

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE PETITION OF )	ORDER GRANTING WAIVER
NORTHERN VALLEY COMMUNICATIONS, LLC )	
FOR WAIVER OF NEUSTAR, INC. DENIAL OF )	TC06-014
NUMBER BLOCK REQUEST IN THE )	
ABERDEEN RATE CENTER )	

On February 15, 2006, Northern Valley Communications, LLC (NVC) filed a request with the Commission to waive the NeuStar Pooling Administrator's denial of NVC's request for numbering resources in the Aberdeen rate center. The Pooling Administrator denied NVC's request because the company does not meet the 75% or more utilization or months-to-exhaust requirement for the Aberdeen rate center. NVC is requesting a waiver of the 75% or more utilization and months-to-exhaust threshold requirement so it could receive three blocks of one thousand numbers in the Aberdeen rate center. NVC stated that it needed the numbers to meet a specific customer request

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 February 16, 2006, the Commission electronically transmitted notice of the filing and the intervention deadline of February 27, 2006. 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 February 28, 2006, the Commission considered this matter. After further discussing the request and the FCC requirements with NVC and Commission Staff, the Commission voted to grant the waiver with the condition that the numbers be issued to NVC customer one block at a time and that 90% of each block be used before the next block is issued and that any used blocks at the end of four years revert back to the pool. As the Commission's final decision in this matter, it is therefore

ORDERED, that the requested waiver is hereby granted, subject to the conditions set forth above.

Dated at Pierre, South Dakota, this 16<sup>th</sup> day of March, 2006.

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 Kalbo

Date:

3/17/06

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Robert K. Sahr

ROBERT K. SAHR, Chairman

Dustin M. Johnson

DUSTIN M. JOHNSON, Commissioner

Gary Hanson

GARY HANSON, Commissioner