

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: PAETEC COMMUNICATIONS, INC. :
WAIVER REQUEST FOR : DOCKET NO. 4167
NUMBER BLOCK RELEASE HASBRO, INC. :

REPORT AND ORDER

I. OVERVIEW

On April 14, 2010, PAETEC Communications, Inc. filed a request with the Public Utilities Commission (“Commission”) for a waiver from the denial by the North American Number Pooling Administrator (“NANPA”) of PAETEC’s request to release certain blocks of numbers for its customer, Hasbro, Inc. (“the Customer”). The Customer requested 1000 contiguous telephone numbers specifically in the Pawtucket rate center in order to meet growing business demands. The Customer needs the specific numbers requested so that its telecommunications systems will be compatible with its pre-established global dial plans. Therefore, in order to meet the Customer’s needs, PAETEC had requested a thousand block that begins with 401-NXX-7000. PAETEC did not have the necessary block was denied by NANPA on the basis that it had not met either the months-to-exhaust or the required utilization rate in the rate center. However, in Rhode Island, PAETEC reported a 78.74 percent utilization for all numbers in service.

II. RELEVANT HISTORY OF COMMISSION’S WAIVER ORDERS

In Docket No. 3567, Order No. 17622 (issued December 1, 2003), Cox Communications 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.

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 in the rate center. PAETEC's current utilization rate in the Rhode Island is 78.74 percent, but PAETEC does not meet the rate-center-based months-to-exhaust criteria. Therefore, it does not meet the FCC's requirement. However, PAETEC meets the Commission's second standard because it has a Customer ready, willing and able to utilize all of the numbers immediately or in the very near future. In addition, this customer requires the entirety of a specific block of numbers because of pre-existing global dial plans, not simply for convenience. Finally, because the Customer requires the entire block of numbers, there will be no numbers from the block wasted, further reducing PAETEC's utilization rate in the rate center. Therefore, the Commission will

allow the waiver request for the release of one available block of numbers in the Pawtucket exchange beginning with 7000 in the 401-NXX.

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, a Customer is under constraints out of its control and requires the specific block of numbers.

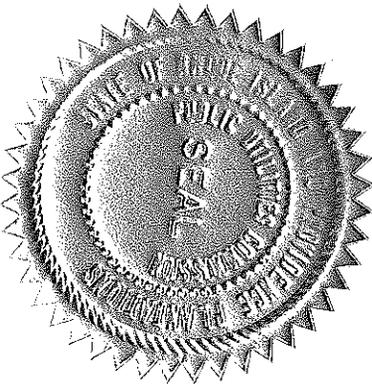
Accordingly, it is

(19986) ORDERED:

1. That PAETEC's request for a waiver from the denial of the release of one thousand blocks beginning with 7000 in any Pawtucket exchange (401-NXX) is granted.

EFFECTIVE AT WARWICK, RHODE ISLAND ON APRIL 27, 2010
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
APRIL 27, 2010.

PUBLIC UTILITIES COMMISSION




Elia Germani, Chairman


Mary E. Bray, Commissioner


Paul R. Roberti, Commissioner