

**STATE OF NORTH DAKOTA  
PUBLIC SERVICE COMMISSION**

**Qwest Corporation  
Fargo Rate Center  
Numbering Resources**

**Case No. PU-09-335**

**ORDER  
July 9, 2009**

On June 4, 2009 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 Fargo, North Dakota rate center.

NeuStar denied the request for additional numbering resources for the Fargo switch because the company did not meet the Federal Communications Commission (FCC) criteria. The FCC requires that applicants for additional numbering resources 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.

On July 12, 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 8, 2009.

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, under trade secret request, a copy of the customer's request. The customer needs to have the numbers working in July.


Qwest indicated that it has no clean blocks of 1000 numbers available for assignment in the Fargo rate center that have an NXX ending in a 2. Qwest agreed to donate a clean block of 1,000 numbers in its possession to the industry pool to replace the block being requested.

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

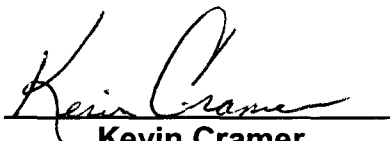
### ORDER

1. The Commission orders that NeuStar Pooling Administration System provide Qwest Corporation a block of one thousand numbers from the number pool, specifically with an NXX ending in a 2 for the Fargo, North Dakota rate center as soon as possible.
2. The Commission orders that Qwest Corporation donate a clean block of 1,000 numbers in its possession to the industry pool.

### PUBLIC SERVICE COMMISSION



**Tony Clark**  
Commissioner



**Kevin Cramer**  
President



**Brian P. Kalk**  
Commissioner