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State of Utah
Department of Commerce
Division of Public Utilities

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MEMORANDUM

To: Public Service Commission

From: Division of Public Utilities
Philip Powlick, Director
Bill Duncan, Telecommunications / Water Manager
Paul Anderson, Utility Technical Consultant

Date: November 18, 2010

Re: Waiver Request of the threshold requirements outlined in FCC's Numbering Resource Optimization Orders, Docket No 10-049-38

RECOMMENDATION: Approve Waiver

The Division recommends that the Commission approve Qwest's request for a waiver of threshold requirements and direct PA/NeuStar, the Numbering Plan Administrator (NPA), to provide the requested one thousand block to accommodate a request for a Qwest customer in the Utah 435 Cedar City Rate Center.

BACKGROUND:

On November 10, 2010, Qwest Corporation requested a waiver of the threshold requirements outlined in FCC's Numbering Resource Optimization Orders, FCC 00-429 and FCC 01-362 released in CC Docket No. 99-200. Qwest had previously submitted a request for the NXX to PA/NeuStar which was immediately denied based on Qwest's Months to Exhaust (MTE) and Utilization threshold for new numbering requests. 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

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)*

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

REQUEST:

Qwest Corporation has provided documentation indicating that its customer is requesting 500 telephone numbers in the 435 NPA, Cedar City Rate Center, which it cannot provide based on its current inventory.

ANALYSIS:

The customer is requesting 500 telephone numbers from 435-868-6XXX. This block was donated by Qwest to the Pool Inventory in 2003, and is still available for assignment. These specific telephone numbers are required for future/planned growth. The issuance of this number block will not significantly affect the available number pool in the 435 NPA, nor will it affect the exhaust date of the 435 NPA.

² ID., at ¶64.