

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: COX RHODE ISLAND TELCOM, LLC :
WAIVER REQUEST FOR NUMBER BLOCK : DOCKET NO. 4354
RELEASE – AMERICAN POWER CONVERSION/ :
SCHNEIDER ELECTRIC :

ORDER

I. OVERVIEW

On August 29, 2012, Cox Rhode Island Telcom, L.L.C. (“Cox”), filed a request with the Public Utilities Commission (“Commission”) for a waiver from the denial by the North American Number Pooling Administrator (“NANPA”) of Cox’s request to release certain blocks of numbers for Cox’s existing customer, American Power Conversion/Schneider Electric (“the Customer”). Specifically, Cox had requested numbers from two thousands blocks in in Narragansett, Rhode Island. Cox requested the two thousand blocks 401-363-7000 and 401-363-9000. The Customer required all of the numbers in the 7000 block and 400 numbers from the 9000 block.

II. HISTORY OF COMMISSION’S WAIVER ORDERS

In Docket No. 3567, Order No. 17622 (issued December 1, 2003), Cox had a customer seeking specific blocks of numbers. The customer was seeking to install a DID system and further, to have the new numbers match the old extensions, thus prompting a request for specific blocks which Cox did not already have. In that case, Cox did not have a 70% utilization rate on its assigned blocks, but rather, only had a 51% utilization rate on the remaining numbers it had available for customers.

The request in Docket No. 3567 was an issue of first impression for the Commission. The Commission noted that the purpose of the utilization percentage is to

conserve unused numbers in order to extend the life of the NPA. In light of the importance of conserving numbers and preserving the NPA, the Commission set initial minimum standards that must be met by a carrier in order for the Commission to consider a request for a waiver. The Commission found that a carrier must have a utilization rate over 50% and must have a customer ready, willing and able to utilize at least 60% of the numbers within the requested blocks either immediately, or in the very near future. This in no way was meant to suggest that the Commission will automatically approve every request that meets these minimum standards. The Commission stated that it must review each request on a case by case basis for reasonableness and to keep some control on the release of blocks.

III. COMMISSION FINDINGS

In order for a carrier to receive an additional block of numbers, the Federal Communications Commission ("FCC") has determined that the carrier must have a 75 percent utilization rate. Cox's current utilization rate in the Narragansett rate center is 74.54 percent. Therefore, it does not meet the FCC's requirement. However, it does meet the Commission's first standard for seeking a waiver. This case mirrors the prior Commission holding in Docket No. 3607, with the exception of the amount of numbers required by the Customer. Cox also has a customer ready, willing and able to utilize more than 60% of the total requested numbers. Therefore, Cox meets the Commission's standards for the grant of a waiver.

The Commission again cautions that carriers should make every effort to work with customers to avoid the need to seek a waiver and maximize the utilization of the numbers to which the carrier is assigned. The Number Pooling Rules are in place to

conserve the 401 area code. However, in this case, Cox has an existing Customer in need of an entire 1000 block and another specific 400 numbers to expand.

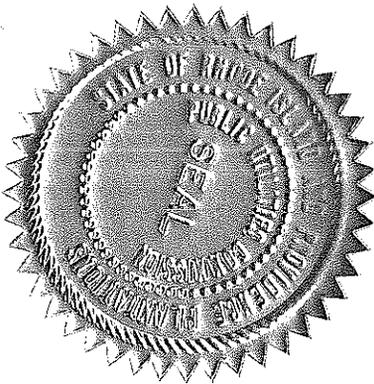
Accordingly, it is

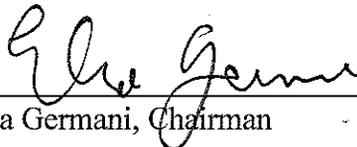
(20810) ORDERED:

1. That Cox's request for a waiver from the denial of the release of the following two number blocks is granted: 401-363-7000 and 401-363-9000.

EFFECTIVE AT WARWICK, RHODE ISLAND ON SEPTEMBER 6, 2012
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
SEPTEMBER 7, 2012.

PUBLIC UTILITIES COMMISSION




Elia Germani, Chairman


Mary F. Bray, Commissioner


Paul J. Roberti, Commissioner