

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

In the Matter of the Request of	)	DOCKET UT-112076
	)	
WHIDBEY TELEPHONE	)	ORDER 01
COMPANY,	)	
	)	
For Assignment of Telephone	)	ORDER ASSIGNING NUMBERING
Numbering Resources	)	RESOURCES
.....	)	

**BACKGROUND**

- 1 Whidbey Telephone Company, (Whidbey or Company) requested on December 1, 2011, that the Washington Utilities and Transportation Commission (Commission) overturn the Number Pooling Administrator’s decision to withhold numbering resources and direct the Number Pooling Administrator to provide one block of 1,000 numbers in the 360 Numbering Plan Area (NPA), South Whidbey rate center, specifically 360-730-7xxx. The request is being made to remedy an error published in the yellow pages. Whidbey will assign the number that was included in the yellow pages (from block 360-730-7xxx) to the customer and route all calls to the number assigned to that customer. Upon assignment of that number, the block will be donated back to the pool. The customer is a business serving the area of interest.
  
- 2 Telephone companies commonly hold and manage a reasonable inventory of telephone numbers in the areas where they provide service. When more numbers are needed by a company, it may request them from the Number Pooling Administrator. The Number Pooling Administrator withholds telephone numbers if the company’s inventory is sufficient for the next six months and there is a shortage of numbers in the affected area code.
  
- 3 The Number Pooling Administrator’s Web site reports an inventory of 31 blocks of 1,000 numbers in the South Whidbey rate center, and the North American Numbering Plan Administrator’s (NANPA’s) Web site reports that the 360 NPA is forecasted to exhaust in the 1st quarter of 2017. The Federal Communications Commission, in its Third Report and Order, FCC 01-362, CC Docket 96-98 and 99-200, has delegated authority to the Commission to direct NANPA to release blocks of numbers for extenuating circumstances that do not meet NANPA’s existing criteria. Whidbey provided the Commission with a detailed inventory of number resources and proof of utilization in the rate center. Whidbey will adhere to the requirement of reviewing number resources and

comply with the requirements of the NANPA and the Pooling Administrator regarding the return of unused numbers.

- 4 The Federal Communications Commission (FCC) issued an order establishing a “safety valve” allowing companies 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 company to satisfy a specific customer request that cannot be met with the company’s current inventory provided the company documents the customer request and submits current proof of utilization.

### 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) Whidbey 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 companies 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 companies that have demonstrated a verifiable need for additional numbering resources.
- 9 (5) The Commission has jurisdiction over this matter pursuant to RCW 80.36.610,

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<sup>1</sup> *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).

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>2</sup>
- 11 (7) The Number Pooling Administrator's Web site reports an inventory of 31 blocks  
of 1,000 numbers in the South Whidbey rate center, and the NANPA's Web site  
reports that the 360 NPA is forecasted to exhaust in the 1st quarter of 2017.
- 12 (8) The request is being made to remedy an error published in the yellow pages.  
Whidbey will assign the number that was included in the yellow pages (from  
block 360-730-7xxx) to the customer and route all calls to the number assigned to  
that customer. Upon assignment of that number, the Company will donate the  
block back to the pool. The customer is a business serving the area of interest.
- 13 (9) This matter came before the Commission at its regularly scheduled meeting on  
December 15, 2011.
- 14 (10) The Commission has reviewed Whidbey Telephone Company's request and  
concludes that the Company has demonstrated a legitimate need for sequential  
numbers to meet a customer requirement. Accordingly, the Commission will  
order the Number Pooling Administrator to release one block of 1,000 numbers in  
the South Whidbey rate center to Whidbey Telephone Company, specifically 360-  
730-7xxx.

## **ORDER**

### **THE COMMISSION ORDERS:**

- 15 (1) The Number Pooling Administrator to release one block of 1,000 numbers,  
specifically in the 360 NPA, South Whidbey rate center to Whidbey Telephone  
Company, specifically 360-730-7xxx.
- 16 (2) The Commission retains jurisdiction over this matter to take such future actions as  
may be appropriate.

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<sup>2</sup> 47 CFR 52.15(g)(3)(iii).

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

DATED at Olympia, Washington, and effective December 15, 2011.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

STEVEN V. KING, Acting Secretary

**NOTICE:** This is an order delegated to the Secretary for decision. In addition to serving you a copy of the decision, the Commission will post on its Internet Web site for at least 14 days a listing of all matters delegated to the Secretary for decision. You may seek Commission review of this decision. You must file a request for Commission review of this order no later than fourteen (14) days after the date the decision is posted on the Commission's Web site. The Commission will schedule your request for review for consideration at a regularly scheduled open meeting. The Commission will notify you of the time and place of the open meeting at which the Commission will review the order.

The Commission will grant a late-filed request for review only on a showing of good cause, including a satisfactory explanation of why the person did not timely file the request. A form for late-filed requests is available on the Commission's Web site.

This notice and review process is pursuant to the provisions of RCW 80.01.030 and WAC 480-07-904(2) and (3).