BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF SOUTH DAKOTA

IN THE MATTER OF THE PETITION OF QWEST CORPORATION FOR WAIVER OF UTILIZATION THRESHOLD REQUIREMENT IN THE SIOUX FALLS RATE CENTER	))))	**ORDER GRANTING WAIVER** **TC07-087**

On August 3, 2007, Qwest Corporation (Qwest) filed a request with the Commission to waive the NeuStar Pooling Administrator's utilization threshold requirements in the Sioux Falls rate center to meet a specific customer's need in the community. Qwest submitted a request for 10,000 numbers (full NXX code) in the 605-N12-XXXX range to the Pooling Administrator on July 25, 2007. In order for the request to be approved, Qwest requests a waiver of the current usage threshold for new numbering requests.

Pursuant to an order issued by the Federal Communications Commission (FCC), state commissions were delegated the authority to hear claims that a "safety valve" should be applied when the NANPA or Pooling Administrator denies a request for numbers. *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200,* FCC 01-362, para. 61 (rel. December 28, 2001). A state commission may "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 current inventory." *Id.* at para. 64. A state commission may grant requests for customers seeking contiguous blocks of numbers. *Id.*

On August 9, 2007, the Commission electronically transmitted notice of the filing and the intervention deadline of August 17, 2007. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31 and 47 C.F.R. § 52.15(g)(4).

At its regularly scheduled meeting of August 28, 2007, the Commission considered this matter. After further discussing the request and the FCC requirements with Qwest and Commission Staff, the Commission voted to grant the waiver. As the Commission's final decision in this matter, it is therefore

ORDERED, that the requested waiver is hereby granted.

Dated at Pierre, South Dakota, this 18th day of September, 2007.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.

By: Delaine Kolbo

Date: 9/18/07

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

DUSTIN M. JOHNSON, Chairman

GARY HANSON, Commissioner

STEVE KOLBECK, Commissioner