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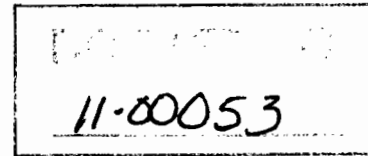
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April 13, 2011

VIA HAND DELIVERY

Honorable Mary W. Freeman, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505



**RE: *In the Matter of: Petition of MCI metro Access Transmission Services LLC
d/b/a Verizon Access Transmission Services for Review of NeuStar's Denial of
Application for Numbering Resources***

Dear Chairman Freeman:

Enclosed please find the original and thirteen (13) copies of the *Petition of Verizon Access for Expedited Review of Central Office Code Denial* in the above-captioned matter. Please note that Exhibit 1 to the *Petition* is **PRIVILEGED AND CONFIDENTIAL**, has been marked **PRIVILEGED AND CONFIDENTIAL**, and is being submitted **UNDER SEAL**.

An additional copy of this filing is enclosed to be filed-stamped for our records.

If you have any questions or require additional information, please let us know.

Respectfully submitted,

Melvin J. Malone

clw

Enclosures

cc: Parties of Record

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

April 13, 2011

In the Matter of :)
Petition of MCImetro Access Transmission Services)
LLC d/b/a Verizon Access Transmission Services) Docket No.
for Review of NeuStar's Denial of Application for)
Numbering Resources	

**PETITION OF VERIZON ACCESS FOR EXPEDITED
REVIEW OF CENTRAL OFFICE CODE DENIAL**

MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services ("Verizon Access") requests that the Tennessee Regulatory Authority ("Authority") review the Pooling Administrator's denial of Verizon Access's application for a single Thousand Block of telephone numbers ("Thousand Block") in the Smyrna, Tennessee rate center; overturn that decision; and order that a Thousand Block be assigned to Verizon Access. Verizon Access requests this relief on the following grounds:

1. Verizon Access is a competitive local exchange carrier that provides local exchange service and exchange access service in Tennessee. Verizon Access's customers include large businesses that use direct inward dialing ("DID") arrangements to obtain telephone service for their employees at one or more locations.

2. A large business customer that uses a DID arrangement has selected Verizon Access as its service provider and requested that Verizon Access provide service using a block of 1000 consecutive numbers in the 615 NPA in the Smyrna rate center. Using consecutive numbers facilitates the installation and management of DID arrangements. The customer has stated that these numbers are critical to its ability to

effectively communicate with customers, dealerships, vendors and business partners. A confidential copy of the customer's letter explaining the circumstances is attached as Confidential Exhibit 1.

3. Because Verizon Access does not have a block of 1000 consecutive numbers in its inventory, it applied on March 9, 2011 to the Pooling Administrator, NeuStar, for a Thousand Block in the Smyrna rate center.¹ Verizon Access's application is attached as Exhibit 2.

4. NeuStar denied Verizon Access's request on the same day Verizon Access submitted its application because Verizon Access only met one of the two FCC criteria that NeuStar applies, even though Verizon Access does not have the numbering resources needed to satisfy its customer's demands in the switch at issue. Verizon Access met the months-to-exhaust criterion, projecting that its number supply in the Smyrna rate center would be exhausted in 3.74 months, significantly below the six-month FCC benchmark. Verizon Access did not meet the number utilization criterion, however, with 33.3% utilization in the Smyrna rate center, which is under the FCC's 75% threshold. The Months-To-Exhaust and Utilization Worksheet is attached as Exhibit 3. NeuStar's denial of Verizon Access's application is attached as Exhibit 4.

5. The FCC has delegated authority to the Authority to address NeuStar's denial of a request for numbering resources, stating that "[w]e agree . . . that a safety valve mechanism should be established, and we delegate authority to state commissions to hear claims that a safety valve should be applied when the . . . Pooling Administrator denies a specific request for numbering resources."² Moreover, the FCC has determined

¹ The application was filed in the name of Verizon Access's predecessor, Intermedia Communications.

² *Numbering Resource Optimization*, Third Report and Order and Second Order on Reconsideration in CC

that “a carrier should be able to get additional numbering resources when there is a verifiable need due to the carrier’s inability to satisfy a specific customer request.” Specifically, states “may grant requests for customers seeking contiguous blocks of numbers.”¹

6. Based on this authority, the Authority has issued a number of orders addressing denials by NeuStar that release numbering resources to meet specific customer needs. For example, the Authority ordered NeuStar to provide AT&T Tennessee with numbering resources to meet the service requirements of the University of Tennessee at Chattanooga, even though AT&T Tennessee had been unable to satisfy the months-to-exhaust criteria.²

7. NeuStar’s denial of sufficient numbering resources to Verizon Access to meet its customer’s request is inconsistent with the FCC’s position that “[u]nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources.”³ By refusing to grant numbering resources sufficient to meet the needs of Verizon Access’s customer, NeuStar is preventing this customer from obtaining the service it wants from the carrier of its choice.

8. Verizon Access’s request for a Thousand Block to meet its customer’s request for a large block of contiguous numbers fits squarely within the framework established by the FCC for “safety valve” requests that the Authority is authorized to

Docket No. 96-98 and CC Docket No. 99-200, FCC 01-362, CC Docket No. 99-200, CC Docket No. 96-98, CC Docket No. 95-116, ¶ 61(2001).

¹ Id. ¶ 64.


² *BellSouth Telecommunications, Inc.’s Petition for Expedited Review of Central Office Code Denials*, Docket No. 01-00957 (2002).

³ *Numbering Resource Optimization*, Second Report and Order and 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 00-429, CC Docket No. 99-200, CC Docket No. 96-98, ¶ 61 (2000).

grant. Verizon Access respectfully requests that the Authority direct NeuStar to assign a Thousand Block for the Smyrna rate center so that Verizon Access can satisfy its customer's request.

WHEREFORE, Verizon Access respectfully requests that the Authority review NeuStar's decision to deny Verizon Access's request for additional numbering resources, overturn that decision, and direct NeuStar to assign Verizon Access a Thousand Block in the Smyrna rate center.

Respectfully submitted on April 13, 2011.


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*Attorneys for MCImetro Access Transmission
Services LLC d/b/a Verizon Access Transmission
Services*

Exhibit 2

TBPAG Attachment 1 - March 19, 2007

Thousands-Block Application Form - Part 1A

Tracking Number: 615-SMYRNA-TN-423261
Individual Block Request

Type of Application: New i Change Disconnect

GENERAL APPLICATION INFORMATION**1.1 Contact Information:****Block Applicant:**

Company Name: INTERMEDIA COMMUNICATIONS INC. - TN
Headquarters Address: 22001 Loudoun County Parkway
City, State, Zip: Ashburn, VA, 20147
Contact Name: Kevin Daniels
Contact Address: 2400 North Glenville
City, State, Zip: Richardson, TX, 75082
Phone: 972-729-5320 FAX: 972-729-7003 E-mail: kevin.daniels@verizonbusiness.com

Pooling Administrator: ii

Contact Name: Genevieve Bettiga
Contact Address: 1800 Sutter St
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 X LRN needed ⁱⁱⁱ

NPA: 615 LATA: 470 OCN: ^{iv} 7977 Parent Company's OCN 7229

Number of Thousands-Blocks Requested : 1

Switching Identification(Switch Entity/POI) : ^v

NSVMTN03DS0

City or Wire Center Name : _____

Rate Center: ^{vi} SMYRNA

Rate Center Sub Zone: _____

1.3 Dates:

Date of Application: ^{vii} 03/09/2011

Requested Block Effective Date: ^{viii} 04/09/2011

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 request will still be processed in the order received.

Request Expedited Treatment? (See Section 8.6) Yes X No _____

Expedited Explanation:

1.4 Type of Service Provider Requesting the Thousands-Block :

- a) Type of Service Provider : CAP OR CLEC (LEC, IXC, CMRS, Other)
- b) Primary type of service Blocks to be used for : Wireline
- c) Thousands-Block(s) (NXX-X) assignment Preference (Optional) 615-768-8
- d) Thousands-Block(s) (NXX-X) that are undesirable for this assignment , if any _____
- e) If requesting a code for LRN purposes, indicate which block(s) you will be keeping (the remainder of the blocks will be given to the pool) _____

1.5 Type of Request:

Initial block for rate center : Yes _____ If Yes , attach evidence of authorization and proof of capability to provide service within 60 days.

Growth block for rate center : Yes X If Yes , attach months to exhaust worksheet

By selecting this checkbox, I acknowledge that I am willing to accept a block in red and explicitly understand that the underlying CO code may not yet be activated in the PSTN and loaded in the NPAC on the block effective date.

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 Yes _____ No _____

Disconnect block : Yes _____ If Yes , list NPA-NXX-X _____

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.

Kevin Daniels

Signature of Block Applicant

Pooling
Administrator **03/09/2011**

Title **Date**

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.

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 TelcordiaTM LERGTM Routing Guide. The Operating Company Number (OCN) assigned to the service provider and the OCN its parent company. An OCN is a four-character alphanumeric assigned by TelcordiaTM Routing Administration (TRA). In addition, the number of thousands-

Exhibit 3

Appendix 3

May 16, 2008

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level¹
(Thousands-Block Number Pooling Growth Block Request)

Tracking Number: 615-SMYRNA-TN-423261Date: 03/09/2011OCN: 7977Company Name: INTERMEDIA
COMMUNICATIONS INC. - TNRate Center: SMYRNAList all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s): 615-7681-3Name of Block Applicant: Kevin DanielsSignature: Kevin DanielsTitle: Pooling Administrator
972-729-7003Telephone No.: 972-729-5320

FAX No.:

E-mail: kevin.daniels@verizonbusiness.comA. Available Numbers: 630B. Assigned Numbers: 333C. Total Numbering Resources: 1000D. 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	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month	Month
#1	#2	#3	#4	#5	#6	#7	#8	#9	#10	#11	#12	

E. Growth History - Previous 6	<u>-1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>-18</u>	<u>2</u>
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months³

F. Forecast

- Next 12 months⁴ **15** **1000** **0** **0** **0** **0** **0** **0** **0** **0** **0** **0**

G. Average Monthly Forecast (Sum of months 1-6 (Part F above) divided by 6): **169.167**

H. Months
to Exhaust⁵

Numbers Available for Assignment to
Customers(A)

=

Average Monthly Forecast(G)

Block Requested

1

Available Numbers

630

Months To Exhaust

3.724

I.

Utilization⁶ Assigned Numbers(B) - Excluded Numbers
= (D) X 100 = **33.3**

Total Numbering Resources(C)-Excluded
Numbers(D)

Explanation: _____

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 4

November 21, 2003
ATIS-0300066.at3

Attachment 3

Pooling Administrator's Response/Confirmation
TBPAG Part 3

Tracking Number : 615-SMYRNA-TN-423261

Date of Application: 03/09/2011 Effective Date: _____
Date of Receipt: 03/09/2011 Date of Response: 03/09/2011

Service Provider Name: INTERMEDIA COMMUNICATIONS INC. - TN
(Telcordia TM LERG TM Routing Guide) OCN: 7977

NPAC SOA SPID : _____

Pooling Administrator Contact Information:

Genevieve Bettiga Phone: 925-363-7652

Signature of Pooling Administrator

Genevieve Bettiga Fax: 925-363-7683

Name (print)

Email: genevieve.bettiga@neustar.biz

 NPA-NXX or NPA-
 NXX-X : _____

Block Assigned: _____

Block Reserved : _____

Block Reservation

Expiration Date : _____

Block/Code Modified : _____

Block/Code

Disconnected : _____

Block Contaminated(Yes or No) : _____

If Yes, enter the number of TNs contaminated : _____

Switch Identification(Switch Entity/POI): ¹

NSVMTN03DS0

Rate Center:

SMYRNA

Rate Center Sub Zone: _____

☒ **Form Complete, request denied.**

Explanation:

DR-57: You do not meet the MTE and/or Utilization requirements, therefore this request for a new block is denied. You may proceed with requesting a State Waiver from the appropriate state commission using this Part 3 denial. If you are in disagreement with the disposition of this request, please refer to the Thousands-Block Number (NXX-X) Pooling Administration Guidelines for the appeals process.

☐ **Request withdrawn.**

Explanation:

Assignment activity suspended by the administrator.

Explanation:

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.)