

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION

IN RE: ONE COMMUNICATIONS :  
WAIVER REQUEST FOR NUMBER BLOCK : DOCKET NO. 3857  
RELEASE – SOUTH COUNTY HOSPITAL :

REPORT AND ORDER

I. OVERVIEW

On July 24, 2007, CTC Communications Corp d/b/a One Communications, filed a request with the Public Utilities Commission (“Commission”) for a waiver from the denial by the North American Number Pooling Administrator (“NANPA”) of One Communications’ request to release certain blocks of numbers for its customer, South County Hospital (“the Customer”).<sup>1</sup> Specifically, One Communications had requested 300 numbers in three different thousands blocks to meet the Customer’s request for additional numbering resources. One Communications does not have 300 consecutive numbers to meet the Customer’s needs in the Narragansett rate center. One Communications’ utilization rate in the rate center was at 54%, below the 75% required by the Federal Communications Commission (“FCC”).<sup>2</sup>

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 Direct Inward Dial (“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.

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<sup>1</sup> At an open meeting held on August 16, 2007, the Commission denied One Communications’ request for confidential treatment of its customer. The Commission has not granted such treatment to other carriers requesting waivers and One Communications failed to demonstrate why its request should be given such treatment.

<sup>2</sup> One Communications Filing Letter dated 7/19/07, pp. 1-2.

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.<sup>3</sup>

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 Numbering Plan Area (“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 was not 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.<sup>4</sup>

Subsequently, in Docket No. 3607, a 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 availability of 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, Cox did have a 51% utilization level, had a customer desiring

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<sup>3</sup> The threshold set by the FCC is now 75%.

<sup>4</sup> Order No. 17622 (issued December 1, 2003).

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. 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.<sup>5</sup>

### III. COMMISSION FINDINGS

In order for a carrier to receive an additional block of numbers, the FCC has determined that the carrier must have a 75 percent utilization rate. One Communications' current utilization rate in the Narragansett rate center is 54 percent. Therefore, it does not meet the FCC's requirement. However, it does meet the Commission's first standard for seeking a waiver. One Communications' Customer is ready, willing and able to accept the numbers. However, similar to the situation in Docket No. 3607, the Customer will require less than 10 percent of each of the three blocks. In response to a Commission data request, One Communications indicated a willingness to return the unused portions of the blocks. Therefore, the Commission will allow the waiver request for the release of three available consecutive blocks of numbers. One Communications 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. Return of the block is 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

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<sup>5</sup> Order No. 17870 (issued June 14, 2004).

conserve the 401 area code. However, in this case, One Communications does not have the available numbers for its existing customers and has agreed to return the contaminated blocks so they can be made available to other carriers, thus furthering the goal of conserving numbers and preserving the NPA.

Accordingly, it is

(19066) ORDERED:

1. That CTC Communications Corp. d/b/a One Communications' request for a waiver from the denial of the release of three consecutive thousand blocks in the Narragansett rate center is granted.
2. CTC Communications Corp. d/b/a One Communications 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 AUGUST 16, 2007  
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON  
SEPTEMBER 11, 2007.

PUBLIC UTILITIES COMMISSION



*Elia Germani*

Elia Germani, Chairman

*Robert B. Holbrook*

Robert B. Holbrook, Commissioner

*Mary E. Bray*

Mary E. Bray, Commissioner