



Missouri Valley
Communications, INC.
TOTAL TELECOMMUNICATIONS

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PUBLIC SERVICE COMMISSION

October 1, 2012

North Dakota Public Service Commission
Darrell Nitschke, Executive Secretary
600 E. Boulevard, Dept. 408
Bismarck, ND 58505-0480

RE: Waiver of Months to exhaust/utilization Threshold Requirement – Williston
Rate Center

Dear Mr. Nitschke:

By this letter Missouri Valley Communications, Inc. (MVCI) is requesting a waiver of the Months to Exhaust/Utilization Threshold requirement outline in the FCC's Numbering Resource Optimization Orders, FCC 00-429 and FCC 01-362 released in CC Docket No. 99-200. This allows NeuStar, North Dakota's Pooling Administrator, to provide numbering resources to MVCI. MVCI is requesting a block of 5,000 consecutive numbers in the Williston rate center to meet customer requests.

MVCI understands it has not yet reached the necessary 75% usage; however, aggressive growth within the exchange, including one business customer requiring 1,000 DID lines, has pushed MVCI to request a new block of 5,000 numbers in the Williston rate center. (See Trade Secret attached request from the Customer to Missouri Valley labeled Attachment A.) The three NXXs acquired in 2003 with the purchase of this area had contaminated thousands block prior to the acquisition. (See Trade Secret attached showing the contamination of these number blocks labeled Attached B.) We will continue to assign numbers out of the current three NXXs, using the new 5,000 number groups primarily for business DID number utilization.

In order to satisfy the customer request, MVCI submitted a request for the new NXX to NeuStar on August 6, 2012. The request was denied on August 9, 2012 since MVCI did not meet the utilization requirements. (See Trade Secret attached denial from NeuStar to Missouri Valley labeled Attachment C.) MVCI is now requesting a group of 5,000 numbers, 1,000 of which will be used for the customer that is requesting them for their DID lines, the other will be a reserve for future business customers.

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Request for waiver of months to exhaust utilization
threshold requirement for Williston rate center

Missouri Valley Communications, Inc.

David Morgan, Pooling Administrator

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The FCC allows for a waiver of the rules when there is a demonstrated need such as a specific customer request for a large block of numbers. The waiver process is specifically addressed in the FCC Third Report and Order as the "safety valve" process (See FCC 01-362, paras 57-66) which went into effect on March 14, 2002. The Order delegates the authority to hear claims for a waiver to the state commissions (see paras. 61, 66).

MVCI respectfully requests that the Commission approve MVCI's request for a waiver of the FCC's months to exhaust/utilization threshold requirement and direct NeuStar to provide the requested 5,000 consecutive number group in the Williston rate center for use by the business customers. The directive can be mailed to:

David Morgan
Pooling Administrator
NeuStar
21575 Ridgetop Circle
Sterling, VA 20166
Phone: (571) 434-5381
Fax: (571) 434-5502
Email: david.morgan@neustar.com

cc: Missouri Valley Communications, Inc.
ATTN: Jodie Richardson
PO Box 600
Scobey, MT 59263-0600

If you have questions, or need additional information, please contact me at 406-783-2281 or jodie.richardson@nemont.coop.

Sincerely,



Jodie Richardson
Regulatory Compliance Coordinator

Enclosure