

**STATE OF NORTH DAKOTA
PUBLIC SERVICE COMMISSION**

**Qwest Corporation
Fargo Rate Center
Numbering Resources**

Case No. PU-11-65

**ORDER
March 9, 2011**

On February 8, 2011 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 10,000 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) months-to-exhaust requirements. 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.

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.

In support of the application, Qwest provided, under trade secret request, a copy of the customer's request.

Qwest indicated that it has no clean blocks of 10,000 numbers that have an NXX ending in a 7 available for assignment in the Fargo rate center. The customer will immediately place into service the numbers requested and will then return 1700 numbers to Qwest.

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


ORDER

1. Qwest Corporation's request for a waiver of the Months to Exhaust/Utilization Threshold requirement to obtain a block of ten thousand numbers from the number pool, specifically with an NXX ending in 7 at the Fargo, North Dakota rate center is granted.
2. One thousand seven hundred numbers will be returned to the number pool.

PUBLIC SERVICE COMMISSION



Kevin Cramer
Commissioner



Tony Clark
Chairman



Brian P. Kalk
Commissioner