

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: COX RHODE ISLAND TELCOM, LLC :
WAIVER REQUEST FOR NUMBER BLOCK : DOCKET NO. 4577
RELEASE – STONE HOUSE RESORT :

I. OVERVIEW

On August 24, 2015, Cox Rhode Island Telcom, L.L.C. (Cox), filed a request with the Public Utilities Commission (PUC) for a waiver from the denial by the Number Pooling Administrator of Cox's request to release certain blocks of numbers for Cox's customer, Stone House Resort (Customer). Specifically, Cox had requested numbers from a one thousand block in Little Compton, Rhode Island. Cox could not utilize numbers from its existing inventory because the only thousand block in Cox's inventory begins with zero. Such numbers are incompatible with the Customer's current 4-digit dialing system. Therefore, Cox requires numbers from a different thousand block assigned to the Little Compton rate center.¹

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 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 PUC. The PUC noted that the purpose of the utilization percentage is to conserve unused numbers in order to extend the life of the area code. In light of the importance of

¹ According to Cox's attorney, the numbers one and nine are also problematic.

conserving numbers and preserving the area code, the PUC set initial minimum standards that must be met by a carrier in order for the PUC to consider a request for a waiver. The PUC 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. The PUC 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.

Accordingly, the PUC has exercised discretion in granting waivers in cases where a carrier's proposal will not strand a large portion of numbers. In Docket No. 3607, the customer required less than 10% of a block. Cox met the 51% utilization rate but not the minimum percentage of numbers to be put into service. However, Cox indicated that because the customer is requesting less than 10% of a block, Cox could return the remaining numbers to the Number Pooling Administrator for assignment to another carrier, thus preserving the numbers for use.

Although Cox had not met the threshold set forth in Order No. 17622, 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 Number Pooling Administrator. The PUC allowed the waiver request for the release of an available block of numbers.

In order for a carrier to receive an additional block of numbers, the Federal Communications PUC has determined that the carrier must have a 75% utilization rate. Cox's current utilization rate in the Little Compton rate center is 39.8%. Therefore, it does not meet the Federal Communications PUC's requirement. It also does not meet

either of the PUC's standards. However, this is a case where the PUC will exercise discretion in the interest of promoting the needs of a Rhode Island business. Cox has a customer in need of 15 numbers immediately but the numbers in Cox's inventory cannot meet the need of the Customer. Fifteen lines is less than 10% of the block. Therefore, Cox has stated that it will return the unused numbers in the block to the Pooling Administrator so they can be available to other carriers.

The PUC approves Cox's request for a waiver from the denial of the release of a thousand block in the Little Compton rate center but 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 can return the unused numbers, and avoid stranding a large amount of numbers that would otherwise be unavailable to other carriers. Cox shall file with the PUC 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 is required to file with the National Pooling Administrator. Return of the block shall be made within 30 days of putting the numbers into service.

Accordingly, it is

(22085) ORDERED:

That Cox's request for a waiver from the denial of the release of a thousand block in the Little Compton rate center that does not begin with a zero, one, or nine is granted.

EFFECTIVE AT WARWICK, RHODE ISLAND ON SEPTEMBER 8, 2015
PURSUANT TO AN OPEN MEETING DECISION. WRITTEN ORDER ISSUED ON
SEPTEMBER 8, 2015.

PUBLIC UTILITIES COMMISSION




Margaret E. Curran, Chairperson


Paul J. Roberti, Commissioner


Herbert F. DeSimone, Jr., Commissioner