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BY UPS 2ND DAY DELIVERY

April 20, 2010

Tennessee Regulatory Authority
Attn: Ms. Sharla Dillon, Dockets Manager

460 James Robertson Parkway Nashville, TN 37243-0505

RE: PETITION of Frontier Communications of America, Inc. for Expedited Review of Central Office Code Denial;

Docket No. 10-000 76

Dear Ms. Dillon:

Please find enclosed for filing the original and 12 copies of the above-referenced PETITION by which Frontier Communications of America, Inc. requests the Authority to review and overrule the denial of the Number Pooling Administrator of Frontier's application for an additional thousand number blocks necessary for Frontier to install a new switch in Cookeville, Tennessee. Also enclosed is our \$25 check for the filing fee.

Very truly yours

Assistant Secretary

GCS/hmj

Encl. (original + 12 copies)

BEFORE THE TENNESSEE REGULATORY AUTHORITY NASHVILLE, TENNESEE

IN RE: PETITION FOR EXPEDITED REVIEW OF GROWTH THOUSAND BLOCKS BY THE NUMBER POOLING ADMINISTRATION RELATING TO NEW SWITCH))))	DOCKET NO. 10	
BLOCKS BY THE NUMBER POOLING ADMINISTRATION RELATING TO)))	DOCKET NO. 10	

PETITION OF FRONTIER COMMUNICATIONS OF AMERICA, INC. FOR EXPEDITED REVIEW OF CENTRAL OFFICE CODE DENIAL

Frontier Communications of America, Inc. ("Frontier"), pursuant to rules adopted by the Federal Communications Commission for challenging determination of the Number Pooling Administrator ("Neustar"), petitions the Tennessee Regulatory Authority for an expedited review of NeuStar's denial of Frontier's application for the opening of a new central office code and the assignment of a thousand number block in the 931 area code in the Cookeville, Tennessee rate center.

- Frontier is a competitive local exchange carrier providing telecommunications services in Tennessee under the jurisdiction of the Tennessee Regulatory Authority.
- NeuStar is an independent, non-government entity that is responsible for administering and managing numbering resources in pooling areas. See 47 C.F.R. § 52.13 (a) and (b).
- 3. On March 31, 2000, the Federal Communications Commission issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104" or the "March Order"). On December 29, 2000, the FCC issued its Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200 ("FCC 00-249" or the

- "December Order"). These FCC orders addressed issues and strategies relating to the efficient use of numbering resources.
- 4. In FCC 00-104 and FCC 00-249, the FCC announced rules and sought comments in an effort to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of the existing telephone numbers and to slow further exhaustion of existing numbers under the North American Numbering Plan.
- 5. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring carriers to report rate center based utilization to NeuStar. The FCC further required that to qualify for access to new numbering resources, applications must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application.
- 6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also require carriers to meet a rate center utilization threshold of 60 percent to receive additional numbering resources in a given rate center. FCC 00-249 at ¶22; FCC 01-362 ¶50-52. The utilization threshold increases by five percent per year until it reaches a maximum 75 percent. Based on the FCC's orders, carriers must meet both the six-month MTE requirement and the utilization threshold on a rate center basis to obtain additional number resources. Id. ¶29.
- 7. On April 6, 2010, Frontier submitted a National Pooling Request for a thousand block (1,000 numbers) in a new central office code for Cookeville necessary for Frontier to establish a new Location Routing Number (LRN) for a new Metaswitch MG 3510 Gateway switch (*Exhibit A*). Exhibit A also includes Frontier's MTE calculations.

- 8. Frontier's new switch will ultimately replace an existing switch, but both switches must be in operation for a period of time with separate LRNs to allow an orderly migration of customers from the existing switch to the new switch. The new switch is required to provide adequate service to Frontier's customers, because the existing switch has been manufacturer discontinued. Once both switches are operational, Frontier will port all customers served by the existing switch to the new switch.
- 9. Frontier is unable to fulfill its customers' needs by assigning additional numbers in the existing central office codes 931-646 code because the long term technical support for the existing switch, which is manufacturer discontinued, is questionable.
- 10. On April 6, 2010, Frontier's request was denied on the grounds that Frontier did not meet the utilization threshold required in the Central Office Code (NXX) Guidelines. This decision is attached hereto as *Exhibit B*.
- 11. As results of the denial of Frontier's request for additional numbering resources, Frontier is unable to provide the telecommunications services requested by its customers in Tennessee.
- 12. Under previous procedures used by the North American Numbering Plan Administration ("NANPA"), waivers or exceptions were typically granted in any case where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under existing procedures, however, NeuStar looks at the MTE criteria and utilization threshold for the rate center and allows no exceptions. By refusing to consider the circumstances of each case, NeuStar's procedure may result in decisions contrary to the public interest and decisions that do not necessarily preserve the efficient use of telephone numbers or postpone dates of exhaust.

- 13. Attached as *Exhibit C* is a breakdown of the central office codes in the Cookeville rate center, showing the utilization percentage for each thousand number block.
- 14. Both the FCC Order and NeuStar's Central Office Code (NXX) Guidelines provide that state regulatory authorities have the power and authority to review NeuStar's decision to deny a request for numbering resources. See 47 C.F.R. §52.15 (g)(4).
- This Authority has previously received similar requests from BellSouth
 Telecommunications, Inc. in which BellSouth asked the Authority to overrule a
 decision of NANPA and NeuStar. See Docket 03-00482 and Docket 03-00591.
 In both cases, the Authority granted BellSouth's request. State commissions in
 North Carolina, Florida, and Louisiana have also granted such request from
 BellSouth and from US LEC. The Authority also granted previous Frontier ILEC
 requests, filed by Citizens Telecommunications Company of Tennessee, for
 central office codes to serve St. Mary's Hospital in Powell. See Docket 0400254, Docket 06-00257 and Docket 08-00096.
- 16. Frontier seeks the Authority's review of NeuStar's decisions to withhold numbering resources from it on the grounds that the CO Code Administration database denial (1) violates the rules and orders of the FCC which grant carriers access to numbering resources to meet specific customer demands upon a sufficient showing of need and (2) interferes with Frontier's ability to serve its customers within Tennessee. As the FCC has stated, "Under no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources" FCC 00-429 at ¶61. By refusing to grant numbering resources sufficient to meet the Frontier's needs for a new switch, the decision is preventing Frontier's customers from receiving adequate service due to the manufacturer discontinuance of the existing switch that currently serves them.

Relief Sought

For these reasons, Frontier requests that the Authority review the decision of NeuStar to deny Frontier's request for additional numbering resources and direct NeuStar to provide a thousand block in a new Cookeville central office code to Frontier.

Respectfully submitted,

Frontier Communications of America, Inc.

Frequent Saxon

Assistant Secretary

Exhibit A

Central Office Code (NXX) Assignment Request Part 1 December 9, 2005

Tracking

931-COOKEVILLE-TN-351018

Number:

Full NXX: LRN

Type of

Change New

Application:

Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity FRONTIER COMM AM -TN

Name:

Address:

Headquarters

180 S. Clinton Ave.

City, State, Zip: Rochester, NY, 14646

Contact Name: Stephen Bonno

Contact

Address:

180 S. Clinton Ave.

City, State, Zip: Rochester, NY, 14646

585-777-8011

FAX: 585-454-6726

E-

Phone:

mail: stephen bonno@frontiercorp.com

Code Administrator: ²

Name:

Michael Ortega

Address:

46000 Center Oak Plaza

City, State, Zip:

Sterling ,VA ,20166

Phone:

571-434-5348

FAX:571-434-

5502

 $NXX:^3$

LATA: 470

OCN: 4

1.2 NPA: 931 866C

Parent Company's OCN(s)

3400

Switching Identification(Switch Entity/POI)⁵

CKVLTNXAPS0

Locality/City/Wire Center:

Rate Center: 6

COOKEVILLE

Homing Tandem Operating Co: 7 Tandem Homing

FRONTIER

CLLI

COMMUNICATIONS

8:CKVLTNXA71T

1.3 Dates: Date of Request Effective Date: 9 10 Application: 04/06/2010 06/11/2010				
By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the reques will still be processed in the order received.				
Request Expedited Treatment? Yes No X				
1.4 a) Type of company/entity requesting the code:CAP OR CLEC_(LEC, IC, CMRS, Other)				
b) Types of service: Wireline (e.g., Cellular - Type 2)				
c) Code Assignment Preference (Optional) 931-650-4X				
d) Codes that are undesirable, if any				
e) Type of change(Mark all that apply)				
OCN-Intra-company 11 Switching Id Rate Center Tandem Homing CLLI				
OCN-Inter-company ¹² Effective Date LATA Extend Reservation				
1.5 Type of Request (Initial, growth, etc.) Growth				
If an initial code, attach(1) evidence of certification and (2) proof of ability to place code in service within 60 days. If a growth code, attach months to exhaust worksheet.				
Pooling Indicator: 13 Yes No				
1.6 NPA Jeopardy Criteria Apply: Yes No				
1.7 Code request for new service (Explain):				

Part 2 is not attached

 \mathbf{X}

for BIRRDS 14 15

1.8 Part 2 is attached

Code Part1A Page 3 of 4

Additional Documentation is attached attached X

Additional Documentation is not

Comments:

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with Central Office Code (NXX) Assignment Guidelines posted to the ATIS Web Site (http://www.atis.org/atis/clc/inc/incdocs.htm) as of the date of this application: ¹⁶

Stephen Bonno	Sr. Engineer <u>-</u> Number Planning	04/06/2010
Signature of Code Applicant	Title	Date

¹ Identify type and reason for change(s) in Section 1.4(e).

² A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

³ The NXX field is required for any code request in which there is a change or the NXX is being returned.

⁴ Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (973-884-8355) to be assigned a Company Code (s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the Telcordia TM Routing Administration (TRA) on 732-699-6700.

⁵ This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the eleven-character Telcordia TM COMMON LANGUAGE CLLI TM Location Identification of the applicant's switch or POI. (Telcordia and CLLI are trademarks and COMMON LANGUAGE is a registered trademarks of Telcordia Technologies, Inc.)

⁶ Rate Center name must be a tariffed Rate Center associated with toll billing.

⁷ Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

⁸ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI TM Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

⁹ Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

- ¹⁰ Requests for code assignment should not be made more than six months prior to the requested effective date.
- 11 Select if you are the current Code Holder
- 12 Select if you are not the current Code Holder
- ¹³ The Applicant will indicate "YES" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.
- ¹⁴ Applicant is not required to submit Part 2 of the code request form if it is doing its own Telcordia TM Business Integrate Routing and Rating Database System (BIRRDS) entries, or if the applicant has arranged for a third party to input the Part 2 forms data on its behalf.
- ¹⁵ WARNING! It is the code applicant's responsibility to arrange input of Part 2 information into BIRRDS. The 45 calendar day nationwide minimum interval cut-over for BIRRDS will not begin until input into BIRRDS has been completed.
- ¹⁶ An incomplete form may result in delays in processing this request.

TBPAG Attachment 1 - March 19, 2007

Thousands-Block Application Form - Part 1A

Tracking

931-

Number:

COOKEVILLE-TN-351018

Full NXX: LRN

Type of

New

Change

i

Application:

Disconnect

GENERAL APPLICATION INFORMATION

1.1 Contact Information:

Block Applicant:

Company

FRONTIER COMM AM -TN

Name:

Headquarters Address:

180 S. Clinton Ave.

City, State,

Rochester, NY, 14646

Zip:

Contact

Stephen Bonno

Name: Contact

Address:

180 S. Clinton Ave.

City, State, Zip: Rochester, NY, 14646

Phone: 585- FAX: 585-777-8011

454-6726

E-mail: stephen bonno@frontiercorp.com

Pooling Administrator: ii

Contact

Genevieve Bettiga

Name:

Contact

1800 Sutter St

Address:

City, State, Zip: Concord, CA,94520

Phone:

925-363-7652

FAX: 925-363-7683

E-mail: genevieve.bettiga@neustar.biz

1.2 General Information:

Check one: No LRN needed

LRN needed iii X

NPA:	931	LATA:	470	OCN: iv 866C	Parent Compar	ny's OCN	3400
Numb	er of Th	nousands-B	locks R	equested:	1		
		entification(NXAPSO	Switch	Entity/POI): ^v		
City o	or Wire	Center Nam	ne:		Rate Center: vi		
Rate (Center S	Sub Zone:					
1.3 D	ates:						
	of Appl /2010_	ication: vii		Requested	Block Effective 06/11/2010	Date: viii	
effect reduc	ive date tion in t	the Admin	istrator strator's	can grant.	lge that I am req Please note that t time, however th	his only ap	
Requ	est Expe	edited Treat	ment?	(See Section	1 8.6) Yes	No X	
1.4 T	ype of S	Service Pro	vider I	Requesting	the Thousands-	·Block:	
•					CLEC (LE		
,	•				sed for:Winnert Preference (
4X _ d)	Thousar	nds-Block(s) (NXX	(-X) that are	undesirable for	this assign	ment, if any
					, indicate which e given to the po		
1.5 T	ype of l	Request:					
		for rate cent ability to pro			,	idence of	authorization and
	th block	k for rate ce	enter : Y	es X	If Yes, attac	h months	to exhaust
	nd expli	icitly unders	stand th	at the unde	ledge that I am volving CO code no block effective da	nay not ye	accept a block in the activated in

Type of change(Mark all that apply)
OCN:Intra-company ix Switching Id Part 1B
OCN:Inter-company x Effective Date
Change block: Yes If Yes, list NPA-NXX-X
1.6 Block Return:
a) Is this block Contaminated Yes No
b) If Yes how many TNs are NOT available for assignment:
c) Have all new Intra SP ports been completed in the NPAC Yes No
d) Has this block been protected from further assignment YesNo
Disconnect block: Yes
Remarks:
I hereby certify that the above information requesting an NXX-X block is true and accurate to the best of my knowledge and that this application has been prepared in accordance with the Thousands-Block (NXX-X) Pooling Administration Guidelines (ATIS-0300066) available on the ATIS web site (http://www.atis.org/inc) or by contacting inc@atis.org as of the date of this application.
Sr. Engineer- Stephen Bonno Number 04/06/2010

Instructions for filling out each Section of the Part 1A form:

Section 1.1 Contact information requires that Service Providers supply under "Block Applicant" the company name, company headquarters address, a contact within the company, an address where the contact person may be reached, in addition to the correct phone, fax, and e-mail address. The Pooling Administrator section also requires the Service Provider to fill in the Pooling Administrator's name, address, phone, fax and e-mail.

Planning Title

Date

Section 1.2 Service Providers who need a thousands-block assignment or for an Location Routing Number (LRN) are required to fill in this section. If needed for an LRN, a CO Code Application needs to also be submitted to the PA. The Service Provider should supply the Numbering Plan Area (NPA); the Local Access Transport Area (LATA), which is a three-digit number that can be found in the Telcordia TM LERG TM Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character

Signature of Block Applicant

alphanumeric assigned by Telcordia TM Routing Administration (TRA). In addition, the number of thousands-blocks requested should be supplied. The Switch Identification as well as the city or wire center name, rate center, rate center sub zone, homing tandem and CLL1 TM tandem of the facilities based provider xi. Explanations of these terms may be found in the footnotes.

- Section 1.3 The date the Service Provider completes the application should be entered in this section, as well as the Effective Date of the requested thousands-block.
- Section 1.4 Service Providers should indicate their type, e.g., local exchange carrier, competitive local exchange carrier, interexchange carrier, CMRS. The also indicate the primary type of business in which the numbering resource is to be used. Service Providers also may indicate their preference for a particular thousands-block, e.g., 321-9XXX, or indicate any thousands-blocks that may be undesirable, e.g., 321-6XXX.
- Section 1.5 Service Providers indicate the type of request. Initial requests are for first applications for thousands-blocks in a rate center, growth for additional thousands-blocks in a rate center in which the applicant already has numbering resources, and provide the required evidence as ordered by the FCC.
- Section 1.6 Service Providers must indicate the updated/current information in regards to contaminated TNs on the block they are returning to the pool. Blocks with over 10% contamination (101 TNs or more) shall not be returned to the pool unless they meet criteria outlined in section 9.1.2 of these Guidelines. If the block being returned is over 10% contaminated the PA shall seek a new block holder. If question c and/or d have a response of No, the request for return shall be denied. The thousands-block applicant certifies veracity of this form by signing their name, and providing their title and date.

Foot Notes:

i Identify the type of change(s) in Section 1.5.

ii The Pool Administrator is available to assist in completing these forms.

iii A CO Code application will also need to be submitted to the PA.

iv Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments should contact NECA (800 524-1020) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignments should direct questions regarding appropriate OCN usage to (TRA) (732-699-6700).

^v This is an eleven-character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character CLLITM code of the switch /POI.

vi Rate Center name must be a tariffed Rate Center.

vii Acknowledgment and indication of disposition of this application will be provided to applicant within seven calendar days from the date of receipt of this application. An incomplete form may result in delays in processing this request.

viii Please ensure that the NPA-NXX of the LRN to be associated with this block(s) is/will be active in the network prior to the effective date of the block(s).

ix Select if you are the current Block Holder.

x Select if you are not the current Block Holder

xi Telcordia, LERG Routing Guide, and CLLI are trademarks of Telcordia Technologies, Inc.

MTE Block Page 1 of 2

Appendix 3 May 16, 2008

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level
(Thousands-Block Number Pooling Growth Block Request)

Tracking Number: 931-COOKEVILLE-TN-351018

Date: 04/06/2010

OCN:866C

Company Name: FRONTIER COMM AM -

TN

Rate Center: COOKEVILLE

List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s):

Name of Block Applicant: Stephen Bonno

Signature: Stephen Bonno

Title:Sr. Engineer-Number Planning

FAX No.: 585-454-6726

Telephone No.: 585-777-8011

E-mail: stephen_bonno@frontiercorp.com

A. Available Numbers: 1490

B. Assigned Numbers: 1510

C. Total Numbering Resources: 3000

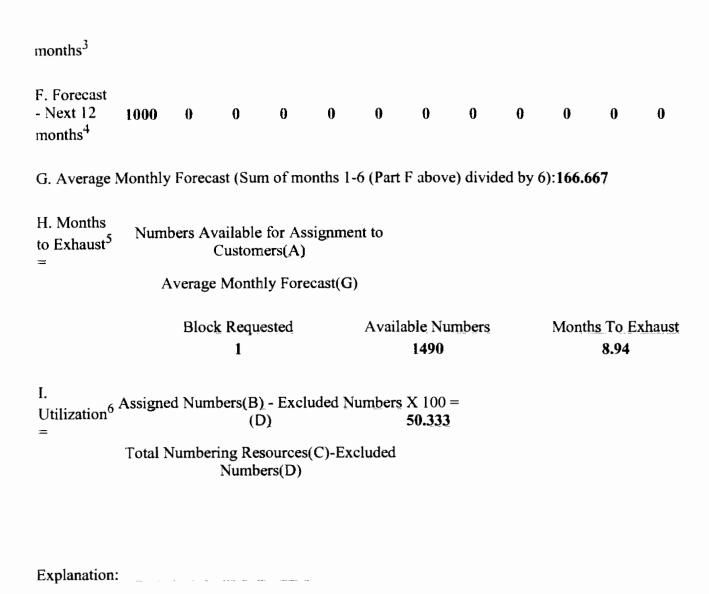
D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation ²:0

List Excluded Code(s) or Block(s):

Month Month

E. Growth History - 100 100 100 100 100 100

Previous 6



¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

²Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received=10,000).

³Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.

⁴Forecast of TNs needed in each following month, starting with the most recent month as Month #1.

⁵To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, section 52.15 (g) (3) (iii)).

⁶Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Exhibit B

November 21, 2003 ATIS-0300066.at3 Attachment 3

Pooling Administrator's Response/Confirmation TBPAG Part 3

Tracking Number :	931-COOKEVILLE- TN-351018		
Date of Application:	0 4/06/2010 E	Effective Date:	
Date of Receipt:	04/06/2010	Date of Response:	04/06/2010
Service Provider Name: (Telcordia TM LERG TM	FRONTIER COMM A	M -TN	
Routing Guide) OCN:	866C 		
NPAC SOA SPID :			
Pooling Administrator Concernies Bettiga	Phone:		925-363-7652
Signature of Pooling Admi			
Genevieve Bettiga	Fax:		925-363-7683
Name (print) Email:	genevieve	.bettiga@neustar.b	<u>piz</u>
NPA-NXX or NPA- NXX-X :		Block Assigne	d:
		Block Reserved	d :
		Block Reservat Expiration Date	
		Block/Code Mo	odified:
		Block/Code Disconnected :	
Block Contaminated(If Yes,enter the numl	Yes or No) : per of TNs contaminated	:	
Switch Identification(S	Switch Entity/POI): 1	CKVLTNXAPS	<u>s</u> 0
Rate Center:		COOKEVILLE	<u> </u>
Rate Center Sub Zon	e:		
request for a new co Waiver from the app are in disagreement	uest denied. neet the MTE and/or Ut ode is denied. You may propriate state commiss with the disposition of umber (NXX-X) Pooling	proceed with requision using this Part f this request, pleas	esting a State t 3 denial. If you se refer to the
Request withdrawn.			

Assignn Explanat	ided by the administra	tor.	
Remarks:	 		

¹ This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLI TM Location Identification code of the switching entity/POI shown on the Part 1A form (Telcordia, LERG ROUTING Guide and CLLI are trademarks of Telcordia Technologies, Inc.)

Exhibit C

FRONTIER COMMUNICATIONS OF AMERICA-CLEC OCN 866C (TN)

EXHIBIT C
COOKEVILLE RATE CENTER- UTILIZATION BY NPA-NXX-X

FILIZATION	51%	76%
5	3 8	
×	713 713	
XXN	931 931	931-713 Total:
NPA		931-7
ILIZATION	%0	% 0
5	6	
×	646	
NXX	931	331-646 Total:
A		931-6