

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

In the Matter of the Request of)	DOCKET UT-090265
)	
QWEST CORPORATION,)	ORDER 01
)	
For Assignment of Telephone)	ORDER ASSIGNING NUMBERING
Numbering Resources)	RESOURCES
.....)	

BACKGROUND

- 1 Qwest Corporation (Qwest or Company) requested on February 18, 2009, that the Washington Utilities and Transportation Commission (Commission) overturn the North American Numbering Plan Administrator’s (NANPA’s or Numbering Administrator’s) decision to withhold numbering resources and direct the Number Pooling Administrator (NeuStar, Inc.) to open a code in the Aberdeen rate center. This request is consistent with the authority granted to state commissions pursuant to the “safety valve” provisions issued by the Federal Communications Commission (FCC).¹ The purpose of the request is to meet the requirements of a customer requesting 200 sequential numbers for their internal dialing plan in the 360 NPA, Aberdeen rate center. This request is in the public interest to support the growth of a company serving the community of interest.
- 2 Qwest’s customer intends to place the new numbers in use as soon as possible. The Number Pooling Administrator will designate Qwest as the code holder and will subsequently assign two one-thousand number blocks of the new code to Qwest. The other eight blocks will be returned to the Number Pooling Administrator to replenish the number pool inventory in the Aberdeen rate center. The Number Pooling Administrator’s Web site indicates that exhaust of the 360 NPA is scheduled for the second quarter of 2012. Qwest provided the Commission with a detailed inventory for number resources and “proof of utilization” in the rate center. Qwest will adhere to the requirement to review numbering resources and comply with the requirements of the FCC’s NANPA and the Number Pooling Administrator regarding the return of unused numbers.
- 3 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

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).

apart from the general waiver process. Specifically, the FCC granted to state commissions the authority to direct the Number Pooling Administrator to release numbers to a carrier to satisfy a customer specific request seeking a contiguous block of numbers that cannot be met with the carrier's current inventory.²

FINDINGS AND CONCLUSIONS

- 4 (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.*
- 5 (2) Qwest Corporation is a telecommunications company and a public service company subject to Commission jurisdiction.
- 6 (3) The Telecommunications Act of 1996 (the Act) allows the FCC to establish rules to implement the Act and delegate authority to state commissions.
- 7 (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 require 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.³
- 8 (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 federal Telecommunications Act of 1996.
- 9 (6) Normally, additional numbering resources are granted only when existing resources are forecasted to exhaust within six months.⁴

² *Id.* ¶ 64.

³ *Id.* ¶ 61.

⁴ *47 C.F.R. 52.15(g)(3)(iii).*

- 10 (7) The Number Pooling Administrator's Web site indicates that the exhaust of the 360 NPA is scheduled for the second quarter of 2012.
- 11 (8) This matter came before the Commission at its regularly scheduled meeting on March 26, 2009.
- 12 (9) The allocation of the requested number resources is necessary to meet the needs due to growth and the dialing plan requirements of a customer in the Aberdeen area serving the community of interest and to replenish the pool. It is therefore consistent with the public interest.

ORDER

THE COMMISSION ORDERS:

- 13 (1) NeuStar, Inc., acting as the Number Pooling Administrator, to release one code in the 360 NPA for Aberdeen rate center to Qwest Corporation.
- 14 (2) The Commission retains jurisdiction over this matter to take such future actions as may be appropriate.

The Commissioners have delegated authority to the Executive Director and Secretary to enter this Order pursuant to [RCW 80.01.030](#) and [WAC 480-07-904\(1\)\(g\)](#).

DATED at Olympia, Washington, and effective March 26, 2009.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

DAVID W. DANNER, Executive Director and Secretary