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

DATE: September 4, 2009

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

FROM: Catherine Beard, Regulatory Analyst, Division of Regulatory Compliance *CSB* *efz*

RE: Recommendation to Office of the General Counsel - Docket No. 090423-TL – Petition for expedited review of growth code denials by Number Pooling Administrator for the Magnolia switch within the Orlando exchange by AT&T.

On August 19, 2009, BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast, (AT&T) filed a request for additional numbering resources from the Number Pooling Administrator (NeuStar) for the Orlando exchange, Magnolia (ORLDFLMSDS1) switch. AT&T requested five (5) number blocks of 1,000 numbers to meet the request of a specific customer for 5,000 new consecutive numbers, in thousand blocks in the specific format of NPA NXX-2XXX-7XXX. On August 19, 2009, AT&T's request for additional numbering resources was denied because it did not meet the months-to-exhaust and utilization criteria.

On August 28, 2009, AT&T 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 AT&T petition and has determined the following:

- 1) The carrier has demonstrated that it has a customer in need of numbering resources;
- 2) The carrier has shown that it is unable to provide services to this potential customer because of NeuStar's denial of the numbering resources; and
- 3) The customer will not be able to obtain service from the provider of his/her choice because the carrier does not have the numbers available.

Since the three 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 (September 16, 2009), as outlined in the expedited code denial process order. NeuStar should be directed to provide AT&T the needed numbering resources to meet its customer's needs in the Orlando exchange, Magnolia (ORLDFLMSDS1) switch. Please allow staff assigned to the docket to review the Order before it is issued. If you have any questions, please call Catherine Beard at (850) 413-7080.

COM _____
 ECR _____
 CCL _____ cc: Division of Regulatory Compliance (Harvey, Casey)
 CPC _____ Office of General Counsel (A. Teitzman)
 COP _____ Office of Commission Clerk (Docket No. 090423-TL)
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