



**CONFIDENTIAL
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December 1, 2014

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Re: Confidential Request for Waiver of NeuStar's Denial for Numbering Resources

Dear Ms. Howland:

Comcast Phone of New Hampshire, LLC, ("Comcast") hereby seeks a waiver of NeuStar's decision to deny its request for [REDACTED]. Comcast seeks such waiver takes such action pursuant to Federal Communications Commission ("FCC") Rule 47 C.F.R. 52.1 5(g)(3)(iv).

Comcast provides information herein that has been marked "Confidential and Proprietary Information" that pertains to the provision of competitive services; sets forth trade secrets or other confidential information falling within scope of RSA 91-A:5 and PUC Rules 201.04 and 201.06 (20, 21, 22) and is not general public knowledge or published elsewhere. Comcast has taken measures to prevent dissemination of this information in the ordinary course of business. Pursuant to PUC 203.08 (d), Comcast represents that a motion for confidentiality will be filed in advance of any hearing on these issues, if any.

NUMBERING REQUEST BACKGROUND

On November 17, 2014 Comcast requested [REDACTED] telephone numbers in the [REDACTED] rate center/exchange area, with the [REDACTED]. These telephone numbers are needed for Comcast's customer, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] The Customer has written an official letter of request [REDACTED]

[REDACTED] is attached hereto as **Confidential Exhibit A.**

Comcast filed this request with NeuStar because it does not have inventory within its supply of numbers in the [REDACTED] rate center to meet the customer's stated requirements. On November 17, 2014 Comcast submitted a Thousand Block Assignment Request (a "Part 1A" Form) to NeuStar asking [REDACTED]. A copy of the Part 1A Form is attached as **Exhibit B.** In addition, Comcast filed the necessary months to Exhaust Certification Worksheet ("MTE"). Attached as **Exhibit C** is the MTE filed with Neustar.

On November 17, 2014 NeuStar's Pooling Administrator denied Comcast's request on the grounds that Comcast had not met the rate-center based MTE and/or the utilization requirements set forth by the FCC. The denial was issued notwithstanding the fact that Comcast does not have the numbering resources needed to satisfy this specific customer request, as explained above. Neustar's Pooling Administrator's Response denying Comcast the requested numbering resources is attached as **Exhibit D.**

Comcast considers this Petition as well as Exhibits A through D to contain confidential and competitively sensitive information. Comcast therefore requests, as set forth above, that the New Hampshire Public Utilities Commission (the "Commission") afford these Exhibits, as well as this Petition itself, confidential treatment because contain specific competitive data relating to Comcast's number utilization and forecasted growth in the rate center.

II. REQUEST FOR WAIVER OF NEUSTAR'S DENIAL

Comcast hereby requests that the Commission overturn NeuStar's decision and order that the requested numbers be assigned to Comcast for [REDACTED]. 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 01-362), released December 28, 2001 ("NRO Order"). In the NRO Order, the FCC states that a carrier may challenge a North American Numbering Plan Administration ("NANPA") decision to the appropriate state regulatory commission and the "state 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)*. The state commission may also overturn NANPA's decision based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other remedies. *Id.*

In Section 52.15(g)(3)(iii) of the Final Rules, the FCC states that service providers "shall maintain no more than a six month inventory of telephone numbers in each rate center or service area in which it provides telecommunications service." However, in its Report and Order, FCC 00-104 Released on March 17, 2000, the FCC has also *expressly* stated that along with the goal of using numbering resources efficiently, a second goal is to "*ensure that all carriers have the numbering resources they need to compete in the rapidly growing telecommunications marketplace.*" March 17, 2000 NRO Order, FCC 00-

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104, Para 1 (emphasis added). It is therefore critical to the Commission's review whether Comcast is able to meet its customer's requests without securing the requested numbers that are not currently within Comcast's existing numbering inventory. Comcast is unable to do so. By denying Comcast's request, Neustar is violating the FCC's stated goal of ensuring numbering resources in a competitive marketplace, despite demonstration of verifiable need.

This Commission has the authority to review NeuStar decisions and reverse them when appropriate. In a May 1, 2014 Order in DT 14-1110 the Commission did just that when it overturned a NeuStar denial of a FairPoint Communications NNE ("FairPoint") Request made on behalf of its customer, where FairPoint was unable to fulfill its customer's request with its existing inventory of numbers. *DT 14-1110, FairPoint Communications Request for Waiver of Neustar's Denial of Numbering Resources*. Similarly, in DT 12-338, the Commission also granted a FairPoint Request for Waiver when it overturned a Neustar decision to deny FairPoint's request for five one-thousand blocks for its customer, because FairPoint could not meet the customer's needs without securing specific numbers not available in the Company's existing number inventory. *DT 12-338, November 27, 2012, FairPoint Communications Request for Waiver of Neustar's Denial of Numbering Resources*.

The same is true here. Comcast hereby requests that the Commission reverse NeuStar's decision to deny numbering resources on the grounds that Neustar's decision violates the intent and requirements of the FCC in allowing carriers access to numbering to meet specific customer demands upon a sufficient showing of need, which has been provided herein. Without granting of this requested waiver, Comcast is unable to provide these necessary resources to the [REDACTED]. Accordingly, Comcast's Waiver Request should be granted.

Finally, Comcast respectfully requests that the Commission grant this waiver request on an expedited basis. This is necessary because [REDACTED] must have these numbers activated [REDACTED]
[REDACTED]
[REDACTED]

Please feel free to contact me at 978-927-5700 ext 43014 should you have any questions regarding this submission.

Respectfully Submitted,



Stacey L. Parker
Vice President, Regulatory Affairs
Comcast, Northeast Division