

**REDACTED**

May 18, 2007

Michael Isenberg, Esquire  
Director, Telecommunications Division  
Massachusetts Department of Telecommunications and Cable  
One South Station, 2<sup>nd</sup> Floor  
Boston, MA 02110

**Re: Request for Waiver of NANPA's Denial of Verizon-MA's Request for 2000 numbers to serve a large business customer.**

Dear Mr. Isenberg:

The purpose of this letter is to seek a waiver of NANPA's (*i.e.*, NeuStar) decision to deny Verizon Massachusetts' ("Verizon-MA") request for 2,000 numbers to permit Verizon-MA to offer service to a large business customer. Verizon-MA takes such action pursuant to Federal Communications Commission ("FCC") rules [47 C.F.R. 52.15(g)(3)(iv)].

**I. NATURE OF NUMBERING REQUEST**

The client, a customer of Verizon-MA, initially requested 1000 consecutive DID telephone numbers in the XXXXXX CO and specifically in the 6-thousand number block, in order to provide integrated dialing for planned organizational expansion. The Customer further explained that if that specific range of numbers were unavailable, 2000 consecutive numbers would be needed; however, the 8- or 9-thousand number blocks would not be acceptable since those sequences are currently used by the customer for features. A copy of the customer's letter to Verizon-MA indicating the need for the activation of the numbers and the specific plans of the customer are attached as Exhibit A.

Verizon-MA currently does not have in its inventory for the XXXX exchange 1000 numbers in the 6-thousand number block nor 2000 consecutive numbers. On May 14, 2007, Verizon-MA submitted a Central Office Code (NXX) Assignment Request ("Part 1A" form) to the NANPA (NeuStar), requesting the thousands blocks to meet the Customer's needs. The Company explained that it did not have the needed numbers available in its existing inventory in the XXXXXXXXXXXX rate center. A copy of the "Part 1A" form is attached as Exhibit B.

On May 16, 2007, NeuStar's Central Office Code Administrator denied the Company's request on the grounds that Verizon-MA had not met the rate-center-based months-to-exhaust ("MTE") criteria, as set forth by the FCC. This denial was based upon the Company's not meeting the MTE requirements – notwithstanding Verizon-MA's inadequate numbering resources to satisfy this specific customer's request. A copy of the e-mail decision denying Verizon-MA the code for the Customer is attached as Exhibit C.

Verizon-MA submitted the MTE Certification Worksheet required by NeuStar, completed in accordance with the Industry Numbering Committee's Central Office Code (NXX) Assignment Guidelines ("INC Guidelines"). Attached as Exhibit D is the MTE Certification for Verizon-MA's XXXXXXXX rate center to meet the Customer's request.

Verizon-MA requested the specific consecutive telephone number blocks from NeuStar because it did not have them in its supply of numbers for the XXXXX rate center. Attached as Exhibit E is a report from Verizon's Number Administration Center supporting Verizon-MA's claim that the Customer's request could not be satisfied with the existing numbering resources in that rate center. Verizon-MA considers Exhibits A through E to be highly competitively sensitive and requests that the Department afford this information proprietary treatment because it contains customer-specific data and data relating to number utilization and forecasted growth in the XXXXXXXX rate center.

## **II. REQUEST FOR WAIVER OF NANPA'S NXX CODE DENIAL**

By way of this letter, Verizon-MA requests that the Department overturn NeuStar's decision and order that 2000 consecutive telephone numbers be assigned to Verizon MA's XXXXXXXXX central office switch to permit Verizon-MA to serve the Customer. The Department has the authority to take such action pursuant to the FCC's Numbering Resource Optimization ("NRO") *Third Report and Order and Second Order on Reconsideration* (FCC 01-362), released December 28, 2001, in CC Docket No. 96-98 and CC Docket No. 99-200 (*"Third NRO Order"*).

In the *Third NRO Order, Appendix A, Final Rules, 52.15(g)(4)*, the FCC states:

The NANPA must notify the carrier in writing of its decision to withhold numbering resources within ten (10) days of receiving a request for numbering resources. The carrier may challenge the NANPA's decision to the appropriate state regulatory commission. The state commission may affirm, or may overturn, the NANPA's decision to withhold numbering resources from the carrier based on its determination that the carrier has complied with the reporting and numbering resource application requirements herein. The state commission also may overturn the NANPA's decision to withhold numbering

resources from the carrier based on its determination that the carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

Further, the FCC states:

We therefore clarify that states may also grant relief if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory. Carriers may demonstrate such a need by providing the state with documentation of the customer request and current proof of utilization in the rate center.

*Third NRO Order at 64.* In accordance with applicable FCC rules, Verizon-MA respectfully asks that the Department grant this waiver request so that the Company can continue to serve the Customer.

Thank you for your assistance in this matter. Please contact me at 617-743-9250 if you have any questions concerning this request.

Very truly yours,

Enclosures

cc: Secretary  
Service List DTE 01-33