

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: OMNITEL COMMUNICATIONS	DOCKET NO. WRU-06-26-3704
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ORDER GRANTING WAIVER

(Issued November 13, 2006)

On October 31, 2006, OmniTel Communications (OmniTel) filed with the Utilities Board (Board) a request for a waiver of the number utilization threshold requirements for the Charles City, Iowa, rate center. The requirements relating to optimization of telephone numbering resources are outlined in various orders of the Federal Communications Commission (FCC).

OmniTel states that in Spring 2006, it applied to NeuStar, Inc., the Pooling Administrator, for a new 1,000 block of numbers for a specific customer in Charles City, Iowa. OmniTel states that on March 23, 2006, the Pooling Administrator assigned the 641-715-0XXX block of numbers to OmniTel. OmniTel states that the block of numbers assigned by the Pooling Administrator is not compatible with the customer's private branch exchange (PBX). The PBX directs calls beginning with the number "0" to the company's internal operator instead of directing the calls to the extension dialed. To be compatible with its PBX, OmniTel states its customer needs a block of 1,000 telephone numbers beginning with "2" or "3." OmniTel states that it will return the 641-715-0XXX block to the Pooling Administrator after 12 months.

When applying for a block of 1,000 numbers, the FCC requires that a carrier must show that it has a minimum utilization rate of 75 percent or less than a six-month inventory of numbers in the relevant rate center. The Pooling Administrator denied OmniTel's request for a block beginning with a "2" or "3" because OmniTel was unable to meet either of these FCC requirements.

The FCC has given states the authority to overturn the Pooling Administrator'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 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 OmniTel in support of its request satisfies the requirements specified in the FCC's orders delegating waiver authority to the Board. Therefore, the Board will grant OmniTel's request for waiver.

IT IS THEREFORE ORDERED:

1. The request for waiver of the FCC's utilization threshold requirements filed by OmniTel Communications on October 31, 2006, is granted as discussed in the body of this order.

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

UTILITIES BOARD

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Curtis W. Stamp

Dated at Des Moines, Iowa, this 13th day of November, 2006.