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--== MEMORANDUM ==--

TO: PUBLIC SERVICE COMMISSION OF UTAH

FROM: DIVISION OF PUBLIC UTILITIES
Philip J. Powlick, Division Director
William Duncan, Telecommunications & Water Section Manager
Mark Long, Utility Analyst

DATE: March 26, 2009

SUBJECT: REQUEST FOR A WAIVER In the Matter of the Request by Qwest Corporation for A Waiver of the Threshold Requirements to Allow the Number Pooling Administrator to Provide Ten (10) Thousand Blocks for a Qwest Customer in the Salt Lake Rate Center

RE: DOCKET No. 09-49-12

RECOMMENDATION: APPROVE

The Division recommends that the Commission approve Qwest's request for a waiver of threshold requirements and direct NANPA, the Numbering Plan Administrator, to provide ten (10) one-thousand blocks to Qwest Corporation in the Salt Lake rate center (385 - NXX), after which Qwest Corporation will donate the unused eight (8) one-thousand blocks to the number pool inventory.

BACKGROUND:

On March 12, 2009, Qwest Corporation requested a waiver of the Federal Numbering Assignment Rule 47 CFR 52.15 (h) that requires applicants for growth numbering resources to meet a 75 percent utilization threshold and to be at or less than six months to exhaust (MTE) in the rate center where the growth numbering resource is requested. In this particular instance,

Qwest Corporation's utilization in the Salt Lake rate center is 67 percent, and the MTE in the rate center is 871 months. Therefore, Qwest Corporation's does not qualify to obtain new numbers from the pooling administrator. The FCC has affirmed that in instances where a carrier has neither the inventory to satisfy a specific customer request, nor the utilization for obtaining more numbers, the State Commission may grant relief to carriers with a "verifiable need due to the carrier's inability to satisfy a specific customer request."¹ This inability can be demonstrated to the State Commission by the carrier providing "documentation of the customer request and current proof of utilization in the rate center."² Qwest Corporation will donate the eight (8) one-thousand unused blocks back to the number pool inventory.

REQUEST:

Qwest Corporation has provided documentation indicating that its customer is requesting two (2) one-thousand blocks of sequential telephone numbers in the Salt Lake rate center where the last number of the NXX and the first number of the XXXX do not start with a zero (0), one (1) or nine (9). Incidentally, the customer currently has approximately 300 DID numbers from Qwest Corporation that they need to keep due to current employee number assignments. Qwest Corporation cannot satisfy their customer's request based on their present inventory. It is, therefore, recommended that Qwest Corporation receive the 385-NXX block in the Salt Lake rate center from the number pool, which meets the needs of Qwest Corporation's customer.

ANALYSIS:

Based on the Pooling Administration system's available block report, as of March 26, 2009 there are no blocks in the number pool that meet Qwest Corporation's request. The issuance of this number block will not significantly affect the available number pool in the 385 NPA, nor will it affect the exhaust date of the 385 NPA, since this represents the first request for number resources of the 385 NPA. In addition, eight (8) one-thousand unused blocks will be donated to the number pool inventory.

¹ *In the Matter of Numbering Resource Optimization Implementation of the Local Competition Provision of the Telecommunications Act of 1996 Telephone Number Portability, 3rd Report and Order & 2nd order on Reconsideration in CC Docket No. 96-98 & in Docket no. 99-200, FCC 01-362, 3rd Report & Order ¶61 (2001)*

² ID., at ¶64.

