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IDAHO PUBLIC UTILITIES COMMISSION

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MARY S. HOBSON
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June 18, 2003

VIA HAND DELIVERY

Jean D. Jewell
Idaho Public Utilities Commission
472 West Washington Street
P.O. Box 83720
Boise, ID 83720-0074

Re: Case No. QWF-7-03-14
A WAIVER REQUEST FOR NEW IDAHO NXX (PREFIX) IN BOISE, IDAHO FOR SAINT ALPHONSUS REGIONAL MEDICAL CENTER

Dear Ms. Jewell:

Enclosed for filing with this Commission is an original and eight copies of Qwest Corporation's Request for Waiver of the Neustar's Denial of Application for New Central Office Code in Area Code 208. Qwest requests the Idaho Public Utilities Commission direct the Neustar to release a new NXX (prefix) to meet requirements of Saint Alphonsus Regional Medical Center in Boise, Idaho. FCC rules denied Qwest's application for the new NXX despite Qwest's inability to provide the requested NXX in the central office serving the hospital. The customer requests the new prefix be available as soon as practicable to accommodate new construction activity at the hospital.

Qwest's Request for Waiver describes the FCC rules, the Qwest application for the new NXX with Neustar and Neustar's denial of the Qwest application. A summary statement regarding the application is attached to this letter. Commission Staff manager, Doug Cooley, was previously notified that this request for waiver was being prepared. It is Qwest's hope that the Staff and Commission review of this request can be accomplished without delay and a decision can be reached at an upcoming Commission decision meeting.

Thank you for your cooperation in this matter.

Very truly yours,

Mary S. Hobson
MSH:blg
Enclosure

Friday, June 13, 2003

Idaho - Boise (BOISIDMADS3)
Request for Waiver for Additional Numbering Resources

BACKGROUND:

- ❖ According to FCC requirements, to qualify for additional numbering resources carriers must submit paperwork demonstrating the rate center for which the numbers are requested is at six months or less to exhaust and is at 65% or more utilization, increasing to 70% on June 30, 2003 (FCC 01-362, Section IV, C, paras. 57-66).
- ❖ In cases where a service provider is not able to meet a specific customer request with available inventory, the FCC has determined that the state commissions will have jurisdiction.

SITUATION:

- ❖ Qwest received a request from **Saint Alphonsus Regional Medical Center** for **10,000** DID's. That equates to **10,000** numbers out of the **BOISIDMADS3** switch in the **Boise** rate center. The request is for a whole NXX.
- ❖ Qwest first examined the **BOISIDMADS3** switch to confirm we did not have the numbers meeting the customer's criteria.
- ❖ Next, Qwest examined the remaining Qwest switch in the **Boise** rate center and confirmed that we do not have numbers meeting the customer's criteria.
- ❖ On **June 12, 2003**, Qwest submitted a Dedicated NXX request and MTE (Months to Exhaust) Worksheet to Neustar via their online system (PAS) requesting block(s) to satisfy the customer. The request was immediately denied.
- ❖ The **Boise** rate center is at **59** MTE and at **78%** utilization. Due to the MTE, Qwest does not qualify for an additional numbers at this time.

ACTION REQUIRED:

- ❖ Contact the **Idaho Public Utilities Commission** Staff to determine the best approach to obtain the NXX for the customer. Try to get the Commission to go along with an informal process where Qwest provides the request along with data for review by the Commission staff. If the staff approves, a letter or email is sent to the Pooling Administrator and Qwest granting the waiver. In the interest of time, try to avoid any formal process where a docket is opened, comments are filed, etc..)
- ❖ Prepare and file a request for waiver.

SPECIFICS:

- NPA: **208**
- Switch: **BOISIDMADS3**
- Rate Center: **Boise**
- Application Date for Numbers: 06/12/03
- Months to Exhaust (MTE) for the rate center: **59** months
- Utilization for the rate center: **78%**
- Customer: **Saint Alphonsus Regional Medical Center**(letter attached)
- Requested Effective Date for the NXX: ASAP (FCC recommends the State respond within 10 days - FCC 01-362, Section IV, C paragraph 66). Once the waiver is obtained Qwest will re-apply for the block(s) from NANPA/NEUSTAR.

Please find attached:

- Code Request
- Months to Exhaust (MTE) Certification Worksheet
- Automated Denial from NeuStar
- Customer letter

Available Upon Request:

- Section of the order FCC 01-362 describing waivers (safety valve).
- Colorado Example of a waiver request and actual waiver.

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IDAHO PUBLIC
UTILITIES COMMISSION

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Attorneys for Qwest Corporation

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE PETITION OF
QWEST CORPORATION'S REQUEST FOR
WAIVER OF THE NEUSTAR'S DENIAL OF
APPLICATION FOR NEW MAIN OFFICE
CODE IN AREA CODE 208 FOR SAINT
ALPHONSUS IN BOISE, IDAHO

CASE NO. QWE-T-03-14

**QWEST CORPORATION'S REQUEST
FOR WAIVER**

Qwest Corporation ("Qwest"), by and through its attorneys of record, and pursuant to IDAPA 31.01.01.256, files the following Request for Waiver. Qwest petitions the Commission for review of the denial of Qwest's application for use of central office code numbering resources in area code 208 by the administrator of the North American Numbering Plan, Neustar.

This waiver filing is made in conformity with the Federal Communications Commission's ("FCC") procedures for challenging determinations of Neustar, as outlined in *In the Matter of Numbering Resource Optimization, Petition for Declaratory Ruling and Request For Expedited Action on the July 15, 1997 Order of the Pennsylvania Public*

Utility Commission Regarding Area Codes 412, 610, 215, and 717, CC Docket Nos. 99-200 and 96-98, FCC 00-104, rel. Mar. 31, 2000 (“*Number Optimization Order*”), Appendix A, Final Rules, § 53.15 (g) (3) (iv) (“The carrier may challenge Neustar’s decision to the appropriate state regulatory authority”), as well as the Industry Central Office Code (NXX) Assignment Guidelines, § 13.0 (“Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body”).

In support of this petition Qwest states:

1. Qwest is a telephone corporation regulated by the Idaho Public Utilities Commission (“Commission”) providing intraLATA, local exchange telecommunications services in the Boise Rate Center.

2. The goal of the FCC’s *Number Optimization Order* was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of area codes under the North American Numbering Plan (“NANP”).

3. Among other things, the *Number Optimization Order* adopted a revised standard for assessing a carrier’s need for numbering resources by requiring rate-center based utilization rates to be reported to Neustar. The FCC further required that before applicants could qualify for access to new numbering resources, applicants had to demonstrate that the existing numbering inventory within the applicant’s *rate center* will be exhausted within six months of the application. Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and Neustar to make code

assignments, required the applicant's existing number inventory within the applicant's serving *switch* to exhaust within six months of the code application in order for a code to be assigned.

4. The FCC's shift to a "rate center" basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." (*Number Resource Optimization Order*, ¶ 105)

5. On or about June 12, 2003, Qwest submitted an automated Central Office Code (NXX) Assignment Request to Neustar via its online system (PAS) to obtain NXX resources necessary to meet the demands of Saint Alphonsus Regional Medical Center served by Qwest in Boise, Idaho. That application is attached hereto as Attachment A.

6. The reservation request made on behalf of the regional medical center was for a full NXX for use as a code for its Dedicated Direct Inward Dial service, which it purchases from Qwest.

7. Due to this specific customer request, Qwest submitted a request to obtain a central office (NXX) code in the Idaho 208 area code because Qwest did not have inventory within its supply of 208 area code numbers available through the Boise Main (BOISIDMADS3) central office to provide the full NXX code requested by the customer.

8. Qwest completed the application in accordance with the industry's Central Office Code (NXX) Assignment Guidelines and filled out the necessary "Months-to-Exhaust Certification Worksheet" required by Neustar.

9. Using the Boise rate center for the months-to-exhaust calculation as required under the *Number Optimization Order*, Qwest's rate center numbering resources are calculated to exhaust in 59 months.

10. Despite the fact that Qwest's inventory of available number resources for the Boise *rate center* may not exhaust for 59 months, Qwest is unable to provide the regional medical center's requested numbers through the switch that serves the customer in the Boise rate center. This is because the individual switch (BOISIDMADS3) does not have a full vacant NXX to meet this customer's request.

11. On June 12, 2003, the automated Pooling Administration System (PAS) denied Qwest's NXX request on the grounds that Qwest had not met the rate center based months-to-exhaust criteria now set forth in the Central Office Code (NXX) Assignment Guidelines, notwithstanding the fact that Qwest does not have the numbering resources needed to satisfy its customer's demands in the switch at issue. This decision is attached hereto as page 5 of Attachment A.

12. Further, Qwest's inability to provide this customer with the full NXX it requires for its Direct in Dial ("DID") service prevents Qwest from providing the quality of service this customer desires and expects.

13. Qwest's requested numbering resources would not materially impact the exhaust date of available numbers in the 208 area code.

14. Both the FCC's *Number Optimization Order* and Neustar's Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review Neustar's decision to deny a request for numbering resources, as identified above in the opening paragraphs.

15. Under prior months-to-exhaust procedures used by Neustar, waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a full vacant code to meet the customer's request. Under existing procedures, Neustar looks at the number of months-to-exhaust for the entire rate center without consideration of any exceptions.

16. Qwest seeks the Commission's review of Neustar's decision to withhold numbering resources from Qwest on the grounds that the decision runs contrary to the intent of the FCC to allow carriers access to numbering resources to meet specific customer demands upon a sufficient showing of need. Further, Neustar's denial of numbering resources to Qwest interferes with Qwest's ability to serve its customers within the state of Idaho.

17. In support of this request for waiver, Saint Alphonsus Regional Medical Center has prepared a letter to Qwest, attached as Attachment B, which details the need for the new prefix.

WHEREFORE, Qwest respectfully requests that:

1. The Commission review the decision of Neustar to deny Qwest's request for additional numbering resources to serve Saint Alphonsus Regional Medical Center with an established need for numbers.

2. The Commission direct Neustar to provide a new NXX to meet the specific requirements of Saint Alphonsus Regional Medical Center in Boise, Idaho.

3. The Commission find this issue does not require industry review, is not contentious, and does not justify opening contested docket prior to decision.

4. The Commission determine at its next available decision meeting to expeditiously request a waiver of Neustar's denial of a new NXX in Boise under Qwest's original Central Office Code Assignment Request dated June 12, 2003.

RESPECTFULLY SUBMITTED this 18th day of June, 2003.



Mary S. Hobson
Stoel Rives LLP
Attorneys for Qwest Corporation

Pooling Administration System

 jgbarlo@qwest.com (SP)

[Sign Out](#)

Request Resources

State	IDAHO
NPA	208
Rate Center	BOISE
OCN	9636-QWEST CORPORATION
Type of Application	Application for a full NXX for a Dedicated Customer



NOTE:

If you are selecting a Rate Center that is moving to a new NPA due to a split, PAS will automatically migrate the request to the new NPA once the mandatory dialing date occurs.

ATTACHMENT A
to Qwest's Request for Waiver
Page 1 of 5

Block Request Successful!

Pooling Administration System

 jgbarlo@qwest.com (SP)

[Sign Out](#)

Request Full NXX (Dedicated Customer)

Do you already have a block/code in this rate center? <input checked="" type="radio"/> Yes <input type="radio"/> No
Will all blocks be activated on the same switch? <input checked="" type="radio"/> Yes <input type="radio"/> No
<input type="button" value="Back"/> <input type="button" value="Cancel"/> <input type="button" value="Continue"/>

ATTACHMENT A
to Qwest's Request for Waiver
 Page 2 of 5

Pooling Administration System

 jgbarlo@qwest.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level

Date **Thursday, June 12, 2003**

OCN **9636**

Company Name **QWEST CORPORATION**

Rate Center **BOISE**

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X
(s)

```

208-321, 208-322, 208-323-0, 208-323-1, 208-323-2, 208-323-3, 208-323-4, 208-
323-5, 208-323-6, 208-323-7, 208-323-8, 208-323-9, 208-327, 208-331, 208-332,
208-333, 208-334, 208-336, 208-338, 208-341, 208-342, 208-343, 208-344, 208-
345, 208-348, 208-362, 208-363, 208-364, 208-367, 208-368, 208-373, 208-375,
208-376, 208-377, 208-378, 208-381, 208-383, 208-384, 208-385, 208-386, 208-
387, 208-388, 208-389, 208-392-4, 208-392-6, 208-392-9, 208-393, 208-395, 208-
396, 208-422, 208-424, 208-426, 208-429, 208-433, 208-562-0, 208-562-1, 208-
562-5, 208-562-6, 208-562-8, 208-658-0, 208-658-1, 208-658-2, 208-658-3, 208-
658-4, 208-658-5, 208-658-6, 208-658-7, 208-658-8, 208-658-9, 208-672, 208-
685-0, 208-685-1, 208-685-2, 208-685-3, 208-685-4, 208-685-5, 208-685-6, 208-
    
```

Name of Block Applicant **Mr Jacob Barlow**

Title **Code Administrator**

Telephone Number **(303) 707-8054**

Fax Number **(303) 707-9577**

E-Mail **jgbarlo@qwest.com**

A. Available Numbers *

B. Assigned Numbers *

C. Total Numbering Resources *

D. Quantity of numbers activated in the past 90 days
and excluded from the Utilization calculation *

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months² *

Month 1	<input type="text" value="32"/>	Month 2	<input type="text" value="719"/>
Month 3	<input type="text" value="-1357"/>	Month 4	<input type="text" value="-622"/>
Month 5	<input type="text" value="-681"/>	Month 6	<input type="text" value="-434"/>

F. Forecast - Next 12 months³ *

Month 1	<input type="text" value="9610"/>	Month 2	<input type="text" value="-391"/>
Month 3	<input type="text" value="-391"/>	Month 4	<input type="text" value="-391"/>
Month 5	<input type="text" value="-391"/>	Month 6	<input type="text" value="-391"/>

ATTACHMENT A
to Qwest's Request for Waiver

MTE

Month 7	-391	Month 8	-391
Month 9	-391	Month 10	-391
Month 11	-391	Month 12	-391

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) **1275.833**

H. Months to Exhaust ⁴ (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	75781	59.397

I. Utilization⁵(Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) * 100 **78.949**

Explanation



1. A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
2. Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
3. Forecast of TNs needed in each following month, starting with the most recent month as Month #1.
4. To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii)).
5. Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))



Pooling Administration System

 jgbarlo@qwest.com (SP)

Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Based on the information provided, you will not exhaust all blocks in the requested NXX in 6 months.

Select One Option and Submit

- Return to the Months To Exhaust Form
- Discard all the information provided for the request and start with a fresh Part 1A
- State Waiver Option

ATTACHMENT A
to Qwest's Request for Waiver
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NEW PREFIX REQ 6-3-03 P.01



Saint Alphonse
Regional Medical Center

Date: June 3, 2003
To: Darla Larson, Qwest
From: Elaine Schnebly, Saint Alphonse
Re: New Prefix Request

Darla,
Saint Alphonse is on the verge of outgrowing the 367 prefix and is requesting a new prefix from Qwest for the reasons listed below.

1. New prefix should start at XXX - 0001 to XXX - 9999.
2. We currently have the number range 367-2000 through 367-8999 sans 5900 to 5939 and have about 800 numbers left. We are beginning a new construction site within the next year which will be the same footprint, if not larger, as the main hospital and I am anticipating that will consume at least 1000 numbers if not more. In addition to the new building we are always adding new off site physician offices and clinics which we tie to our switch via T1's and use our DID numbers for 4 digits dialing. This is difficult because this changes monthly, but at this point
3. We have the new infill tower which will be 1000+ numbers, and I believe we also have a new medical building scheduled which is generally 200 numbers. Anticipated growth is extremely hard to predict.

Thank you for your consideration in this matter.


Elaine Schnebly
Voice Network Engineering
Saint Alphonse Regional Medical Center

ATTACHMENT B
to Qwest's Request for Waiver