

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION

In the Matter of the)	DOCKET NO. UT-991627
Investigation into the Issue)	
of Numbering Resources)	ORDER GRANTING A
)	LIMITED WAIVER TO
)	QWEST CORPORATION
.....)	

MEMORANDUM

- 1 On December 1, 2000, the WUTC ordered all telecommunications companies with prefixes in rate centers serving the Spokane metropolitan statistical area and with switches capable of local number portability to implement a thousand-number block pooling trial by July 8, 2001.
- 2 The purpose of the number pooling trial is to improve the efficiency with which the telecommunications industry uses telephone numbering resources. Typically only about half the telephone numbers in each telephone prefix are being used, and yet the industry has recommended that a new area code be established in eastern Washington in order to provide it with more numbering resources.
- 3 Number pooling contributes to more efficient use of telephone numbers by permitting companies providing service in the same geographic area or “rate center” to share a single prefix. Under pooling, each participating company donates unneeded blocks of 1,000 numbers from its assigned prefixes (which each contain 10,000 numbers) in a rate center. Participating companies that need telephone numbers in a rate center receive a thousand-number block rather than a full 10,000-number prefix.
- 4 Qwest Corporation on January 19, 2001, asked the WUTC to reconsider this requirement or, in the alternative, to grant it a waiver exempting it from participation in the pooling trial. Qwest’s principal argument for a waiver is that its use of number resources is already quite high (in the range of 70 percent in Spokane). It asserts that its participation would do little to improve the industry’s efficiency of number use and would be very expensive.
- 5 In requesting the waiver, Qwest proposed several conditions to address concerns that it use its existing supply of telephone numbers as efficiently as possible and preserve its ability to participate in the number pooling trial at some future date. Qwest proposed the following conditions:

1. Qwest will establish internal procedures and processes to assign numbers sequentially in an effort to maximize the utilization of numbers within a thousands-block before opening the next vacant thousand-block.
2. Qwest will initiate and conduct its own internal reviews of existing telephone number assignments to assure there is optimization of resources within the company and to determine if any NXX codes can be returned to the North American Numbering Plan (NANP) Central Office (CO) code administrator.
3. Qwest will file a notice with the Commission, of its intention to request a code from the NANP, at least eight days prior to a formal request for a central office code (NXXs).
4. Restrictions regarding reservations of telephone numbers will be consistent with the national guidelines.
5. Qwest will voluntarily comply with reclamation of unused central office codes (NXXs).

6 The WUTC notified Qwest by letter on February 15, 2001, that its request for reconsideration would not be acted upon. There is no procedure for reconsideration of an open meeting order, and Qwest's request was untimely.

7 On February 15, 2001, the WUTC issued a notice soliciting comments and reply comments on Qwest's petition. AT&T and XO Communications filed initial comments objecting to Qwest's waiver request. Qwest responded on April 26, 2001, by filing an amendment to its petition. No other service provider requested a similar waiver.

8 At the WUTC's May 30, 2001 open meeting, the WUTC staff recommended that the WUTC grant a modified and limited waiver to Qwest. Staff proposed the following conditions on the waiver:

1. The waiver would expire on December 31, 2002. Qwest could request an extension of the waiver by September 30, 2002, and would be required to demonstrate that any extension is in the public interest.
2. While the waiver is effective, Qwest would be required to begin number pooling in any rate center within area code 509, where number pooling has been ordered, if it requires additional numbering resources in that rate center. If Qwest needs additional numbering resources in area code 509, Qwest would have to request a thousand-number block from the pooling administrator and would not be allowed to request a full 10,000-number telephone prefix.
3. Qwest would be required to file quarterly reports with the WUTC showing each previously uncontaminated thousands-number block that Qwest began using during that quarter.
4. Qwest would be required to comply with the conditions that it proposed in

its waiver petition, to the extent they do not conflict with the above conditions.

9 Staff contended that these conditions would place a substantial burden on Qwest to use its existing supply of telephone numbers as efficiently as possible. By prohibiting Qwest from requesting any new full prefixes in any pooling rate center within area code 509, the recommended conditions would help extend the life of the 509 area code. Staff also said that granting the waiver with conditions would eliminate the need to impose a surcharge on Qwest's customers to pay for the cost of the number pooling trial.

10 At the May 30, 2001, open meeting, Qwest supported the Staff's recommended waiver with conditions. There were no other comments.

11 The Commission concludes that the waiver should be granted with the conditions recommended by Staff and accepted by Qwest. Granting a waiver to one company raises legitimate concerns about possible competitive advantage, but the proposed conditions are sufficient to address these concerns. As the incumbent telephone company in the areas where it operates, Qwest has implementation costs that newer carriers may not face, and its potential contributions to the numbering pool are modest relative to those costs. Requiring that Qwest join the pooling trial in any rate center where it requires additional numbers will ensure that the waiver will not contribute to the premature exhaustion of area code 509.

ORDER

12 The Commission hereby orders that:

13 Qwest Corporation is granted a waiver of the requirement to participate in the area code 509 number pooling trial. The waiver is subject to the following conditions:

1. Qwest must begin number pooling in any rate center within area code 509 where it requires additional numbering resources and number pooling has been ordered. Qwest may not request any full prefixes (NXXs) in a pooling rate center in area code 509 while this waiver is in effect unless such a request is permitted of a pooling service provider under the number pooling guidelines. Qwest is not required to begin pooling in rate centers other than those where it requires additional numbering resources and pooling has been ordered.
2. Qwest must file quarterly reports with the WUTC showing each previously uncontaminated thousands-number block that Qwest began using during that quarter. The report is due 30 days after the end of each calendar quarter.
3. Qwest must comply with the conditions proposed in its waiver petition, to the extent those conditions do not conflict with the above conditions.

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This waiver expires on December 31, 2002, unless by September 30, 2002, Qwest requests an extension and demonstrates that an extension is in the public interest.

DATED at Olympia, Washington, and effective this 30th day of May, 2001.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

MARILYN SHOWALTER, Chairwoman

RICHARD HEMSTAD, Commissioner