

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

In the Matter of the Request of	)	DOCKET NO. UT-041143
	)	
AIRPEAK COMMUNICATIONS	)	ORDER NO. 01
LLC,	)	
	)	
For a Waiver for Assignment of	)	
Numbering Resources	)	ORDER GRANTING WAIVER
.....	)	

**BACKGROUND**

1 Airpeak Communications LLC, (Airpeak) notified the Commission on June 23, 2004, that they desired an additional local routing number (LRN) for the Spokane rate center so that they can port numbers through a cooperating CLEC’s switch in Wenatchee. They will not assign numbers from this prefix, and will return it when their existing switch in Reno, Nevada is converted to local number portability (LNP) in January, 2005.

**FINDINGS AND CONCLUSIONS**

2 (1) On December 28, 2001, the Federal Communications Commission (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. (*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.) Specifically, the FCC granted to state commissions the authority to direct the Pooling Administrator (Neustar) 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. (*Id.* ¶ 64).

- 3 (2) The Commission has jurisdiction over this matter pursuant to RCW  
80.36.610, which gives the Commission authority to take actions  
necessary to implement the Federal Telecommunications Act of 1996.
- 4 (3) Normally, additional numbering resources are granted only when existing  
resources are forecasted to exhaust within six months. *[47 CFR*  
*52.15(g)(3)(iii)]*.
- 5 (4) The North American Numbering Plan Administrator website reports an  
inventory of 181 prefixes in NPA 509, and indicates that the exhaust of  
NPA 509 is scheduled for the first quarter of 2009.
- 6 (5) This matter was brought before the Commission at its regularly scheduled  
meeting on July 28, 2004.

### ORDER

7 THE COMMISSION ORDERS:

- (1) Neustar, Inc., acting as the Pooling Administrator, to release one prefix to  
Airpeak Communications LLC for the Spokane rate center.
- (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 Secretary to enter this Order.

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DATED at Olympia, Washington, and effective this 28<sup>th</sup> day of July, 2004.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Secretary