

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of)

VERIZON HAWAII INC. )

DOCKET NO. 02-0355

For an Order Overturning the )  
North American Numbering Plan )  
Administrator's Denial of an )  
Application for Central Office )  
Code (NXX) Assignment Request. )

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DECISION AND ORDER NO. 19733

Filed Oct. 25, 2002  
At 3:30 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

K. Higashi

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DECISION AND ORDER

I.

By a petition filed on September 27, 2002, VERIZON HAWAII INC. (Verizon Hawaii), on behalf of the United States Department of Defense, Defense Information Systems Agency (DISA), its customer, requests that the commission overturn the North American Numbering Plan Administrator's (NANPA) denial of its application for a central office code (NXX) assignment request. Verizon Hawaii appears to have filed its petition under 47 C.F.R. § 52.15(g)(3)(iv), which grants the commission authority to affirm or overturn NANPA's denial of a carrier's numbering resource request.

Copies of the petition were served on the DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS (Consumer Advocate). On October 7, 2002, the Consumer Advocate informed us that commission action to overturn NANPA's denial of Verizon Hawaii's request is appropriate in this case.

## II.

### A.

Verizon Hawaii is a corporation duly organized and existing under and by virtue of the laws of the State of Hawaii (State), and is engaged in the provision of varied telecommunications services to its customers and the general public. DISA is an agency within the United States Department of Defense (DOD) responsible for all information systems & telecommunications requirements of the DOD, the National Communications System, other federal agencies, and for allies of the United States.

DISA requested a new prefix of ten thousand sequential telephone numbers from Verizon Hawaii to meet the growing demand for its Enhanced Mobile Satellite Services (EMSS) gateway through Verizon Hawaii's Wahiawa switch. Verizon Hawaii represents that it could not accommodate DISA's request since it did not have ten thousand sequential numbers available within the Honolulu rate area, which encompasses the entire island of Oahu. Accordingly, on July 10, 2002, Verizon Hawaii submitted a central office code (NXX) assignment request to NANPA, the entity that controls the release of telephone numbers nationally. On July 24, 2002, NANPA denied Verizon Hawaii's request.

### B.

The EMSS gateway is an iridium satellite gateway, located on the Naval Computer & Telecommunications Area Master Station at Wahiawa, Hawaii. It is the only satellite-phone

telephone switch for the DOD, which is used to provide worldwide communications services for the DOD and other government subscribers, such as the Federal Aviation Administration, the Department of State, the Federal Emergency Management Agency, and the National Guard. The iridium system is based on the Global System for Mobile communications architecture that utilizes cellular radio repeaters attached to low-earth orbiting satellites, 66 in all, to provide cellular phone type service with global coverage. DISA anticipates that its EMSS system will also be used for state and local government communication and coordination as an alternative means of communication during crisis events.

DISA contends that due to the September 11<sup>th</sup> terrorist attack and the United States deployment to Afghanistan, its EMSS customer base has grown "tremendously" and that it anticipates growth of 200-300 subscribers per month for at least the next three years, and forecasts that it will exhaust its current allocation of ten thousand sequential numbers (with a 659 switch code) by approximately January 2003. DISA states that sequential numbers will allow for a "straight-forward seamless, caller-transparent call routing of calls"<sup>1</sup> simplifying the mapping of iridium phone numbers with the local commercial phone numbers, among other things. Without sequential numbers, DISA contends that its system will become complex and that it will result in inefficient utilization and expedited depletion of the DOD-Hawaii switch codes within the DOD-Pacific telephone numbering plan.

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<sup>1</sup>Application, Exhibit 2 at 5.

Additionally, DISA represents that use of non-sequential numbers (most likely in blocks of 1,000) will require an additional cost to the federal government since the DOD's current contract with AT&T Corp. (AT&T), the telecommunications contractor for the DOD's Hawaii telephone network (Hawaii Information Transfer System or HITS), does not require AT&T to route calls of switch codes in sub-groups of thousands. Furthermore, DISA specifically contends that allocation of non-continuous blocks of numbers for its EMSS system will result in increased customer confusion and misdialed and missed calls.

#### C.

Among other things, the Consumer Advocate states that a ten thousand block of sequential numbers will simplify the mapping of telephone numbers between the DOD's EMSS system and the State's local public network. The Consumer Advocate states that DISA has a justifiable need for a ten thousand block of sequential telephone numbers due to: (1) the nature and use of the EMSS system; (2) growth in demand for the EMSS system; and (3) the advantages of maintaining a simple dialing scheme for the EMSS system. Thus, it recommends that overturning NANPA's denial of Verizon Hawaii's request would be appropriate.

#### III.

The Federal Communications Commission (FCC) vested state public utility commissions with the authority to overturn or affirm a NANPA denial of a carrier's request of numbering

resources.<sup>2</sup> In its order adopted on December 12, 2001, the FCC established a "safety valve" mechanism, and delegated to the state public utility commissions the authority to hear claims when carriers are denied requests for numbering resources by NANPA.<sup>3</sup> The FCC, in its December 2001 order clarified that state commissions may, among other instances, "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."<sup>4</sup> The FCC also specified that state commissions "may not accommodate requests for specific numbers (i.e., vanity numbers), but may grant requests for customers seeking contiguous blocks of numbers."<sup>5</sup>

Upon review, the commission first finds and concludes that Verizon Hawaii's petition filed on September 27, 2002, is properly before this commission. Second, due to the unique facts and circumstances of this case, the commission finds that an overturn of NANPA's denial of Verizon Hawaii's July 10, 2002 central office code (NXX) assignment request is warranted.

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<sup>2</sup>In re Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, Adopted March 17, 2000 and Released March 31, 2000, FCC 00-104.

<sup>3</sup>In re Numbering Resource Optimization, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, and Telephone Number Portability, Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, CC Docket Nos. 99-200, 96-98 and 95-116, Adopted December 12, 2001 and Released December 28, 2001, FCC 01-362 (FCC 01-362), at ¶ 61.

<sup>4</sup>Ibid at ¶ 64.

<sup>5</sup>Ibid.

Verizon Hawaii's request appears to be within the circumstances contemplated by the FCC to be addressed through the "safety value" mechanism. Our decision on this matter is based on our review and consideration of the full record of this docket including, but not limited to, the representations set forth by Verizon Hawaii and its customer, DISA. Additionally, consistent with FCC 01-362, Verizon Hawaii should be mindful that any numbering resource granted in light of our decision in this decision and order is to be activated to only serve DISA.<sup>6</sup> If DISA's request is subsequently withdrawn or declined, Verizon Hawaii shall return the numbering resource to NANPA, and may not retain the numbering resource to serve other customers without first satisfying the FCC's growth numbering resource requirements.

Based on the above, the commission concludes that NANPA's July 24, 2002 denial of Verizon Hawaii's July 10, 2002 request for a central office code (NXX) assignment for DISA's EMSS gateway in Wahiawa should be overturned.

#### IV.

##### THE COMMISSION ORDERS:

1. Verizon Hawaii's petition filed on September 27, 2002, is properly before this commission.
2. NANPA's July 24, 2002 denial of Verizon Hawaii's July 10, 2002 request for a central office code (NXX) assignment for DISA's EMSS gateway in Wahiawa is overturned.


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<sup>6</sup>Ibid.

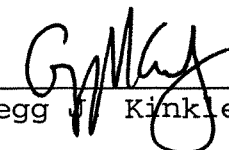
3. This docket is closed.

DONE at Honolulu, Hawaii this 25th day of October,  
2002.


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By   
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Ji Sook Kim  
Commission Counsel

02-0355.eh



CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19733 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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for Catherine Sakato

DATED: October 25, 2002