

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: COX RHODE ISLAND TELCOM, LLC :
WAIVER REQUEST FOR NUMBER BLOCK : DOCKET NO. 3702
RELEASE – CAREY, RICHMOND & VIKING :
INSURANCE :

REPORT AND ORDER

I. OVERVIEW

On October 17, 2005, 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 customer, Carey, Richmond & Viking Insurance (“the Customer”). Specifically, Cox had requested 5 numbers in thousands blocks that do not begin with NPA NXX 0000, 1000, 3000 or 9000. Cox has been assigned the thousand block NPA NXX 0000 (area code – exchange – block). The Customer is expanding its business and would like to have additional direct inward dial numbers (“DIDs”). The DIDs cannot begin with zero because the internal phone system is set up to send all callers who hit zero to the switchboard. This is the same customer who was the subject of Commission Order No. 17870 (issued June 14, 2004).

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.

In Docket No. 3607, the customer required less than 10 percent of a block. Cox met the Commission's first standard regarding utilization rate but not the second standard of numbers to be put into service. However, Cox indicated that because the customer is requesting less than 10 percent of a block, Cox could return the remaining numbers to the Pooling Administrator (NANPA) for assignment to another carrier, thus preserving the blocks. Return of 90% of the block would prevent stranding a large amount of unused numbers. Although Cox did not meet the threshold set forth in Order No. 17622 (issued December 1, 2003), Cox did have a 51% utilization level, had a customer desiring to do business with Cox and take numbers immediately, and had agreed to return the unused

numbers to the Pooling Administrator, the Commission allowed the waiver request for the release of an available block of numbers, other than NPA NXX 0000, 1000, 3000 or 9000. Cox was required to file with the Commission a copy of the Part 4 (certifying numbers in service) and a copy of the Block Donation Form (certifying return of a block) that it needed to file with NANPA. Return of the block was to be made within 30 days of commencing service with the customer. Cox complied with the Commission's Order.

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 is 66.7 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. The Customer will still require less than 10 percent of a block. Therefore, once, again, the Commission will allow the waiver request for the release of an available block of numbers, other than NPA NXX 0000, 1000, 3000 or 9000. Cox shall file with the Commission a copy of the Part 4 (certifying numbers in service) and a copy of the Block Donation Form (certifying return of a block) that it needed to file with NANPA. Return of the block was to be made within 30 days of putting the numbers into service.

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 was assigned a number block

that begins with zero which causes problems with internal phone systems and is viewed as a somewhat unique situation.

Accordingly, it is

(18415) ORDERED:

1. That Cox's request for a waiver from the denial of the release of a thousand block other than the following NPA NXX 0000, NPA NXX 1000, NPA NXX 3000, and NPA NXX 9000 is granted.
2. Cox shall file with the Commission a copy of the Part 4 (certifying numbers in service) and a copy of the Block Donation Form (certifying return of a block) that it will need to file with NANPA.
3. Return of the block shall be made within 30 days of putting the numbers into service.

EFFECTIVE AT WARWICK, RHODE ISLAND ON OCTOBER 26, 2005
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
NOVEMBER 8, 2005.

PUBLIC UTILITIES COMMISSION

Elia Germani, Chairman*

Robert B. Holbrook, Commissioner

Mary E. Bray, Commissioner

*Chairman Germani concurs but is unavailable for signature.