

ORIGINAL

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James Meza III
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April 16, 2002

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COMMISSION
CLERK

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: **Docket No. 020338-TL**
Petition for Expedited Review of Growth Code Denial by the North
American Numbering Administration for the Orlando Exchange (Magnolia2)

Dear Ms. Bayó:

Enclosed is an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Expedited Review of NXX Code Denial for the Orlando Exchange (Magnolia2), which we ask that you file in the caption docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return a copy to me. Copies have been served to the parties shown on the attached certificate of service.

Sincerely,

James Meza III
James Meza III (KB)

Enclosures

cc: All Parties of Record
Marshall M. Criser III
R. Douglas Lackey
Nancy B. White

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RLM
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
Petition for Expedited Review of NXX Code Denial
For the Orlando Exchange (Magnolia 2)

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

U.S. Mail this 16th day of April, 2002 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


James Meza III (LA)

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Expedited Review of Growth) Docket No.
Code Denial by the North American Numbering)
Administration for the Orlando Exchange)
(Magnolia2))
_____) Filed: April 16, 2002

PETITION FOR EXPEDITED REVIEW OF NXX 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 North American Plan Administrator's ("NANPA") denial of BellSouth's request for additional numbering resources in the Orlando 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. NANPA is an independent non-governmental entity, which is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13(a),(b).

JURISDICTION

3. The Commission has jurisdiction of this matter pursuant to 47 C.F.R. § 52.15(g)(iv). This provision provides that a carrier may challenge

NANPA's decision to deny numbering resources to the appropriate state regulatory commission.

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 NANPA. FCC Order at § 105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that its existing numbering inventory within the rate center will be exhausted within six months of the application. Prior to this ruling, the industry and NANPA used the Central Office Code Assignment Guidelines to make code assignments. Under the guidelines, in order to obtain additional numbering resources, the applicant's existing number inventory within the applicant's serving switch had to exhaust within a specific months-to-exhaust ("MTE") of the code application or 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. As a result of FCC 00-104, the FCC adopted 47 C.F.R. § 52.15 (g)(iii) and (iv) which provides:

All service providers shall maintain no more than a six-month inventory of telephone numbers in each rate center or service area in which it provides telecommunications service.

The NANPA shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resources application requirements established in this part. The NANPA shall not issue numbering resources to a carrier without an Operating Company Number (OCN). The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA’s decision to the appropriate state regulatory commission. The state regulatory commission may affirm or overturn the NANPA’s decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein.

7. On December 29, 2000, the FCC also released FCC 00-429, which reaffirmed FCC 00-104 and also required carriers to meet a 60 percent initial utilization threshold. FCC 00-429 at ¶ 26. Based on these two FCC orders, carriers are now 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. On December 28, 2001, the FCC released FCC 01-362, which reaffirmed the MTE and utilization criteria as well as

implemented a safety valve when carriers are unable to get additional numbering resources. FCC 01-362 at pgs. 24-29.

8. Since the beginning of this year, BellSouth has submitted several requests for additional numbering resources to NANPA and NeuStar, the pooling administrator, for assignment of additional numbering resources to meet the demands of its customers in several Florida exchanges, including Daytona Beach, DeLand, Ft. Lauderdale, Jacksonville, Miami, North Dade, Orlando, Stuart, and West Palm.

9. BellSouth has completed these applications in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines and filled out the necessary Months-to-Exhaust 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.

12. As for this request for additional numbering resources for the Orlando exchange, BellSouth states the following:

13. The Orlando exchange consists of consists of six (6) central offices and seven (7) switches, Azalea Park (ORLDFLAPDS0), Colonial (ORLDFLCLDS0), Magnolia (ORLDFLMADS1 and ORLDFLMA42E), Pinecastle (ORLDFLPCDS0), Pinehills (ORLDFLPHDS0), and Sand Lake (ORLDFLSADS0).

14. On March 28, 2002, BellSouth requested additional numbering resources from NANPA for the Magnolia switch. See Attachment 1. Specifically, BellSouth requested an NXX to provide 3,000 consecutive DID numbers in order to serve a specific customer served by the Magnolia switch. The customer needs an NXX that does NOT end in a 0, 1, 5, or 9.

15. At the time of the code request, the Orlando exchange had a MTE of 12.81 and a utilization of over 72%, while the MTE for the Magnolia (ORLDFLMADS1) switch was 25.42.

16. On April 10, 2002, NANPA denied BellSouth's request for additional numbering resources because BellSouth had not met the rate center based MTE criteria, notwithstanding the fact that BellSouth's is unable to provide the numbering resources requested by the specific customer. See Attachment 2. 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 Orlando exchange and the customer contact information. See Attachment 3.

17. BellSouth's request for additional numbering resources to provide the numbers requested above in the Orlando exchange would not materially impact exhaustion of available numbers in the 407/321 area code.

18. As discussed above, both the FCC Rules and NANPA's Central Office Code Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See 47 C.F.R. § 52.15(g)(3)(iv); § 13.0 of the NANPA Central Office Code (NXX) Guidelines.

19. 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, NANPA looks at the number of MTE and utilization for the entire rate center without any exceptions. 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.

20. Unfortunately, BellSouth's inability to obtain numbering resources in the above switch, which is necessary to meet its customers' numbering demands in multi-switch rate centers, will not be the last time BellSouth experiences this problem. BellSouth has a total of 95 rate centers in Florida with 31 of these being multi-switch rate centers. Some of the switches within these multi-switch rate centers are already within or near the six MTE. BellSouth,

however, believes that it will be unable to meet the six MTE threshold at the rate center level in all of these multi-switch rate centers, thereby jeopardizing its ability to adequately comply with its carrier of last resort obligations.

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

(a) NANPA'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 ALECs, 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 NANPA'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 the NANPA to deny BellSouth's request for additional numbering resources for the Orlando exchange; and
2. The Commission direct NANPA to provide the requested code for the Orlando exchange as discussed above.

Respectfully submitted this 16th day of April, 2002

BELLSOUTH TELECOMMUNICATIONS, INC.



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(KA)

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(LA)

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442169

Greer, Stan L**From:** terah.adger@NeuStar.com**To:** [REDACTED]**Cc:** terah.adger@NeuStar.com,**Subject:** Part 3 Response for Tracking #: 407-147523**Central Office Code (NXX) Assignment Request - Part3
Effective May 18, 1998****Code Request Tracking Number:** 407-147523**Administrator's Response/Confirmation****Date of Application:** March 28, 2002**Date of Receipt:** March 28, 2002**Date of Response:** April 10, 2002**Effective Date:****Company/Entity Name:** BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL& TEL**Code Administrator Contact Information:**Terah Adger
Signature of Code Administrator**Phone:** 9253638705Terah Adger
Name (print)**Fax:** 9253638714**x NPA:** 407**Code Assigned:** **Date of NXX Code
Assignment:**

- a. Switch Identification (Switching Entity/POI): ORLDFLMADS1 Rate Center: ORLANDO
- b. The Code Administrator is [REDACTED], is not ☒ responsible for inputting Part 2 information into RDBS and BRIDS.
- c. Routing and Rating information complete: Yes No ☒
Additional RDBS and BRIDS information necessary as follows:
No
- d. To be published in the LERG and TMP by
Additional RDBS and BRIDS information needs to be received by the code administrator no later than

Code Reserved:**Date of Reservation:**

Your code will be honored until

Switch Identification (Switching Entity / POI):

Form incomplete

Additional information required in the following section(s):

x Form complete, code request denied

Explanation: Months to exhaust exceeds 6.0 months [REDACTED]

**Assignment activity suspended by the
administrator**

Explanation:

Further Action:

☒ **NPA in jeopardy: Yes** **No** ☒

If yes, refer to Section 7 of the assignment guidelines.

Change/Disconnect List:

Remarks:

DR:11 According to the Central Office Code Assignment Guidelines, Section 4.2.1, code holders requesting growth codes must demonstrate that existing codes within the rate center will exhaust within 6.0 months. If you are in disagreement with the disposition of this code request, please refer to the Central Office Code (NXX) Assignment Guidelines for the appeals process. OCN 9417

Central Office Code (NXX) Assignment Request - Part1
June 19, 2000

Code Request Tracking Number: 407-147523

Type of Application: **New** Change Delete

1.1 Contact Information:

Code Applicant:

Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL& TEL

Headquarters Address: 675 W PEACHTREE ST NW

Headquarter City, State, Zip: ATLANTA ga 30375

1 Contact Name: [REDACTED]

2 Address: [REDACTED]

3 City, State, Zip: [REDACTED]

4 Phone: [REDACTED] FAX: [REDACTED] E-Mail: [REDACTED]@bridge.bellsouth.com

5 [REDACTED]

Name: Terah Adger

Address: 1800 Sutter Street

City, State, Zip: Concord CA 94520

Phone: 9253638705 Fax: 9253638714

1.2:

NPA: 407 NXX: LATA: 45806 OCN: 3 9417 Parent Company's OCN(s): 9400

Switching Identification (Switching Entity/POI): 4 ORLDFLMADSI

Locality/City/Wire Center: ORLANDO Rate Center: 5 ORLANDO

Homing Tandem Operating Co.: 6 BST Homing Tandem CLLI: 7 ORLDFLMA04T

Additional Information: PENDING REQUEST FOR 3000 DEDICATED NUMBERS

1.3 Dates: Date of Application: March 28, 2002 Requested Effective Date: 8,9 June 2, 2002

1.4 Type of company/entity requesting the code:

a) RBOC (LEC, IC, CMRS, Other)

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

c) Code Assignment Preference (Optional)

d) Codes that are undesirable, if any 254, 999, 666

e) Please Explain Type of Change:

1.5 Type of Request (Initial, Growth, etc.): Growth

Change/Disconnect List:

4

Months To Exhaust Certification Worksheet - TN Level1

(Worksheet to be used for Requests for Additional Codes for Growth)

Code Request Tracking Number: 407-147523

Date: March 28, 2002 Company/Entity Name: BELLSOUTH TELECOMM INC DBA SOUTHERN BELL TEL& TEL

Switching Entity/Point of Interconnection (CLLI):
ORLDFLMADS1

Rate Center: ORLANDO

Total Number of NXXs: 121

1 Signature of Authorized Representative of Code Applicant: [REDACTED]
2 Title: [REDACTED] Telephone No.: [REDACTED]
3 [REDACTED] FAX No.: [REDACTED]

4 A. Telephone Numbers (TNs) Available For Assignment
(See Glossary³): [REDACTED]

Month #1	Month #2	Month #3	Month #4	Month #5	Month #6	Month #7	Month #8	Month #9	Month #10	Month #11	Month #12
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5 B. Previous 6-month growth history⁴: [REDACTED]

6 C. Forecast - Next months 1-12⁵: [REDACTED]

7 D. Average Monthly Growth Rate (From Part C above): [REDACTED]

8 E. Months to Exhaust⁶ = $\frac{\text{Telephone Numbers (TNs) Available for Assignment (A)}}{\text{Average Monthly Growth Rate (D)}}$ = [REDACTED]

9 F. Utilization Level⁷ = $\frac{\text{Telephone Numbers (TNs) Assigned}}{\text{Total Numbering Resources in Applicant's Inventory}} \times 100$ = [REDACTED] %

Explanation:

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A B C D E F

6

1