

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

**IN THE MATTER OF ONVOY, INC.’S)
PETITION FOR WAIVER OF FCC) CASE NO. OVS-T-14-01
THRESHOLD NUMBERING RESOURCE)
REQUIREMENTS FOR BOISE, IDAHO) ORDER NO. 32990
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On February 26, 2014, Onvoy, Inc.-ID (“Company”) petitioned the Idaho Public Utilities Commission (“Commission”) for a waiver of the Federal Communications Commission’s (“FCC”) guidelines for numbering resources in the Boise main and Coeur d’Alene, Idaho rate centers. Having reviewed the record, the Commission enters this Order granting the Company’s Petition.

THE PETITION

The Petition and its attachments present the following facts.

On February 21, 2014, the Company applied to NeuStar, Inc., the North American Numbering Plan Administrator (“NANPA”), for: (1) a local routing number (“LRN”)¹ for the Boise switch and local access and transport area (“LATA”), and (2) a separate LRN for the Coeur d’Alene switch and LATA. On February 24, 2014, NANPA denied the Company’s applications because an LRN already exists for each switch and LATA and the Thousand-Block Number Pooling Administration Guidelines preclude NANPA from assigning a service provider an NXX to establish an LRN unless that service provider’s switch does not have an LRN for the LATA where the service provider intends to provide service. The Company’s Petition appeals NANPA’s denial of its application for additional numbering resources.

By way of background, the Company explains that it is owned by the Zayo Group, and that the Zayo Group also owns another company, 360networks. Each of these three companies has its own operating company number (“OCN”)² and various numbering resources throughout the state, including individual local routing numbers (“LRNs”). The Company says it is working on a large corporate roll up project that, once complete, will allow the Company to

¹ Local routing number is a 10-digit telephone number that identifies a particular switch and is required for local number portability.

² A code used to identify a telephone company. Codes are assigned by the National Exchange Carriers Association (“NECA”).

migrate all of the resources assigned to the legacy 360networks OCNs to the Company's OCNs, and the Company will cease using the legacy 360networks (Zayo) OCNs. The Company seeks a waiver of the numbering guideline that allows for only one LRN per switch, per LATA so it can temporarily receive two new LRNs for each LATA in which the rate centers are located. Each LRN requires that a full NXX code³ be opened in those individual rate centers. The Company says it will only need the new codes and LRNs for a short period, and once the migration is complete the Company will have one LRN per LATA and comply with Local Number Portability Rules. The Company says it will also return 16 blocks⁴ from the two codes during this process, thereby preserving Idaho 208 resources.

STAFF ANALYSIS

Staff recommended the Commission grant the Company's Petition. Staff notes, however, that the Company's initially-estimated completion date, July 1, 2014, is ambitious. Staff contacted the Company to discuss its completion timeline and Staff and the Company agreed that a revised completion date of September 1, 2014 is more appropriate.

Staff notes that the Company participates in the thousand-block pooling within its various rate centers in Idaho.⁵ After evaluating the Company's waiver request, Staff believes that granting this waiver will not detrimentally affect the numbering resources in the Boise or Coeur d'Alene rate centers. Staff notes that according to FCC orders and numbering guidelines, carriers may appeal NANPA decisions of this nature to the appropriate state regulatory authority. Staff observes that the Commission has granted similar waivers in the past to meet similar requests of other carriers.

DISCUSSION

Federal regulations allow a carrier to appeal a NANPA decision to withhold numbering resources. The Commission "may affirm or overturn the NANPA's decision to withhold numbering resources from the carrier based on its determination of compliance with the reporting and numbering resource" requirement. The Commission may also overturn NANPA's decision "based on its determination that the carrier has demonstrated a verifiable need for

³ A full NXX code is comprised of 10,000 telephone numbers.

⁴ A block of numbers consists of 1,000 numbers within a code.

⁵ Pooling is a numbering conservation measure in which the 10,000 numbers in a NXX prefix are divided into 10 sequential blocks of 1,000 numbers and allocated to different carriers (or different switches) within a rate center. See Order No. 30425.

numbering resources and has exhausted all other available remedies.” See 47 C.F.R. § 52.15(g)(3) and (4).

After reviewing the Company’s Petition and Staff’s recommendation, the Commission finds that the Petition should be granted. The Company needs the requested LRNs to complete its corporate roll up without interfering with its ability to provide services to its customers, and the Company exhausted its remedies before filing its Petition. Further, because the Company participates in number pooling, any unused 1,000-number blocks will be returned to NANPA. We find the assignment will not detrimentally affect number resources for the Boise and Coeur d’Alene rate centers. We thus find it is reasonable to direct that NANPA provide the new LRNs requested by the Company to meet the customer’s requirements. We also direct that any unused 1,000-blocks be returned to NANPA within seven months of the service date of this Order.

ORDER

IT IS HEREBY ORDERED that the Company’s Petition for waiver of the FCC’s numbering resource guidelines is granted.

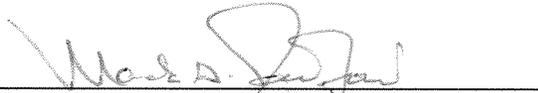
IT IS FURTHER ORDERED that NANPA assign two new LRNs to the Company; one LRN for the Boise rate center and one LRN for the Coeur d’Alene rate center. The Company shall return any unused 1,000-blocks to NANPA within seven months of the service date of this Order.

THIS IS A FINAL ORDER. Any person interested in this Order may petition for reconsideration within twenty-one (21) days of the service date of this Order. Within seven (7) days after any person has petitioned for reconsideration, any other person may cross-petition for reconsideration. See *Idaho Code* § 61-626.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 5th
day of March 2014.



PAUL KJELLANDER, PRESIDENT

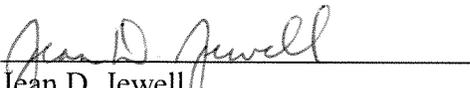


MACK A. REDFORD, COMMISSIONER



MARSHA H. SMITH, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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