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IDAHO PUBLIC  
UTILITIES COMMISSION

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May 24, 2004

**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. QWE-T-04-10  
**A WAIVER REQUEST FOR NEW IDAHO NXX (PREFIX) IN BOISE, IDAHO  
FOR CITIGROUP**

Dear Ms. Jewell:

Enclosed for filing with this Commission is an original and eight copies of Qwest Corporation's Petition for Waiver of the Neustar's Denial of Application for New Central Office Code in Area Code 208. Copies of the confidential attachment are provided under separate cover. Qwest requests the Idaho Public Utilities Commission direct the Neustar to release a new NXX (prefix) to meet requirements of Citigroup in Meridian, 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 company. The customer requests the new prefix be available as soon as practicable.

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. 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,

A handwritten signature in cursive script that reads "Mary S. Hobson".  
Mary S. Hobson  
MSH:blg  
Enclosure

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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  
CITIGROUP IN MERIDIAN, IDAHO

CASE NO. QWE-T-04-10

**QWEST CORPORATION'S  
PETITION FOR WAIVER**

Qwest Corporation ("Qwest"), by and through its attorneys of record, and pursuant to Rule 53, IPUC Rules of Procedure, *IDAPA 31.01.01.256*, files the following Petition 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 North American Numbering Plan Administrator ("Neustar").

This waiver petition 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*, 15 FCC Rcd. 574 (2000) (“*Number Optimization Order*”), as well as 47 C.F.R. § 52.15 (g) (3) (iv) (“The carrier may challenge Neustar’s decision to the appropriate state regulatory commission”), and 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 Meridian 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 May 4, 2004, 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 Citigroup served by Qwest in Meridian, Idaho. That Assignment Request is attached hereto as Attachment A. The customer's request for a dedicated NXX via letter dated April 16, 2004 hereto attached as Confidential Attachment B.

6. The reservation request made on behalf of Citigroup was for a full NXX for use as a code for its Dedicated Direct Inward Dial service, which it wishes to purchase from Qwest. Qwest has determined that the customer's request is appropriate given the information provided concerning the level of usage and projected growth the customer expects to experience over the next few years."

7. Due to this specific customer request, Qwest submitted a request to obtain a central office (NXX) code in the Meridian rate center. Qwest made the request for an additional central office code to be assigned to the Meridian rate center because Qwest does not have sufficient numbering inventory in this rate center 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 Meridian rate center for the months-to-exhaust calculation as required under the *Number Optimization Order*, Qwest estimates that numbering resources will exhaust in the Meridian rate center in 8 months.<sup>1</sup>

10. The automated Pooling Administration System (PAS) immediately 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. The decision is attached hereto as Page 5 of Attachment A.

11. Despite the fact that Qwest's inventory of available number resources for the Meridian *rate center* may not exhaust for 8 months, Qwest is unable to provide Citigroup's requested numbers through the switch that serves the customer in the Meridian rate center. This is because the individual switch (MRDNIDMADS0) does not have a full vacant NXX to meet this customer's request.

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<sup>1</sup> In July 2003, the Commission granted a similar petition by Qwest with regard to the assignment of entire prefix to a customer in the Boise rate center. *In the Matter of Qwest Corporation Seeking a Waiver of Neustar's Denial, Case No. QWE-T-03-14, Order No. 29279*. In that case, Qwest had calculated that the existing prefixes in the Boise rate center would not be exhausted for 59 months - far longer than the 8 months at issue in this Petition. *Order No. 29279, at 1*. Likewise in July 2001 the Commission granted a waiver request in Case No. QWE-T-01-14, *In the Matter of the Petition of Qwest Corporation's Request for Waiver of the NANPA's Denial of Application for New Central office Code in Area Code 208 for Ricks College in Rexburg Idaho*, where the numbering resources were not scheduled to exhaust for 76 months.

12. Further, Qwest's inability to provide this customer with the full NXX it requires for its 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. The FCC's *Number Optimization Order* provides 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.

**WHEREFORE**, Qwest respectfully requests that:

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

2. The Commission direct Neustar to provide a new NXX to meet the specific requirements of Citigroup in Meridian, 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 Meridian under Qwest's original Central Office Code Assignment Request dated May 4, 2004.

**RESPECTFULLY SUBMITTED** this 24<sup>th</sup> day of May, 2004.



---

Mary S. Hobson  
Stoel Rives LLP

Adam L. Sherr  
Qwest

Attorneys for Qwest Corporation

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of May, 2004, I served the foregoing **QWEST CORPORATION'S PETITION FOR WAIVER** as follows:

Jean D. Jewell, Secretary  
Idaho Public Utilities Commission  
472 West Washington  
P.O. Box 83720  
Boise, ID 83702  
Telephone: (208) 334-0300  
Facsimile: (208) 334-3762  
[jjewell@puc.state.id.us](mailto:jjewell@puc.state.id.us)

- Hand Delivery
- U. S. Mail
- Overnight Delivery
- Facsimile
- Email

  
Brandi L. Gearhart, PLS  
Legal Assistant to Mary S. Hobson  
Stoel Rives LLP

**ATTACHMENT A**

# Pooling Administration System

 jgbarlo@qwest.com (SP)

[Sign Out](#)

## Request Resources

State IDAHO

NPA 208

Rate Center MERIDIAN

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**

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="Continue"/> <input type="button" value="Cancel"/>

## Pooling Administration System

[jjbarlo@qwest.com](mailto:jjbarlo@qwest.com) (SP)

[Sign Out](#)

### Months to Exhaust and Utilization Certification Worksheet - TN Level

Date **Tuesday, May 4, 2004**

OCN **9636**

Company Name **QWEST CORPORATION**

Rate Center **MERIDIAN**

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

208-286-0, 208-286-7, 208-286-9, 208-288, 208-585-0, 208-585-2, 208-585-3, 208-585-5, 208-585-6, 208-585-9, 208-706, 208-846, 208-855, 208-884, 208-887, 208-888, 208-893, 208-895, 208-898, 208-922-1, 208-922-2, 208-922-3, 208-922-4, 208-922-5, 208-922-9

Name of Block Applicant **Mr Jacob Barlow**

Title **Code Administrator**

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

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

E-Mail **jacob.barlow@qwest.com**

A. Available Numbers \* 15288

B. Assigned Numbers \* 94704

C. Total Numbering Resources \* 115000

D. Quantity of numbers activated in the past 90 days  
and excluded from the Utilization calculation \* 0

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months<sup>2</sup> \*

Month 1	-58	Month 2	129
Month 3	317	Month 4	650
Month 5	395	Month 6	224

F. Forecast - Next 12 months<sup>3</sup> \*

Month 1	10290	Month 2	290
Month 3		Month 4	

MTE

	304		320
Month 5	336	Month 6	352
Month 7	370	Month 8	389
Month 9	408	Month 10	428
Month 11	450	Month 12	472

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above ) divided by 6) **1982.000**

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

Block Requested	A. Available Numbers	H. Months to Exhaust
1	15288	7.713

I. Utilization<sup>5</sup>(Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) \* 100 **82.351**

#### 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))

MTE

## 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

Submit

Cancel

**CONFIDENTIAL ATTACHMENT B  
FILED UNDER SEPARATE COVER**