

**BEFORE THE WASHINGTON STATE  
UTILITIES AND TRANSPORTATION COMMISSION**

In the Matter of the Request of	)	DOCKET UT-080812
	)	
QWEST CORPORATION,	)	ORDER 01
	)	
For Assignment of Telephone	)	ORDER ASSIGNING NUMBERING
Numbering Resources	)	RESOURCES
.....	)	

**BACKGROUND**

- 1 Qwest Corporation, (Qwest or Company) requested on May 7, 2008, that the Washington Utilities and Transportation Commission (Commission) overturn the North American Numbering Plan Administrator’s (NANPA or Numbering Administrator) decision to withhold numbering resources and direct the Number Pooling Administrator (Neustar, Inc.) to provide two thousand sequential telephone numbers in the 360 NPA, Whatcom Rate Center. The Qwest customer is a higher education institution. This customer has an immediate need for sequential telephone numbers in order to support growth and development of educational resources in the area. Qwest states that the customer’s creation of a common numbering plan will facilitate communications, program expansion, and promote a common identity for the school.
  
- 2 The customer intends to have the new numbers in use by mid-June and has requested that the numbers be available no later than June 1, 2008. Qwest does not have sufficient numbering resources in the rate center for this customer. Qwest will adhere to the requirement to review numbering resources and comply with the requirements of the Federal Communication Commission’s (FCC) number and pooling administrators regarding the return of unused numbers.
  
- 3 Telephone companies or carriers commonly hold and manage a reasonable inventory of telephone numbers in the areas where they provide service. When more are needed carriers request them from the Numbering Administrator. The Numbering Administrator withholds telephone numbers if the company’s inventory is sufficient for the next four months and there is a shortage of numbers in the affected area code.

4 The FCC issued an order establishing a “safety valve” allowing carriers that do not meet the utilization threshold in a given rate center to obtain additional numbering resources apart from the general waiver process.<sup>1</sup> Specifically, the FCC granted to state Commissions the authority to direct the Number Pooling Administrator to release a block of numbers to a carrier to satisfy a specific customer request that cannot be met with the carrier’s current inventory.<sup>2</sup>

### FINDINGS AND CONCLUSIONS

- 5 (1) The Washington Utilities and Transportation Commission is an agency of the State of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, transfers of property and affiliated interests of public service companies, including telecommunications companies. *RCW 80.01.040, RCW 80.04, RCW 80.08, RCW 80.12, RCW 80.16 and RCW 80.36.*
- 6 (2) Qwest is a telecommunications company and a public service company subject to Commission jurisdiction.
- 7 (3) The Telecommunications Act of 1996 (the Act) allows the FCC to establish rules to implement the Act and delegate authority to state Commissions.
- 8 (4) The FCC has created a “safety valve” mechanism within the framework of number resource management and delegated to the Commission authority to grant requests by carriers that receive a specific customer request for numbering resources that exceeds their available inventory. The FCC has also given states some flexibility to direct the Number Pooling Administrator to assign additional numbering resources to carriers that have demonstrated a verifiable need for additional numbering resources.<sup>3</sup>

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1 *In the Matter of Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration, CC Docket 99-200, FCC No. 01-362, ¶¶ 57-66 (Rel. December 28, 2001).

2 *Id.* ¶ 64.

3 *Id.* ¶ 61.

- 9 (5) The Commission has jurisdiction over this matter pursuant to RCW 80.36.610, which authorizes the Commission to take actions necessary to implement the Act.
- 10 (6) Normally, additional numbering resources are granted only when existing resources are forecasted to exhaust within six months.<sup>4</sup>
- 11 (7) The Number Pooling Administrator's Web site reports an inventory of 125 blocks of 1,000 numbers in the Whatcom rate center, and indicates that the exhaust of NPA 360 is scheduled for the fourth quarter of 2011.
- 12 (8) This matter came before the Commission at its regularly scheduled meeting on May 28, 2008.
- 13 (9) The assignment of these number blocks will not significantly deplete the numbering resources in the 360 NPA.
- 14 (10) The FCC has created a "safety valve" mechanism within the framework of number resource management and delegated to the Commission authority to grant requests by carriers that receive a specific customer request for numbering resources that exceeds their available inventory. The FCC has also given states some flexibility to direct the Number Pooling Administrator to assign additional numbering resources to carriers that have demonstrated a verifiable need for additional numbering resources.<sup>5</sup>
- 15 (11) Additionally, the allocation of the requested numbers is necessary for growth and development of educational resources in the area. The customer's stated intent of creating a common numbering plan will facilitate communications, program expansion, and promote a common identity for the school. It is therefore consistent with the public interest.

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<sup>4</sup> 47 CFR 52.15(g)(3)(iii).

<sup>5</sup> *Id.*, ¶ 61.

**ORDER**

**THE COMMISSION ORDERS:**

- 16 (1) Neustar, Inc., acting as the Number Pooling Administrator, must release a block of 1,000 numbers in the Whatcom rate center to Qwest Corporation, as described in this Order.
- 17 (2) The Commission retains jurisdiction over this matter to take such future actions as may be appropriate.

The Commissioners, having determined this Order to be consistent with the public interest, directed the Executive Secretary to enter this Order.

DATED at Olympia, Washington, and effective May 28, 2008.

**WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION**

**CAROLE J. WASHBURN, Executive Secretary**