

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION**

**IN RE: VERIZON RHODE ISLAND :
WAIVER REQUEST FOR NEW NXX : DOCKET NO. 3939
CODE ASSIGNMENT :**

REPORT AND ORDER

I. OVERVIEW

On March 26, 2008, Verizon Rhode Island (“Verizon RI”), filed a request with the Public Utilities Commission (“Commission”) for a waiver from the denial by the North American Number Pooling Administrator (“NANPA”) of Verizon RI’s request for a new NXX code. Specifically, Verizon RI requested a new NXX code assignment in the Providence rate center to secure a Location Routing Number (“LRN”) in order to support activation of new switching equipment in Providence, Rhode Island. An LRN must be assigned from an NXX¹ code that is LERG (“Local Exchange Routing Guide”) assigned to that specific switch. Verizon RI represented that, while it is possible to use an existing NXX code and a thousands block which is a LERG assigned to a different switch, this would require transferring the entire code from the existing switch to a new switch, pooling the remaining nine thousands blocks to the original switch and porting any assigned customer numbers within the transferred thousands block back to the original switch. There exists the potential for the service of those customers in the transferred thousands block to be affected because of this process.²

Verizon RI represented that the services it is preparing to deliver in Rhode Island cannot be provided using circuit switching technology. With the installation of Fiber to the Premises (“FTTP”), new packet-switching equipment will be activated in August

¹ NXX identifies the exchange.

² Verizon RI Request for Waiver filed March 26, 2008.

2008 to support these services. Services supported by the existing circuit switch will not be affected as the new packet switch will not replace the existing one. Verizon RI is requesting the waiver to permit the assignment of the required LRN in the 130 LATA (“Local Access Transport Area”) in order that it be able to begin testing new services utilizing this new packet switch by August 2008. It represents that it will return the nine thousands blocks to the numbering pool.³

II. STANDARD

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 Dialing (“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.⁴

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

³ *Id.*

⁴ The threshold set by the FCC is now 75%.

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.⁵

III. COMMISSION FINDINGS

This case is one of first impression for the Commission. Unlike other cases where a carrier seeks to receive an additional block of numbers and must show a utilization rate of greater than 50% and be ready, willing and able to utilize at least 60% of the numbers within the requested blocks either immediately or within the very near future, Verizon RI does not meet either the FCC's requirement or the Commission's requirement. However, Verizon RI established that assignment of the new NXX code is necessary to ensure no disruption in service to its existing customers. Furthermore, Verizon RI will return the other nine thousands block to the numbering pool in order that the waiver will not unduly burden the area code with unused assigned numbers.

While the Commission cautions that carriers should make every effort to work to avoid the need to seek a waiver and maximize the utilization of the numbers to which the carrier is assigned, it understands that carriers want to improve, upgrade and offer increased services to their customers. The Number Pooling Rules are in place to conserve the 401 area code. However, the Commission is cognizant of the fact that Verizon RI wants to improve its services while causing as little disruption to existing customers as possible.

⁵ Order No. 17622 (issued December 1, 2003).

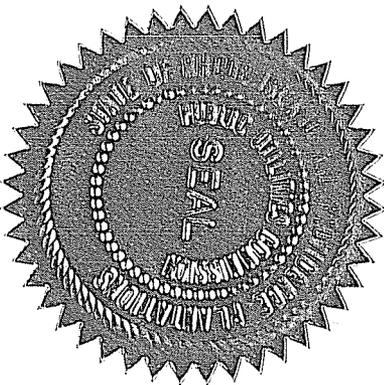
Accordingly, it is

(19268) ORDERED:

1. That Verizon RI's request for a waiver from the denial a new NXX code is granted.
2. That Verizon RI shall return the nine thousands blocks to the numbering pool immediately.

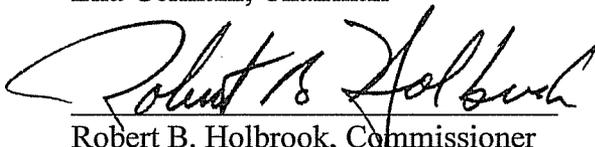
EFFECTIVE AT WARWICK, RHODE ISLAND ON APRIL 9, 2008
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
APRIL 21, 2008.

PUBLIC UTILITIES COMMISSION

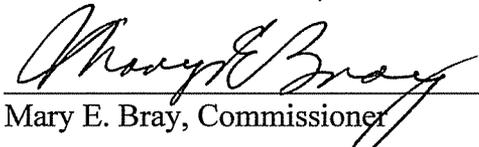


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Elia Germani, Chairman



Robert B. Holbrook, Commissioner



Mary E. Bray, Commissioner

*Chairman Germani concurs but is unavailable for signature.