

STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION

Qwest Corporation
Bismarck Rate Center
Numbering Resources

Case No. PU-08-941

AFFIDAVIT OF SERVICE BY CERTIFIED 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 **23rd** day of **January, 2009**, she deposited in the United States Mail, Bismarck, North Dakota, **three** envelopes with certified postage, return receipt requested, fully prepaid, securely sealed and containing a photocopy of:

Order Granting Trade Secret Protection
Order on Numbering Resources

The envelopes were addressed as follows:

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

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

Cert. No. 7008 1140 0002 6249 8299

Cert. No. 7008 1140 0002 6249 8305

Mr. Mike Zimmerman
Voice & Data Communications Supvr
Basin Electric Power Cooperative
1717 E Interstate Ave
Bismarck ND 58503-0564

Cert. No. 7008 1830 0004 1758 6877

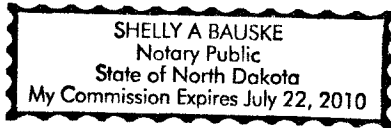
Each address shown is the respective addressee's last reasonably ascertainable post office address.

Ganet Marquart

Subscribed and sworn to before me
this 23rd day of **January, 2009**.

Shelly A Bauske
Notary Public

SEAL



**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Qwest Corporation
Bismarck Rate Center
Numbering Resources**

Case No. PU-08-941

ORDER

January 14, 2009

On November 7, 2008 Qwest Corporation (Qwest) submitted an application to NeuStar, Inc. National Pooling Administrator (NeuStar) for additional numbering resources consisting of a 1,000 number block out of the Bismarck, North Dakota rate center.

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. Qwest did not qualify for additional numbers at this time.

On December 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 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.

The request for numbers is for a specific customer, Basin Electric Power Cooperative (Basin). Basin has been unable to incorporate available DID (direct inward dial) numbers currently available in the Bismarck area into their dialing plan. This is Basin's second request for a block of numbers. In its first request, granted by the Commission on August 13, 2008, Basin indicated it would be making a second request for a block of numbers. Basin intends to utilize 600 numbers, specifically 701-557-4400 through 4999.

In the first request, 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

The Commission orders that NeuStar, Inc. National Pooling Administrator provide Qwest Corporation a one thousands block of numbers from the number pool, specifically a 4 block (701-NXX-4000 thru 4999) for the Bismarck, North Dakota rate center as soon as possible.

PUBLIC SERVICE COMMISSION



Tony Clark
Commissioner



Kevin Cramer
President



Brian P. Kalk
Commissioner