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DATE: August 20, 2004

TO: Felicia R. Banks, Senior Attorney, Office of the General Counsel

FROM: James V. Maduro, Regulatory Analyst II, Division of Competitive Markets & Enforcement *JVM for CRB RJ*

RE: Docket No. 040838 – TL, Petition for expedited review of code denials by the Number Pooling Administrator for the Hollywood exchange (West Hollywood Switch) by BellSouth Telecommunications, Inc.

On August 11, 2004, BellSouth filed a petition requesting that the Commission overturn NeuStar's decision to deny three dedicated NXX codes for the West Hollywood (HLWDFLWHDS0) switch. In accordance with Commission Order PSC-02-0352-PAA-TL which approved an expedited process for NeuStar code denials, we have examined the BellSouth petition and confidential supplemental information, contacted the potential customer to confirm his choice of carrier and his need for the numbering resources, and have determined the following:

- 1) The carrier has demonstrated that it has a specific customer in need of immediate numbering resources;
- 2) The carrier has shown that it will be unable to provide services to the potential customer because of NeuStar's denial of numbering resources; and
- 3) The potential customer cannot obtain service from the provider of its choice because the carrier does not have numbers available to fulfill the customer's needs.

Since the three required criteria of Order PSC-02-0352-PAA-TL have been met, please prepare an administrative Proposed Agency Action (PAA) Order to be issued within seven business days of this memorandum (August 31, 2004) as outlined in the expedited code denial process order. NeuStar should be directed to provide BellSouth the three dedicated NXX codes to meet its need of providing numbering resources for its potential customer. Also, please allow staff assigned to the docket to review the Order before it is issued. If you have any questions, please call James Maduro Jr. at 413-6510.

Division of Competitive Markets and Enforcement (Bulecza-Banks, Casey, Beard)
Office of the General Counsel (B. Keating)
Division of the Commission Clerk & Administrative Services (Docket No. 040838 -TL)

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