

THE STATE OF NEW HAMPSHIRE

BEFORE THE

PUBLIC UTILITIES COMMISSION

Docket No. DT 14-____

NOW COMES Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE (“FairPoint”) and hereby petitions the New Hampshire Public Utilities Commission (the “Commission”) pursuant to the Federal Communications Commission’s (the “FCC’s”) Rule (47 C.F.R. § 52.15) to review and overturn a recent denial by the Numbering Pooling Administrator to withhold certain numbering resources from FairPoint needed for the following New Hampshire Rate Centers: Danbury, Errol, Harrisville, Jefferson, Lancaster, Lisbon, Milan, Milton Mills, New Boston, North Stratford, Troy and West Stewartstown (collectively the “Rate Centers”).

In support thereof, FairPoint states as follows:

- 1) On February 28, 2008, the Commission issued an Order in Docket No. DT 07-011 approving the asset transfer from Verizon New England Inc., d/b/a Verizon New Hampshire to FairPoint.
- 2) NeuStar is the North American Numbering Plan Administrator (“NANPA”) that administers the Pooling Administration System (“PAS”) and the NANP Administration System (“NAS”).

- 3) Upon information and belief, in or around 2003, Verizon New England Inc., in error, donated back to the NANPA pool¹, certain thousand blocks of numbers that contained the Rate Centers' Local Routing Numbers ("LRN").
- 4) The North American Numbering Plan (the "NANP") numbers are all ten (10) digits consisting of a three (3) digit National Plan Area or NPA (Area Code) followed by a seven (7) digit local number and are represented as NPA-NXX-XXXX. The "N" is any digit from 2 through 9 and "X" is any digit from "0" to "9." An LRN is a ten (10) digit number that uniquely identifies the switch or Point of Interconnection ("POI"). The Number Portability Administration Center requires the LRN (NPA-NXX-XXXX) in order to port customers into FairPoint's network.
- 5) The Alliance for Telecommunications Industry Solutions, Inc.² ("ATIS") Local Routing Number Assignment Practices state:

"A service provider will establish one (1) LRN per LATA³ from an assigned NXX for each recipient switch or POI in the number portability capable network. Additional LRNs may be used for internal purposes. Further, additional LRNs are not required to identify US wireline rate centers. A unique LRN may be assigned to every LNP⁴ equipped switch or POI (and potentially to each CLLI⁵ listed in the Telcordia® LERG™ Routing Guide).

Currently, the Danbury, Errol, Harrisville, Jefferson, Lancaster, Lisbon, Milan, Milton Mills, New Boston, North Stratford, Troy and West Stewartstown Rate Centers do not have assigned LRNs due to Verizon New England Inc.'s erroneous donation to the

¹ Inventory of donated thousand number blocks available for other carriers' use and available for assignment.

² ATIS PTSC Standard: *Number Portability for Switching Systems* ATIS 1000002, October 2004. Please note: documents available at the ATIS Document Center at www.atis.org may have an associated fee.

³ Local Access and Transport Area

⁴ Local Number Portability

⁵ Common Language Location Identifier

NANPA pool of certain thousand numbering blocks which included the LRN in these Rate Centers.

- 6) At the time of it donating the LRNs back to the NANPA pool, Verizon New England Inc., including Verizon New Hampshire continued to use these donated LRNs. It is imperative to have these LRNs (by means of thousand number blocks) reassigned back to New Hampshire for the twelve (12) identified Rate Centers.
- 7) In a recent numbering review, FairPoint identified these erroneous donations, and subsequently, on April 23, 2014, FairPoint submitted a Thousand Block Assignment Request (a Part 1A Form) for the Rate Centers referenced above⁶ to have the thousand numbering blocks reassigned because they contained the original LRN assigned in the Rate Centers, for the purpose of supporting the switch, and more importantly, for the sole purpose of customer porting capabilities. A copy of each Part 1A is attached as Exhibits “1” through “12.” FairPoint submitted these assignment requests because it requires these specific and distinct thousand number blocks for each Rate Center because the original Rate Centers’ LRN supporting the routing of traffic is included therein. The Rate Centers, their respective LRNs, their respective thousand block request and Switch Codes are as follows:

<u>Rate Center</u>	<u>LRN</u>	<u>Thousand Block Requested</u>	<u>Switch</u>
Danbury	603.768.9999	603.768.9XXX	DNBRNHDBRS1
Errol	603.482.9899	603.482.9XXX	ERRLNHYARS1
Harrisville	603.827.9800	603.827.9XXX	HRVLNHMARS1
Jefferson	603.586.9899	603.586.9XXX	JFSNNHYARS1

⁶ Save Danbury, which was submitted on March 28, 2014

Lancaster	603.788.9999	603.788.9XXX	LNCSNHHIRS1
Lisbon	603.838.9099	603.838.9XXX	LSBNNHMARS1
Milan	603.449.9999	603.449.9XXX	MILNNHPLRS1
Milton Mills	603.473.9999	603.473.9XXX	MTMLNHWERS1
New Boston	603.487.9995	603.487.9XXX	NBTNNHHPRS1
North Stratford	603.922.9998	603.922.9XXX	NSFRNHMARS1
Troy	603.242.9998	603.242.9XXX	TROYNHPRRS1
West Stewartstown	603.246.9999	603.246.9XXX	WSTWNHBSRS1

8) On April 23, 2014, the Numbering Pooling Administrator denied FairPoint’s request for each Rate Center⁷ on the grounds that FairPoint did not meet the Months to Exhaust (MTE) and/or the seventy-five percent (75%) rate center utilization criteria set forth by the FCC as a threshold requirement before receiving additional numbering resources in any given rate center. The denials are attached hereto as Exhibits "1A" through “12A” and correspond to their respective Part 1A exhibits.

9) Both the FCC Rules⁸ and the Central Office Code Assignment Guidelines⁹ provide that the state regulatory authorities have the power and authority to review NANPA’s decisions in denying a request for additional numbering resources. The Commission has the authority to take such action pursuant to the FCC’s Numbering Resource Optimization *Report and Order and Further Notice of Proposed Rule Making* (FCC 00-104), released March 31, 2000 in CC Docket No. 99-200 (“*NRO Order*”). In the *NRO Order*, the FCC states that a carrier may challenge a North American Numbering Plan Administration decision to the appropriate state regulatory commission and the “state

⁷ Save Danbury, which was denied on March 28, 2014

⁸ See 47 C.F.R. § 52.15(g)(4).

⁹ See Central Office Code Assignment Guidelines § 12.2.

regulatory commission may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource application requirements herein." *NRO Order, Appendix A, Final Rules 52.15(g)(3)(iv)*.

- 10) The Commission has jurisdiction in this matter. The FCC has determined the need for a safety valve process whereby carriers that do not meet the industry standards for rate center MTE or utilization criteria to obtain additional numbering resources and has therefore delegated to the state commissions, the authority to hear claims when specific requests for numbering resources have been denied by NANPA.
- 11) FairPoint has demonstrated it cannot meet the MTE, or utilization criteria set forth by the FCC in these Rate Centers, however, because these blocks contain FairPoint LRNs, it is critical to reassign these thousand number blocks as requested on April 23, 2014¹⁰ for the continued successful intercompany operations within these Rate Centers.
- 12) Overturning the NANPA decision will promote the public good and is consistent with the intent and direction of the ATIS guidelines.¹¹ Granting this petition will not adversely affect the numbering resources available to other carriers throughout New Hampshire in providing telecommunications services to their customers within these Rate Centers. The thousand number blocks FairPoint requested on its March 28, 2014 and April 23, 2014 applications are not currently assigned to any carrier. Additionally, there are spare thousand number blocks for growth assignment in each Rate Center as follows (these numbers do not include the blocks that FairPoint has requested): Danbury (13),

¹⁰ Save Danbury, which was submitted on March 28, 2014

¹¹ Central Office Code (NXX) Assignment Guidelines § 5.

Errol (8), Harrisville (4), Jefferson (12), Lancaster (21), Lisbon (2), Milan (22), Milton Mills (2), New Boston (18), North Stratford (6), Troy (2) and West Stewartstown (4).

In summary, an inadvertent administrative error in, or before, 2003 resulted in the twelve (12) Rate Centers to be without assigned LRNs. The March 28, 2014 and April 23, 2014 Thousand Block Assignment Requests were necessary only to apply for the originally assigned LRNs in each aforementioned Rate Center. FairPoint knowingly applied for the thousand number blocks without meeting the MTE or utilization criteria for the Rate Centers in an effort to correct the error. FairPoint respectfully requests the Commission to reverse NANPA's decisions denying FairPoint's requests for the thousand number blocks in the twelve (12) New Hampshire Rate Centers.

Respectfully submitted,

Northern New England Telephone Operations
LLC d/b/a FairPoint Communications-NNE

Dated May 9, 2014

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