

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: November 26, 2012
AT (OFFICE): NHPUC

David *ML*

FROM: David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 12-338 FairPoint Communications - NNE
Request for Waiver of NeuStar's Denial of Numbering Resources

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

On November 19, 2012, 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 five blocks of numbers containing five thousand telephone numbers. 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 made its request. FairPoint states it requested the five blocks because it does not have the resources available to provide five thousand numbers to its 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. The customer states that it "requires an addition of 5,000 DIDs for the purposes of E911 Emergency Location Identification Numbers." The customer also says it would prefer a contiguous number range, but is willing to accept non-contiguous blocks, so long as breaks in the numbering sequence are kept to a minimum.

Five blocks of numbers are available in the rate center in which the customer seeks resources. Three of the blocks are non-contaminated, which means no phone numbers have been assigned from those blocks. The other two blocks have 6 numbers and 41 numbers assigned from each, well below NeuStar's 10% contamination limit, above

which a requesting service provider is not required to accept a block. FairPoint has made arrangements with Neustar to reserve the five blocks for 90 days. If the waiver is granted, Neustar can use those blocks to fulfill FairPoint's request.

FairPoint's customer has expressed a need for 5,000 numbers and stated it would begin placing those numbers into service in late 2012, and would continue the process through 2013, until completion. Based on information provided to Staff, FairPoint and its customer have demonstrated a verifiable need for the numbers.

Numbering resources are available in the customer's exchange to fulfill a FairPoint request for five 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 of FairPoint's request for five blocks.