

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: November 22, 2010

AT (OFFICE): NHPUC

FROM: *David*
David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 10-288 FairPoint Communications - NNE
Request for Waiver of NeuStar's Denial of Numbering Resources

TO: Commissioners
Debra Howland, Executive Director
Kate Bailey, Director - Telecommunications

On October 27, 2010, Northern New England Telephone Operations LLC d/b/a FairPoint Communications - NNE (FairPoint) submitted a petition seeking a waiver of Neustar's decision to deny FairPoint's request for a full NXX code containing ten-thousand telephone numbers (code). FairPoint stated it required this amount of numbers to fulfill a customer's request for Direct Inward Dial (DID) numbers. NeuStar is the division of the North American Numbering Plan Administrator (NANPA) that administers number assignments.

NeuStar's Pooling Administrator denied FairPoint's request on the grounds that FairPoint had not met the "MTE [months-to-exhaust] and or Utilization requirements" for the rate center in which it is requesting a code. FairPoint states it requested the code because it does not have the resources available to provide ten-thousand sequential numbers in the line range requested by the customer.

The FCC's Numbering Resource Optimization Third Report and Order and Second Order on Reconsideration (FCC 0 1-362) Appendix A, Final Rules, 52. 15(g) (4) states that " ... The state commission also may overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other remedies."

FairPoint supported its petition with a letter from its customer, Liberty Mutual, which is physically located in Dover. Following a series of fact-finding correspondences, in which FairPoint provided support to show Liberty Mutual required resources, a conference call was held in which FairPoint and Liberty Mutual provided Staff with additional information to support the magnitude of the request, but only for eight one thousand blocks rather than a full code. In light of this, FairPoint agreed that the quantity of numbers for which it seeks a waiver of Neustar's denial should be reduced to eight blocks, rather than for a full code.

Liberty Mutual has expressed a need for 8000 numbers and stated it would place those numbers in service during December, 2010. Based on information provided to Staff, FairPoint and its customer have demonstrated a verifiable need for the numbers.

Numbering resources are available in the Dover exchange to fulfill a FairPoint request for eight blocks. A new code will not be used to satisfy this request and several one thousand blocks will remain available in the pool. Based on this, Staff recommends the Commission grant a waiver of Neustar's denial, but only for eight blocks rather than a full code.