. Months
to
Exhaust⁶
=

Numbers Available for Assignment to
Customers (A)

Average Monthly Forecast (G)

Block Requested

1

Available Numbers

8116

Months To Exhaust

81.16

I.
Utilization⁷
=

Assigned Numbers (B)

X 100 =

20.933

Total Numbering Resources (C)-Excluded
Numbers (D)

Explanation: _____

¹A 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.

²Report on all resources for the requested geographic area, including newly acquired blocks/codes.

³Quantity 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).

⁴Net 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.

⁵Forecast of TNs needed in each following month, starting with the most recent month as Month 1.

⁶To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (47 CFR § 52.15 (g) (4) (iii)).

⁷Newly acquired numbers may be excluded from the Utilization calculation (47 CFR § 52.15 (g)(4)(ii))

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Exhibit B
(NANPA Decision Notification)

**Thousands-Block Number Pooling Administration Guidelines
(TBPAG) - Part 3**

Revised: January 4, 2016

Pooling Administrator's Response/Confirmation

Tracking Number : 850-MOLINO-FL-992788

Date of Application: 03/01/2017 Effective Date: _____

Date of Receipt: 03/01/2017 Date of Response: 03/01/2017

Service Provider Name: FRONTIER COMMUNICATIONS OF THE SOUTH, LLC - FL

(LERG^{1M} Routing Guide¹) OCN: 4465

Parent Company OCN: 3400

NPAC SOA SPID : _____

Pooling Administrator Contact Information:

Dara Flowers Phone: 925-363-8730

Signature of Pooling Administrator

Dara Flowers Fax: 925-363-7697

Name (print)

Email: dara.flowers@neustar.biz

NPA-NXX or NPA-NXX-X : _____

Block Assigned: _____

Block Reserved : _____

Block Reservation Expiration Date : _____

Block/Code Modified : _____

Block/Code Disconnected : _____

Block Contaminated (Yes or No): _____

If yes, enter the number of TNs contaminated (1-1000): _____

Switch Identification (Switching/POI)²: MOLNFLXAPS0

Rate Center: MOLINO

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 Administrator.

Explanation:

Remarks:

¹ Telcordia[®] is a registered trademark and LERG[™] Routing Guide and iconectiv[™] are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

² This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the Common Language[®] Location Code (CLLI[™] Code) of the switching entity/POI shown on the Part 1A form. Common Language[®] is a registered trademark and CLLI is a trademark and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

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