

ORIGINAL

050864-7L

RECEIVED-PPSC  
Legal Department

05 NOV 10 PM 4:06

COMMISSION  
CLERK

Manuel A. Gurdian  
Attorney

BellSouth Telecommunications, Inc.  
150 South Monroe Street  
Room 400  
Tallahassee, Florida 32301  
(305) 347-5561

November 10, 2005

Mrs. Blanca S. Bayó  
Director, Division of the Commission Clerk  
and Administrative Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

**Re: Petition for the Expedited Review of Growth Code Denials  
by the Number Pooling Administrator for the Sanford  
exchange (Lake Mary)**

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'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* / RN  
Manuel A. Gurdian

cc: All Parties of Record  
Jerry D. Hendrix  
R. Douglas Lackey  
Nancy B. White

RECEIVED & FILED  
*OK*

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

10911 NOV 10 05

FPSC-COMMISSION CLERK

**CERTIFICATE OF SERVICE**  
**Petition for the Expedited Review of Growth Code Denials**  
**by the Number Pooling Administrator for the Sanford**  
**exchange (Lake Mary)**

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

First Class U.S. Mail this 10<sup>th</sup> day of November, 2005 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](mailto:thomas.foley@neustar.com)

  
Manuel A. Gurdian

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Petition for Expedited Review of Growth )  
Code Denials by the Number Pooling Administrator )  
for the Sanford exchange (Lake Mary) )  
\_\_\_\_\_ )

Docket No. *050864-TL*

Filed: November 10, 2005

**PETITION FOR EXPEDITED REVIEW OF NXX-X CODE DENIAL**

BellSouth Telecommunications, Inc. ("BellSouth"), 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 BellSouth's request for additional numbering resources in the Sanford exchange. In support of this petition, BellSouth states:

**PARTIES**

1. BellSouth 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. On March 31, 2000, the FCC issued Order No. 00-104 ("FCC 00-104" or the "Order") in the Numbering Resource Optimization docket (Docket No. 99-200). The goal of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of telephone numbers and to avoid further exhaustion of telephone numbers under the NANP.

5. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring rate center based utilization rates to be reported to North American Numbering Plan Administrator ("NANPA"). FCC Order at § 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing numbering inventory within the applicant's rate center will be exhausted within six months of the application. Prior to the ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within a specific months-to-exhaust ("MTE") of the code application in order for a code to be assigned or for the carrier to prove that it was unable to meet a specific customer's request with its current inventory of numbers. The FCC stated that the shift to a "rate center" basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." FCC Order at ¶ 105.

6. On December 29, 2000, the FCC also released FCC 00-429, which reaffirmed FCC 00-104 and also required carriers to also meet a 60 percent initial utilization threshold. FCC 00-429 at ¶ 26. Based on these two FCC orders, carriers are required to meet a six MTE criteria as well as a utilization threshold on a rate center/exchange basis in order to be granted additional numbering resources. Id. at ¶ 29.

7. In FCC 00-104, the FCC directed the industry and the Pooling Administrator to comply with the INC Pooling Guidelines. FCC 11-104 ¶183. 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(d) and Appendix 3. These requirements are known as the six (6) months-to-exhaust (“MTE”) and utilization threshold.

8. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to North American Numbering Plan Administrator (“NANPA”) and NeuStar for assignment of additional numbering resources to meet the demands of its customers in several Florida exchanges, including Cocoa Beach, Daytona Beach, DeLand, Ft. Lauderdale, Gainesville, Hollywood, Jacksonville, Jensen Beach, Keys, Miami, North Dade, Orlando, Palm Coast, Port St. Lucie, Sanford, Sebastian, St. Johns, Weekiwachee Springs, and West Palm Beach.

9. BellSouth has completed these applications in accordance with INC guidelines and filled out the necessary Months-to-Exhaust and Utilization Certification Worksheets as required.

10. BellSouth has utilized mechanisms such as number pooling to manage its numbering resources in the most efficient manner. However, as the Commission is well aware, in some circumstances, BellSouth has been required to petition the Commission for relief.

11. On May 25, 2001, BellSouth petitioned the Commission to develop an expedited process to review NANPA's denial of a request for additional numbering resources to minimize the delay carrier's experience in attempting to challenge a denial by NANPA. As a result of the BellSouth's Petition and the Commission's efforts to make numbering resources available to carriers, the Commission issued Order No. PSC-01-1873-PCO-TL setting forth an expedited code denial process for non-pooling areas. On March 15, 2002, the Commission issued Order No. PSC-02-0352-PAA-TL adopting the same expedited code denial process for pooling areas.

12. The Sanford exchange consists of two (2) central offices and two (2) switching entities that utilize numbering resources: Lake Mary (LKMRFLHEDS0) and Main (SNFRFLMADS0).

13. On October 26, 2005, BellSouth requested additional numbering resources from NeuStar for the Lake Mary (LKMRFLHEDS0) switch. See Attachment 1. Specifically, BellSouth requested two NXX-Xs for two specific customers requests of 500 and 100 consecutive numbers. The format of the blocks should be NXX-84XX or 55XX for one customer and anything other than NXX-0XXX or 9XXX for another customer.

14. At the time of the code request, the Sanford exchange had a MTE of 15.32 and a utilization of 82.98%, while the MTE for the Lake Mary (LKMRFHEDS0) switch was – 19.75.

15. On October 26, 2005, NeuStar's automated number request system denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based MTE criteria, notwithstanding the fact that BellSouth is unable to provide the numbering resources requested by the specific customer. See 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 Sanford exchange and the customer contact information for the customer. See Attachment 2.

16. 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).

17. 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.

18. BellSouth requests that the Commission's reverse NeuStar's decision to withhold numbering resources from BellSouth on the following grounds:

(a) NeuStar's denial of numbering resources to BellSouth interferes with BellSouth'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 new FCC rules for obtaining numbering resources both penalizes and discriminates against the ILECs for deploying multiple switches. BellSouth 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, which have recently entered the local service market, have to meet the MTE requirement in only 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 BellSouth's request for additional numbering resources, BellSouth will be unable to provide telecommunications services to its customers as required under Florida law.

WHEREFORE, BellSouth requests:

1. The Commission review the decision of NeuStar to deny BellSouth's request for additional numbering resources for the Sanford exchange; and
2. The Commission direct NeuStar to provide the requested numbering resources for the Sanford exchange as discussed above.



Respectfully submitted this 10th day of November, 2005.

BELLSOUTH TELECOMMUNICATIONS, INC.

Handwritten signature of Nancy B. White in cursive, followed by a horizontal line.

Nancy B. White

Manuel A. Gurdian

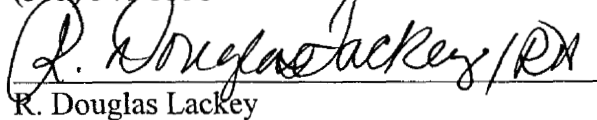
c/o Nancy H. Sims

150 South Monroe Street

Suite 400

Tallahassee, Florida 32301

(305) 347-5558

Handwritten signature of R. Douglas Lackey in cursive, followed by a horizontal line.

R. Douglas Lackey

675 West Peachtree Street, Suite 4300

Atlanta, Georgia

(404) 335-0747

609572

REDACTED

Attachment 1

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Address: https://www.nationalpooling.com/pas/frames-index.jsp

### Pooling Administration System

bridge.bellsouth.com (SP) Sign Out

**Request Resources**

Request Resources

State: FLORIDA  
NPA: 407  
Rate Center: SANFORD  
OCN: 9417-BELLSOUTH SO BELL  
Type of Application: Application for Individual Blocks  
Quantity of Blocks Requested: 2

Continue Cancel

**NOTE:**  
If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

Question? E-mail us  
© 1998-2005 NewStar, Inc.  
Local Network | Privacy

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

File Edit View Favorites Tools Help

Address: https://www.nationalpooling.com/pas/frames-index.jsp

### Pooling Administration System

bridge.bellsouth.com (SP) Sign Out

**Request Resources**

Type of Application: New

**1.1 Contact Information:**

*Note: If any of the contact info is incorrect, edit your user profile.*

**Block Applicant:**

Company Name: BELLSOUTH SO BELL  
Headquarters Address: [REDACTED]  
City: [REDACTED]  
State: [REDACTED]  
Zip: [REDACTED]

Contact Name: [REDACTED]  
Contact Address: [REDACTED]  
City: [REDACTED] State: [REDACTED]  
Zip: [REDACTED]

Question? E-mail us  
© 1998-2005 NewStar, Inc.  
Local Network | Privacy

REDACTED

Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/jsp/frames-index.jsp

**NEUSTAR**

Request For Resources  
Modify  
Disconnect  
Block Transfer  
Confirm Block(s) in Service  
Search Forms  
Submit Forecast  
User Profile  
Deactivate Blocks  
Reports

Question? E-mail us  
© 1998-2005 Neustar, Inc.  
I need Help | Privacy

Done

Contact Name Mr Gary Zahn  
Contact Address 1800 Sunset St. Ste. 780  
City Concord State CA  
Zip 94528  
Telephone (925) 363-8753 Fax (925) 363-7688  
E-mail gary.zahn@nemstar.biz

**1.2 General Information**

LRN Needed No  
NPA 407 LATA \* 458  
OCN 9417-BELLSOUTH 50  
BELL  
Parent Company OCN \* 9417  
Number of Thousands-Blocks Requested 2  
Switch Identification (Switching Identity/PO) jkumrtheds0 City or Wire Center Name  
Rate Center SANFORD Rate Center Sub Zone

Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/jsp/frames-index.jsp

**NEUSTAR**

Request For Resources  
Modify  
Disconnect  
Block Transfer  
Confirm Block(s) in Service  
Search Forms  
Submit Forecast  
User Profile  
Deactivate Blocks  
Reports

Question? E-mail us  
© 1998-2005 Neustar, Inc.  
I need Help | Privacy

Rate Center SANFORD Rate Center Sub Zone

**1.3 Dates**

Date of Application Wednesday, October 26, 2005  
Requested Block Effective Date 26 Nov 2005  
Request Expedited Treatment  Yes  No

**1.4 Type of Service Provider Requesting the Thousands-Block**

a) Type of Service Provider \* Incumbent Local Exchange Carrier (ILEC)  
b) Primary type of service Blocks to be used for - Wireline

c) Thousands-Block(s) (NPA-NDOC-X) assignment preference  
Click here to see the available blocks in the pool

Internet

REDACTED

Address: <https://www.nationalpooling.com/poc/frame-trdx.jsp>

**NEUSTAR**

- Request For Resources
- Modify
- Disconnect
- Block Transfer
- Create Block(s) in Service
- Search Form
- Submit Forecast
- User Profile
- Create Block
- Reports

o) If requesting a code for LRM purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) N/A

**1.5 Type of Request**

Initial block for rate center  Yes  
Growth block for rate center  Yes  
Change block N/A  
Disconnect block N/A

I hereby certify that the above information requesting an P00-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 (P00-X) Pooling Administration Guidelines INC 99-0127-023

Question? E-mail us  
© 1999-2005 Neustar, Inc.  
I need help. | Privacy

REDACTED

Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

### Pooling Administration System

bridge.bellsouth.com (87)

Date: Wednesday, October 26, 2005  
OCN: 9417  
Company Name: BELLSOUTH SO BELL  
Rate Center: SANFORD

List all Codes NPA(s)-NOCs and Blocks NPA(s)-NOC-X(s)

Name of Block Applicant: [REDACTED]

Request For Resources  
Modify  
Disconnect  
Block Transfer  
Custom Block(s) in Service  
Search Forms  
Submit Forecast  
User Profile  
Create Blocks  
Reports

Question? E-mail us  
© 1999-2005 Neustar, Inc.  
I need Help | Privacy

---

Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

### Pooling Administration System

Telephone Number: [REDACTED]  
Fax Number: [REDACTED]  
E-Mail: [REDACTED]@bellsouth.com

A. Available Numbers: [REDACTED]  
B. Assigned Numbers: [REDACTED]  
C. Total Numbering Resources: [REDACTED]  
D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation: [REDACTED]

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months: [REDACTED]

Request For Resources  
Modify  
Disconnect  
Block Transfer  
Custom Block(s) in Service  
Search Forms  
Submit Forecast  
User Profile  
Create Blocks  
Reports


Question? E-mail us  
© 1999-2005 Neustar, Inc.  
I need Help | Privacy

http://www.neustar.biz/

REDACTED

Internet Explorer provided by BellSouth

Address: <https://www.nationalpacing.com/pas/frames-index.jsp>



**E. Growth History - Previous 8 months<sup>2</sup> \***

|         |            |         |            |
|---------|------------|---------|------------|
| Month 1 | [REDACTED] | Month 2 | [REDACTED] |
| Month 3 | [REDACTED] | Month 4 | [REDACTED] |
| Month 5 | [REDACTED] | Month 6 | [REDACTED] |

**F. Forecast - Next 12 months<sup>2</sup> \***

|          |            |          |            |
|----------|------------|----------|------------|
| Month 1  | [REDACTED] | Month 2  | [REDACTED] |
| Month 3  | [REDACTED] | Month 4  | [REDACTED] |
| Month 5  | [REDACTED] | Month 6  | [REDACTED] |
| Month 7  | [REDACTED] | Month 8  | [REDACTED] |
| Month 9  | [REDACTED] | Month 10 | [REDACTED] |
| Month 11 | [REDACTED] | Month 12 | [REDACTED] |

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

Question? E-mail us  
© 1998-2005 NeuStar, Inc.  
I need help | Privacy

Internet

5

REDACTED

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

**NEUSTAR**

- Request For Resources
  - Block
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Block(s) in Service
- Search Forms
- Submit Forecast
- User Profile
- Donate Blocks
- Reports

Question? E-mail us  
© 1999-2005 Neustar, Inc.  
I need help with my software

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) [REDACTED]

H. Months to Exhaust<sup>4</sup> (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

| Block Requested | A Available Numbers | H Months to Exhaust |
|-----------------|---------------------|---------------------|
| 1               | [REDACTED]          | 14.328              |
| 2               | [REDACTED]          | 15.316              |

I. Utilization<sup>5</sup> (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) \* 100

92.982

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. Net change in TNs no longer available for assignment in each previous month, starting with the most d

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

Address: https://www.nationalpooling.com/pas/frames-index.jsp

**NEUSTAR**

- Request For Resources
  - Block
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Block(s) in Service
- Search Forms
- Submit Forecast
- User Profile
- Donate Blocks
- Reports

Question? E-mail us  
© 1999-2005 Neustar, Inc.  
I need help with my software

Pooling Administration System

bridge.bellsouth.com (SP) Sign Out

Months to Exhaust and Utilization Calculation Worksheet - Review (continued)

You have requested more blocks than you will exhaust in six months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option

Submit Cancel

Sanford  
Utilization Summary  
Report

Attachment 2

REDACTED

| Exchange | Central Office | Wire Center<br>CLLI | Blocks | Average<br>Growth | Available<br>TNs | MTE | Util |
|----------|----------------|---------------------|--------|-------------------|------------------|-----|------|
| Sanford  | Lake Mary      | LKMRFLHEDS0         | 79     |                   |                  |     |      |
| Sanford  | Main           | SNFRFLMADS0         | 112    |                   |                  |     |      |

Customer Contact Information

[REDACTED]

[REDACTED]