

DECLARATION OF JACOB B. BARLOW

I am a Staff Advocate in the Qwest Corporation Network Policy Organization. As part of my duties, I oversee matters related to numbering issues in Qwest's local service territory, including in South Dakota. I make this declaration as support for Qwest's request that the South Dakota Public Utilities Commission (Commission) accept the Part 4 form (Confirmation of Code Activation) from Qwest for the thousands block 605-597-9XXX in the event Qwest is unable to submit the form to the Pooling Administrator directly by the March 10th, 2011 due date, and on behalf of Qwest I ask that the Commission direct NeuStar, the Pooling Administrator for the State of South Dakota, to show the NPA-NXX (605-597) and block (605-597-9) as activated and in service. A copy of the form is attached to this declaration as **Exhibit 1**.

On July 12th, 2010 the South Dakota Public Utilities Commission granted a waiver of the utilization threshold requirement (Docket TC10-076) to Qwest so that Qwest could obtain a new NPA-NXX in the Mitchell, SD rate center. A new NPA-NXX was required in order to establish an LRN (Local Routing Number) for Qwest's Mitchell (MTCHSDCORS1) switch. This LRN was required in order to allow the porting of telephone numbers into the switch.

On July 13th, 2010, Qwest requested the new NPA-NXX (605-597) from NeuStar and it was granted with an effective date of September 10th, 2010. The LRN was established and the porting of telephone numbers into the MTCHSDCORS1 switch commenced. The first of many telephone numbers ported into the switch was effective October 21st, 2010.

The INC (Industry Numbering Committee) *CENTRAL OFFICE CODE (NXX) ASSIGNMENT GUIDELINES (COAG)*, (ATIS-0300051 § 6.3.3) and FCC rules (FCC 00-104,

§ 52.14 (i) 1) require a provider to confirm that new Numbering resources have been put in service within six months of the effective date. The activation and in service status is confirmed via the Part 4 form sent to the Pooling Administrator. It is generally accepted that once a telephone number from the new NXX has been assigned to an end user, the NXX or thousands block is considered to be in service and the numbering resources activated.

If a service provider does not submit the Part 4 form to the Pooling Administrator by the six month due date, the Pooling Administrator is directed to refer the matter to the appropriate state regulator (*CENTRAL OFFICE CODE (NXX) ASSIGNMENT GUIDELINES (COAG)*, ATIS-0300051 § 8) – here, this Commission. State regulators have been granted the authority to investigate and determine the in-service nature of numbering resources (FCC 00-104, ¶ 237). The Pooling Administrator will not accept a Part 4 form from a service provider once the matter has been referred to the Commission unless the Commission directs the Pooling Administrator to do so. The Commission may direct the Pooling Administrator to begin reclaiming the numbering resources back from the provider, or the Commission may accept the Part 4 form from the service provider and direct the Pooling Administrator to show the numbering resources as activated and in service. If the Commission declines to intervene, the matter is referred to the FCC. I request the Commission accept the Part 4 form.

Due to the rural nature of Mitchell, SD, and the presence of active competition in that rate center, Qwest has not had any requests for new services (since the September 2010 effective date) which could utilize numbering resources out of the 605-597-9XXX block. In this instance, Qwest has used the new numbering resources for the porting reasons stated in this declaration; i.e., to establish an LRN, but has yet to assign numbers from the 605-597-9XXX block to any end users. If the Pooling Administrator is directed by the Commission to reclaim NPA-NXX

605-597, the over 1,000 telephone numbers currently ported into Qwest's MTCHSDCORS1 switch would lose service as Qwest would be forced to disconnect the LRN in the process of returning the 605-597-9XXX block to the Pooling Administrator.

For the reasons explained in this declaration, in the likely event Qwest has not assigned a number from the block to an end user and submitted the Part 4 form to the Pooling Administrator directly by the March 10th, 2011 due date, Qwest respectfully requests the South Dakota Public Utilities Commission accept the Part 4 form for the 605-597-9XXX block from Qwest, and direct NeuStar to show the block as activated and in service.

Jacob B. Barlow
Staff Advocate
Qwest Network Policy
700 W Mineral Ave, MN D 1910
Littleton CO 80120
303-707-7004