

Jean Jewell

From: Jean Jewell
Sent: Friday, September 20, 2013 8:46 AM
To: Jean Jewell
Subject: FW: tw telecom request for waiver for City of Boise, ID
Attachments: Attachment A.pdf; Attachment B.pdf
Importance: High

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TWT-T-13-01

From: Diamond, Greg [<mailto:Greg.Diamond@twtelecom.com>]
Sent: Thursday, September 19, 2013 2:58 PM
To: Carolee Hall
Subject: tw telecom request for waiver for City of Boise, ID

Dear Carolee,

tw telecom of Idaho LLC ("tw telecom") respectfully requests that the Idaho Public Utilities Commission ("Commission") grant tw telecom a waiver in order to permit tw telecom to obtain numbering resources in order to satisfy the needs of its customer, the City of Boise, Idaho ("City").

The City has requested that tw telecom provide one 1000 block DIDs for the Boise, ID rate center. The City is seeking numbers within the 802-764-8xxx range. Such numbering resources are urgently needed to accommodate the City's needs within the State of Idaho. A copy of the City's request is provided in Attachment A.

Because Tw telecom does not have the requisite numbering resources to meet the City's request, tw telecom sought additional numbering resources from the numbering pool administrator. That request was denied, however, because tw telecom does not currently meet the MTE and/or number utilization requirements. See Attachment B. Accordingly, the pooling administrator has directed tw telecom to seek a waiver from the Commission.

In its Third Report and Order in the Numbering Resource Optimization proceeding, the Federal Communications Commission stated that "a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier's inability to satisfy a specific customer request." *Numbering Resource Optimization, Third Report and Order and Second Order on Reconsideration*, CC Docket No. 96-98 and CC Docket No. 99-200, FCC 01-362, (rel. Dec. 28, 2001) ("Third Report and Order") at ¶64. It also stated that states may grant requests by carriers in such circumstances, as long as the request is for a customer seeking contiguous blocks of numbers and not vanity numbers. *Id.* Therefore, the FCC has specifically authorized the Commission to grant waivers to the pooling administrator's decisions under the appropriate circumstances.

tw telecom respectfully submits that a waiver is appropriate in this instance. In particular, tw telecom has a verifiable need for additional numbering resources because tw telecom cannot meet the City's request out of its existing numbering resources. Furthermore, grant of the requested waiver serves the public interest by allowing tw telecom to expand services to the City in the State of Idaho.

Please let me know if you require anything further or have any questions. Also, could you please provide me with an estimate as to how soon the Commission will act on this waiver request. Thank you.

Greg

Greg Diamond