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STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE: June 4, 2014
AT (OFFICE): NHPUC

David

FROM: David Goyette, Utility Analyst III - Telecommunications

SUBJECT: DT 14-123 FairPoint Communications - NNE
Request for Waiver of NeuStar's Denial of Numbering Resources

TO: Commissioners
Debra Howland, Executive Director

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Executive Summary

Staff recommends the Commission grant FairPoint's request for waivers of NeuStar's denials of numbering resources in 12 rate centers because the specific blocks requested contain FairPoint LRNs for each of the rate centers. The blocks were donated to the pool in error by Verizon in 2003.

Background and Analysis

On May 9, 2014, 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 twelve separate FairPoint requests for numbering resources. NeuStar is the division of the North American Numbering Plan Administrator (NANPA) that administers number assignments. Each of the requests was for a specific block of numbers containing FairPoint's Local Routing Number (LRN) in one of twelve (12) rate centers. An LRN is a 10-digit number, in the format NPA-NXX-XXXX, that uniquely identifies a switch or point of interconnection (POI) per LATA. The NPA-NXX portion of the LRN is used to route calls to numbers that have been ported.¹ On May 14, 2014, FairPoint requested a waiver of Puc 203.02(a)(1), which requires petitioners to submit, to the Commission, six copies of a filing.

FairPoint stated the blocks requested were donated to the pool in error by Verizon New England in or around 2003, which was prior to the Commission's approval of the transfer of assets from Verizon New England to FairPoint in 2008.² FairPoint states that it is required to maintain the specific blocks requested because they contain the LRN for the 12 rate centers. According to FairPoint, the Number Portability Administration Center (NPAC) requires that a service provider be assigned one LRN for each switch it maintains so that customer numbers can be ported. Currently, FairPoint's LRNs for the

¹ Alliance for Telecommunication Industry Solutions (ATIS) LRN Assignment Practices 0300065, July 19, 2010, pg 3.

² The transfer of assets from Verizon New England to FairPoint was approved by the Commission in Order No. 24,823, dated February 25, 2008, under Docket DT 07-011.

12 rate centers are functioning from the pool because they have not been reassigned. In the event the blocks containing FairPoint's LRNs are assigned to another carrier, porting and routing issues may result.

NeuStar's Pooling Administrator denied FairPoint's requests on the grounds that FairPoint had not met the "MTE [months-to-exhaust] and or Utilization requirements" for each of the 12 rate centers in which it made a request for a specific block containing an LRN. 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."

In the interest of conserving phone numbers, Staff asked FairPoint why it could not establish new LRNs in blocks already in its possession, rather than requesting a safety-valve relief waiver to obtain the current LRN blocks. FairPoint responded by stating that re-assigning the LRNs to blocks in its possession would require extensive system changes across six separate systems, two of which are external to FairPoint. FairPoint added that transferring LRNs requires every provider to reprogram its systems to route calls with the newly established LRNs. According to FairPoint, a change like this would have a widespread impact. FairPoint pointed out that if it were to initiate the reassignment of the LRNs to currently held FairPoint blocks, the effective date would be 65 days after submitting the change to NANPA. In addition, FairPoint warned that, if the programming required by every provider is not completed successfully before the change becomes effective, there is a likelihood that call failures will occur. FairPoint summarized its position by stating that it has petitioned the Commission for a waiver of NeuStar's denial of its request, because, if the Commission were to grant the waiver and FairPoint was thus able to obtain the LRN blocks, that this is the most efficient and practical means for meeting NPAC's requirement.

FairPoint requires the specific blocks requested so that the assigned LRNs associated with each of its switches in the 12 rate centers continue to function properly. Staff finds FairPoint's basis for seeking a waiver of NeuStar's denial to be reasonable. Currently, routing through the LRNs is functioning properly even though the blocks are not in FairPoint's possession. To ensure that routing continues to work correctly, Staff believes the blocks should be transferred back to FairPoint. Staff, therefore, recommends the Commission grant a waiver of NeuStar's denial of FairPoint's requests for the specific blocks of numbers to which the LRNs are currently assigned, in each of the 12 rate centers.

Regarding the request for a waiver of Puc 203.02(a)(1), FairPoint stated that its initial submission is approximately 103 pages in length, and, because it has also filed an electronic version of the filing, that it does not seem necessary nor prudent to submit 6 additional copies of the filing, and that doing so is contrary to resource conservation. Staff supports FairPoint's request for a waiver, and notes that it has relied on FairPoint's

electronic version of the filing and not a paper copy. Based on this, Staff recommends the Commission grant FairPoint's request for a waiver of the 6-copy filing requirement.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**