BEFORE THE STATE OF WASHINGTON UTILITES AND TRANSPORTATION COMMISSION

In the Matter of the investigation of the)	DOCKET UT-080075
late activation by)	
•)	ORDER 01
ELTOPIA COMMUNICATIONS,)	
LLC,)	ORDER EXTENDING ACTIVATION
)	DEADLINE FOR A CODE OF
Of Number Code 509-315)	NUMBERS
)	

BACKGROUND

- On January 14, 2008, Eltopia Communications, LLC (Eltopia), filed with the Washington Utilities and Transportation Commission (Commission) a request for extension of the number code activation deadline of a ten-thousand number code in the 509 area code. The Federal Communications Commission (FCC) requires that number codes be activated within six months of assignment by the Pooling Administrator (PA or Neustar, Inc.), to assure effective use of numbering resources. At the end of the six month period, state commissions may investigate whether carriers have activated number codes within the six month period. State commissions may grant a one-time extension of the FCC requirement of up to six months or direct the PA to reclaim the numbers. FCC Order on Number Resource Optimization, First Report and Order CC Docket 00-104, March 31, 2000, ¶ 232-233, 237-239.
- Eltopia did not place its 509-315 ten-thousand number code in service by its activation deadline of January 2, 2008, because of delays in negotiations for the new single point of presence network with Qwest in local access and transport area (LATA) 676. The network arrangement was approved on October 26, 2007, and the interconnection facility orders and trunk orders have been placed with Qwest. Testing and turn up is scheduled for February 15, 2008.
- 23 Eltopia provided detailed information demonstrating demand requirements for central office switch activation of a Local Routing Number (LRN.) Eltopia is the code holder for 509-315 and will use one thousand-number block of the code, returning the remaining nine thousand-number blocks of that code to the PA for assignment to other carriers. Eltopia is in compliance with. 47 CFR 52.15 (h) showing demand for number resources in the rate center. The code is being used effectively and granting the extension of the activation deadline is in the public interest.

FINDINGS AND CONCLUSIONS

- 4 (1) FCC rules require that number block holders activate thousand-number blocks within six months of assignment. State commissions may grant a one-time extension, not to exceed six months, for circumstances beyond the code holder's control. FCC Order on Number Resource Optimization, First Report and Order CC Docket 00-104, March 31, 2000, ¶ 232-233, 237-239.
- 5 (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.
- 6 (3) Eltopia has responded to Commission staff information requests for number code 509-315, which had an assigned effective date of January 2, 2008.
- 7 (4) The deadline extension is within the Commission's statutory authority and consistent with the public interest because the delay in activating the number code is outside of Eltopia's control and Eltopia is efficiently using its number resources in the Spokane rate center.
- 8 (5) The Commission finds the activation deadline for code 509-315 should be extended until April 2, 2009.

ORDER

THE COMMISSION ORDERS:

- 9 (1) Eltopia Communications, LLC's, activation deadline for number code 509-315 is extended to April 2, 2009.
- 10 (2) Eltopia Communications, LLC, must adhere to the requirement to review numbering resources and comply with the requirements of the FCC's North American Number Plan Administrator (NANPA) and PA regarding the return of numbers.

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11 (2) The Commission retains jurisdiction over this matter to take such future actions as may be appropriate.

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

DATED at Olympia, Washington, and effective January 31, 2008.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

CAROLE J. WASHBURN, Executive Secretary