

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

**IN THE MATTER OF THE PETITION OF) ORDER GRANTING WAIVER
QWEST CORPORATION FOR WAIVER OF)
UTILIZATION THRESHOLD REQUIREMENT IN) TC08-032
THE HURON, SOUTH DAKOTA RATE CENTER)**

On March 10, 2008, Qwest Corporation filed for a waiver of the utilization threshold requirements outlined in FCC's Number Resource Optimization Orders, FCC 00-429 and FCC 01-362 released in CC Docket No 99-20, to allow NeuStar, the Number Pooling Administrator, to provide a thousands block of numbers to a Qwest customer.

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 March 13, 2008, the Commission electronically transmitted notice of the filing and the intervention deadline of March 21, 2008. 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 March 25, 2008, 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 8th day of April, 2008.

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: <u>Delaine Kolbo</u>
Date: <u>4/9/08</u>
(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Gary Hanson
GARY HANSON, Chairman

Steve Kolbeck
STEVE KOLBECK, Commissioner

Dustin M. Johnson
DUSTIN M. JOHNSON, Commissioner