

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  QWEST CORPORATION	DOCKET NO. WRU-02-26-272
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**ORDER DENYING WAIVER REQUEST IN PART AND GRANTING IN PART**

(Issued August 6, 2002)

On July 15, 2002, Qwest Corporation (Qwest) filed with the Utilities Board (Board) a request for a waiver of utilization threshold requirements outlined by the Federal Communications Commission (FCC) in Numbering Resource Optimization Orders, CC Docket No. 99-200, FCC 00-429, and FCC 01-362. Qwest states that in May 2002, it received a customer request for 7,000 consecutive numbers between 2,000 and 8,999 in sequence in any central office code (NXX) and another customer request for 1,300 consecutive numbers from the Des Moines rate center. On June 18, 2002, Qwest submitted a request for a new NXX to NeuStar, Inc. (NeuStar), the North American Numbering Plan Administrator (NANPA), but the request was denied because Qwest does not meet the "months-to-exhaust" threshold for the Des Moines rate center.

The FCC has given states the authority to overturn the NANPA's decision to withhold numbering resources from a carrier based on the state's determination that the carrier has demonstrated a verifiable need for numbering resources and has

exhausted all other available remedies. (See 47 C.F.R. § 52.15(g)"4"). In addition, the FCC states that carriers may demonstrate the need for additional numbering resources by providing the state with documentation of a customer request and current proof of utilization in the rate center. (FCC 01-362, ¶ 64). The FCC is careful to point out, however, that states may not accommodate requests for specific numbers (i.e., vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers. (Id.). Therefore, a statement by the carrier regarding the types of numbers being requested is necessary.

The information filed by Qwest sufficiently satisfies the requirements specified in the FCC's orders delegating waiver authority to the Board. Qwest has provided documentation of its customers' requests for the additional numbers as well as statements regarding number utilization in the Des Moines wire center. Qwest also states that for technical reasons, Qwest does not have the consecutive numbers in a NXX that meet the criteria required by both customers and that neither customer is requesting vanity numbers.

However, the Des Moines rate center is located within the 515 area code, which is a thousands-block number pooling environment. Board staff contacted NeuStar's pooling administrator for Iowa and learned that there are sufficient blocks of sequential numbers available in the pool to satisfy both customers' requests. Therefore, a new NXX code assignment is not necessary.

**IT IS THEREFORE ORDERED:**

1. The request for waiver of the FCC's utilization threshold requirements for application of a new NXX code filed by Qwest Corporation on July 15, 2002, is denied.

2. The request for waiver of the FCC's utilization threshold requirements for blocks of sequential numbers from the 515 area code thousand-block pooling environment filed by Qwest Corporation on July 15, 2002, is granted, thereby allowing NeuStar's pooling administrator for Iowa to issue Qwest Corporation sufficient blocks of sequential numbers to satisfy its two customers' requests.

3. The Executive Secretary of the Utilities Board shall mail a copy of this order to NeuStar, Inc., Pooling Administration, 1800 Sutter Street, Suite 780, Concord, CA 94520, attention Tara Farquhar, Pooling Administrator for Iowa.

**UTILITIES BOARD**

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 6<sup>th</sup> day of August, 2002.