

STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION

Qwest Corporation  
Bismarck Rate Center  
Numbering Resources

Case No. PU-08-434

AFFIDAVIT OF SERVICE BY CERTIFIED & ORDINARY MAIL

STATE OF NORTH DAKOTA  
COUNTY OF BURLEIGH

Janet Marquart deposes and says that:

she is over the age of 18 years and not a party to this action and, on the 14<sup>th</sup> day of **August, 2008**, she deposited in the United States Mail, at Bismarck, North Dakota, **three** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing original of:

Motion and Order

The envelopes were addressed as follows:

Kevin D. Manwarren  
Qwest Corporation  
1801 California St., Suite 4730  
Denver, CO 80202

Mike Zimmerman  
Basin Electric Power Cooperative  
1717 East Interstate Avenue  
Bismarck, ND 58503-0564

**Cert. No. 7007 2560 0001 6052 5743**

**Cert. No. 7007 2560 0001 6052 5736**

Julie Kline, Pooling Administrator  
Neustar  
1800 Sutter St., Suite 780  
Concord, CA 94520

**Cert. No. 7007 2560 0001 6052 5729**

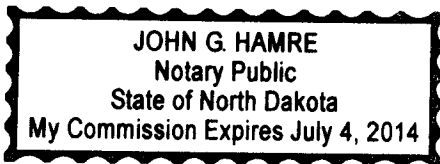
Janet Marquart further deposes and says that on the 14<sup>th</sup> day of **August, 2008**, she deposited in the United States Mail, Bismarck, North Dakota, **one** envelope by regular mail, with postage fully prepaid, securely sealed, each containing a photocopy of the same.

Jacob Barlow  
Qwest Corporation  
700 W. Mineral Ave.  
Littleton, CO 80120

Each address shown is the respective addressee's last reasonably ascertainable post office address.

Subscribed and sworn to before me  
this 14<sup>th</sup> day of **August, 2008**

SEAL



*Janet Marquart*  
\_\_\_\_\_  
*John G. Hamre*  
\_\_\_\_\_  
Notary Public

APPROVED

DATE: 8-13-08  
*[Signature]*

**MOTION**

**August 13, 2008**

**Qwest Corporation  
Bismarck Rate Center  
Numbering Resources**

**Case No. PU-08-434**

I move the Commission adopt the Order granting Qwest Corporation's request for a block of 1000 numbers in the Bismarck rate center, Case No. PU-08-434.

PJF

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Qwest Corporation  
Bismarck Rate Center  
Numbering Resources**

**Case No. PU-08-434**

**ORDER**

**August 13, 2008**

On June 30, 2008 Qwest Corporation (Qwest) submitted an application to NeuStar Pooling Administration System (NeuStar), the North Dakota number pooling administrator, for additional numbering resources consisting of a 1,000 number block out of the Bismarck, North Dakota rate center.

On June 30, 2008 NeuStar denied the request for additional numbering resources for the Bismarck switch because the company did not meet the Federal Communications Commission (FCC) criteria. The FCC requires that applicants for additional numbering resources must demonstrate that the rate center for which the numbers are requested has no more than a six-month inventory of numbers and is utilizing 75% or more of the numbers in inventory. The Bismarck rate center has 75,756 assigned numbers and 26,877 available numbers that, based on forecast usage, would exhaust in 161 months; therefore, Qwest did not qualify for additional numbers at this time.

On July 3, 2008 Qwest filed a request for review of NeuStar's denial of its application and asked that the Commission direct NeuStar to provide the block of 1,000 numbers. Under FCC rules, state commissions may grant a waiver of the FCC rules and grant requests for additional numbering resources when there is a demonstrated verifiable need.

The Commission has authority under North Dakota Century Code section 49-21-01.7 (14) to resolve numbering resource conservation issues. The Commission held an Informal Hearing on July 30, 2008.

The Commission must take into consideration the extent to which the carrier has used available numbering resource optimization strategies and the carrier's showing that deviation from the FCC's inventory and utilization requirements is warranted. The carrier must demonstrate the following: 1) that the carrier will exhaust its numbering resources in a market or rate area within three months (in lieu of the 6 months-to-exhaust requirement; and 2) that projected growth is based on the carrier's actual growth in the market of rate area, or on the carrier's actual growth in a reasonably comparable market, but only if that projected growth varies no more than 15 percent from historical growth in the relevant market; or 3) that there is a verifiable need due to the specific customer request for numbering resources in a given rate center that the

carrier is unable to satisfy with its current inventory. Regarding a specific customer request, the carrier must provide the Commission with documentation of the customer request and current proof of utilization in the rate center.

In support of the request, Qwest provided a copy of the June 24, 2008 letter it received from Basin Electric Power Cooperative. Basin Electric states that it has not been able to incorporate available DID (direct inward dial) numbers in the Bismarck area into their dialing plan and requests a block of 1000 DID numbers within the range of 5000-5999 with a new prefix.

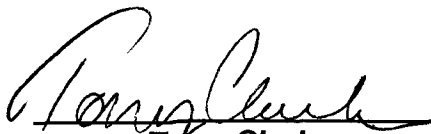
Qwest indicated that it has no clean blocks of 1000 numbers available for assignment in the Bismarck rate center. Qwest intends to use a block of 1000 numbers from the number pool and will not be opening an NXX code.

Based on the specific need demonstrated, we find it appropriate to grant Qwest's request.

### ORDER

1. The Commission orders that NeuStar Pooling Administration System provide Qwest Corporation a one thousands block of numbers from the number pool, specifically a 5 block (701-NXX-5000 thru 5999) for the Bismarck, North Dakota rate center as soon as possible.

### PUBLIC SERVICE COMMISSION

  
Tony Clark  
Commissioner

  
Susan E. Wefald  
President

  
Kevin Cramer  
Commissioner