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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Federal Communications Commission
Office of Secretary

In the Matter of)
)
Request by Qwest Corporation for Limited)
Modification of LATA Boundaries to Provide) WC Docket No. 05-____
Extended Area Service Between Several Local)
Exchanges Located in Nebraska)

PETITION OF QWEST CORPORATION

Pursuant to Section 3(25) of the Communications Act of 1934, as amended, and in accordance with the Federal Communications Commission's ("Commission") 1997 *Memorandum Opinion and Order* in CC Docket 96-159,¹ Qwest Corporation ("Qwest") submits this Petition for a limited modification of the local access and transport area ("LATA") boundaries that separate Qwest's exchanges in the Elkhorn, Nebraska rate center from Alltel's adjacent exchanges in Plattsmouth and Murray, Nebraska. The modification of this boundary will permit Qwest to provide Extended Area Service ("EAS") between these exchanges, pursuant to a rate center consolidation requested by Qwest and approved by the Nebraska Public Service Commission ("Nebraska PSC").²

¹ See *In the Matter of Petitions for Limited Modification of LATA Boundaries to Provide Expanded Local Calling Service (ELCS) at Various Locations*, Memorandum Opinion and Order, 12 FCC Rcd 10646 (1997) ("*ELCS Order*").

² Alltel's Plattsmouth and Murray exchanges already have two-way EAS to Qwest's Gretna and Omaha rate centers. The Gretna and Omaha rate centers are being combined with the Elkhorn rate center as part of this latest consolidation.

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List A B C D E

I. INTRODUCTION

On July 12, 2005, Qwest asked the Nebraska PSC to permit it to consolidate Qwest's Omaha, Nebraska rate center with its separate rate centers in Elkhorn and Gretna, Nebraska, which are in contiguous geographic areas. As part of that consolidation, Qwest proposed expanding the EAS provided³ to subscribers in the Gretna and Elkhorn rate centers.

The Elkhorn, Bennington and Valley exchanges involved in the expanded EAS are located in Qwest's Elkhorn rate center. The Plattsmouth and Murray exchanges that will be included in the expanded EAS are served by Alltel.

The Nebraska PSC subsequently granted Qwest's rate center consolidation plan in an *Order* dated August 30, 2005. A copy of the Nebraska PSC's *Order* is attached to this Petition as Attachment A.

As discussed in the Nebraska PSC's *Order*, the expanded EAS for the new Omaha rate center will result in traffic crossing the LATA boundary between the north and south portions of the 402 area code. In order to carry out the Nebraska PSC's directive, Qwest is therefore seeking this limited modification of this LATA boundary pursuant to the Commission's *ELCS Order* and the requirements set forth in Sections 1.742 and 1.743 of the Commission's Rules.⁴

Under the terms of the Nebraska PSC's *Order*, Qwest will be required to complete the new rate center and expanded EAS within six months after the Commission grants a waiver of the LATA boundary.

³ The northern portion of the 402 area code is the Lincoln LATA while the southern portion is the Omaha LATA. Each LATA in turn contains several rate centers as explained below.

⁴ See 47 C.F.R. §§ 1.742 and 1.743.

II. ELCS GUIDELINES

The following information is provided in response to the guidelines established by the Commission in the *ELCS Order*.⁵

A. Type Of Service: Qwest will provide two-way, flat-rated, non-optional EAS between its exchanges in the Elkhorn rate center and Alltel's Plattsmouth and Murray exchanges.

B. Direction Of Service: Two-way.

C. Exchanges Involved: The 402 area code is divided into a northern LATA and a southern LATA. The Plattsmouth and Murray exchanges are located in the southern 402 area code, in the Lincoln LATA (LATA 958). The exchanges contained in the Elkhorn rate center are located in the Omaha LATA (LATA 644), which is located in the northern 402 area code.

D. Name Of Carriers: Qwest provides local exchange service in the Elkhorn, Bennington and Valley exchanges. In turn, Alltel provides local exchange service in the Plattsmouth and Murray exchanges.

E. State Commission Approval: See Attachment A for a copy of the *Order* issued by the Nebraska PSC.

F. Number Of Access Lines Or Customers: The total number of access lines for the Elkhorn, Bennington, Valley, Plattsmouth and Murray exchanges is as follows:

Elkhorn:	Approximately 3,298 access lines *
Bennington:	Approximately 1,034 access lines *
Valley:	Approximately 1,684 access lines *
Plattsmouth:	Approximately 4,452 access lines **
Murray:	Approximately 1,223 access lines **

* The access line counts for the Qwest exchanges are current as of August, 2005.

** The access line counts for the Alltel exchanges are derived from the Nebraska PSC's 2005 Annual Report on Telecommunications, based on data submitted earlier in the year.

⁵ See *ELCS Order*, 12 FCC Rcd at 10657-59 ¶¶ 23-24.

G. Usage Data: Qwest does not have any usage data available because Qwest does not currently carry traffic across the boundary between the Elkhorn rate center (LATA 644) and the Plattsmouth and Murray exchanges (LATA 958).

H. Poll Results: Polling was not conducted. Because Qwest has proposed increasing the calling areas for the exchanges in the Elkhorn and Gretna rate centers without increasing rates, the State of Nebraska's customer notification and polling requirements did not apply. Cox Nebraska Telecom, LLC filed comments supporting the proposed rate center consolidation. No party opposed the plan.

I. Rate Change: None.

J. Community Of Interest Statement: In the Nebraska PSC's *Order* approving EAS between the exchanges referenced herein, the Nebraska PSC found that a community of interest exists between the communities contained in the Omaha, Gretna and Elkhorn rate centers.⁶ In making this determination, the Nebraska PSC relied on an analysis of demographic, economic, financial, and other evidence submitted by petitioners in support of the Petition.

The Nebraska PSC determined that there has been significant population growth in the immediate areas surrounding the city of Omaha, and found that there is thereby no longer any significant geographic distinction between the communities contained in the Omaha, Gretna and Elkhorn rate centers.⁷ The Nebraska PSC found that the boundaries of the separate rate centers wind through cohesive residential neighborhoods and business districts, that the boundaries are not understood by customers, and that the boundaries are difficult for competitive carriers to

⁶ Nebraska PSC *Order* at 2-3; *and see* Attachment B.

⁷ Nebraska PSC *Order* at 2-3.

discern.⁸ Consequently, the Nebraska PSC concluded that consolidating the three rate centers would benefit the public by serving the expectations of customers, assisting in the conservation of numbering resources and expanding the EAS provided to subscribers in the Gretna and Elkhorn rate centers.⁹

K. Map: A map showing the affected exchanges is included as Exhibit B.

L. Other Pertinent Information: None.

III. **QWEST HAS MADE A PRIMA FACIE CASE SUPPORTING THE GRANT OF THIS PETITION**

Qwest has made a *prima facie* case supporting grant of the proposed modification because its Petition shows that: (1) the EAS between the Gretna, Elkhorn and Omaha rate centers (including the Elkhorn, Bennington, Valley, Plattsmouth and Murray exchanges) has been approved by the Nebraska PSC; (2) the EAS proposal includes only traditional local services (*i.e.*, two-way, flat-rated, non-optional EAS); (3) the Nebraska PSC found a sufficient community of interest to warrant such service and that the interLATA EAS route is necessary to meet the critical needs of customers in the Elkhorn rate center and the Plattsmouth and Murray exchanges; and (4) the EAS involves a limited number of customers and/or access lines. A modification of LATA boundaries for the limited purpose of permitting Qwest to provide EAS between the Elkhorn rate center and Alltel's Plattsmouth and Murray exchanges is therefore consistent with the *prima facie* test established in the *ELCS Order*¹⁰ and will serve the public interest.

⁸ *Id.*

⁹ *Id.*

¹⁰ *See ELCS Order*, 12 FCC Rcd at 10659 ¶ 24.

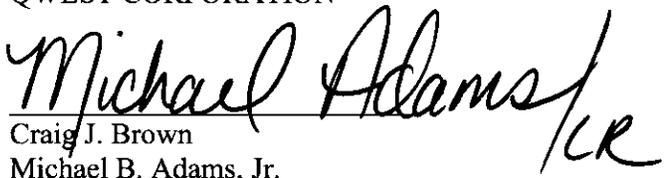
IV. CONCLUSION

Based on the foregoing, Qwest requests that the Commission approve its Petition for a limited modification of LATA boundaries for the purpose of permitting Qwest to provide EAS between Qwest's Elkhorn rate centers and Alltel's Plattsmouth and Murray exchanges, pursuant to the Nebraska PSC's rate center consolidation *Order*.

Respectfully submitted,

QWEST CORPORATION

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Its Attorneys

October 31, 2005

ATTACHMENT A

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the Commission,) Application No. C-3447/PI-101
on its own motion, to review the)
Qwest Corporation rate center) ORDER APPROVING RATE CENTER
consolidation plan.) CONSOLIDATION
)
) Entered: August 30, 2005

BY THE COMMISSION:

The Commission opened this docket on July 19, 2005, to review the rate center consolidation plan proposed by Qwest Corporation (Qwest). Notice of this proceeding appeared in the Daily Record, Omaha, Nebraska on July 20, 2005.

Qwest proposes to consolidate the Gretna, Elkhorn, and Omaha rate centers into one rate center at Omaha without any changes to existing local calling for Omaha subscribers while expanding the Extended Area Service (EAS) provided to Gretna and Elkhorn subscribers.

Customers may be affected in that long distance rates could be impacted by changes made to the rate center Vertical & Horizontal (V&H) coordinates associated with the rate center where the calls originate and terminate. Because the distance between two rate centers is the airline mileage calculated using V&H coordinates, and this distance may be used in determining toll charges, some change in toll charges may result if the plan is approved.

The Commission sought comments from interested parties on Qwest's proposed rate center consolidation. On August 22, 2005, Cox Nebraska Telcom, LLC (Cox) filed comments in support of the proposed rate center consolidation. No party opposed Qwest's rate center consolidation plan.

The Commission, by virtue of authority delegated by the Federal Communications Commission (FCC) [FCC order 00-104, Docket No. 99-200, Number Resource Optimization], is responsible for the conservation of telephone numbers in the state of Nebraska. One recommended methodology for number conservation is the consolidation of telephone rate centers.

Rate centers encompass specific geographical areas and historically have been used by the telecommunications industry to distinguish between local and toll calls. Small rate centers may contain only a single exchange or switch, whereas larger rate centers may consist of multiple exchanges and/or switches. As local calling areas have expanded or otherwise

changed over the years, it has become evident that there are situations where two or more rate centers have exactly the same local calling area and are contiguous to one another. In fact, it is these scenarios that represent the best candidates for consideration of rate center consolidation.

F I N D I N G S A N D C O N C L U S I O N S

NXX codes are assigned by rate center, not by exchange. Each rate center operated by an incumbent local exchange carrier (ILEC) has at least one prefix, or NXX, associated with it. An NXX contains 10,000 telephone numbers (NXX-0000 through NXX-9999). Prior to the roll-out of number pooling, if a competitive local exchange carrier (CLEC) wished to serve customers within an ILEC rate center, the CLEC would also be assigned an entire NXX. Consequently, in many cases, large quantities of numbers have gone unused or are stranded.

Consolidating two or more rate centers brings additional benefits. With the implementation of local number portability, customers may port their numbers anywhere within the new rate center. Also, with number pooling, service providers may also donate to and receive numbers in blocks of 1,000 from the pool for use throughout the entire consolidated rate center. This will result in reducing the demand for assignment of full NXX codes, minimizing unused or stranded numbers and ultimately delaying the exhaust of the area code. Based upon data obtained from the Pooling Administrator's web site on August 25, 2005, the proposed consolidation will add 101 additional blocks of 1,000 numbers to the new consolidated Omaha rate center increasing the available pool from 159 blocks to 206 blocks.

There has been significant population growth in the immediate areas surrounding Omaha, whereby there are no longer any significant geographical distinctions between Omaha, Gretna, and Elkhorn. The boundaries of the present rate centers wind through cohesive residential neighborhoods and through adjacent business districts. The rate center boundaries are not known to consumers, and are even difficult for competitive carriers to discern. As customers relocate within the Omaha metropolitan area, they expect the equivalent telephone service and calling areas, as well as the ability to port the existing telephone numbers to their new locations.

Rate center consolidation must preserve the integrity of the E911 routing system. Qwest assures the Commission the selective routers serving the candidate rate centers are configured to properly route calls to the correct public safety answering points (PSAP) after consolidation. Once two or more

rate centers consolidate, local number portability practices will allow customers moving within the newly-formed rate center to take their number with them to a new location which may be in an area previously part of a separate rate center. For this reason, the PSAPs operated by emergency service providers must be able to recognize all NXXs in the newly consolidated rate center.

Based on the guidelines described above, the Commission finds that three Qwest rate centers in Nebraska can be consolidated into one. This consolidation (shown below) can be accomplished without changes to the existing local calling areas for Qwest customers or changes to the Qwest network while expanding the Extended Area Service (EAS) provided to Gretna and Elkhorn subscribers.

<u>Existing Rate Center Name</u>	<u>Consolidated Rate Center Name</u>
Gretna (GRETNA)	
Elkhorn (ELKHORN)	
Omaha (OMAHA)	Omaha (OMAHA)

In determining timing for implementation of rate center consolidation, the Commission takes into consideration recommended intervals for industry notification through Telcordia's BIRRDs database (Business Integrated Rating and Routing Database System) and its output products (notably the Local Exchange Routing Guide), as well as required network disclosures. Service providers are advised that information about the consolidated rate centers may include revised vertical and horizontal coordinates used to determine distance between rate centers and whether a call is local or should be billed as toll.

In addition, because the enhanced EAS for Elkhorn will result in traffic crossing the LATA boundary between the North and South portions of the 402 Area Code, the FCC will be required to grant Qwest a waiver for this traffic.

Qwest requested a period of four (4) to six (6) months to achieve consolidation and has also requested that such consolidation not be scheduled to occur during the periods of December 15 through January 15 and June 15 through July 15 to prevent impact upon the Numbering Resource Utilization Forecast (NRUF) reports which are based upon rate center definitions and required of all carriers.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Qwest initiate the implementation of rate center consolidation as described herein.

IT IS FURTHER ORDERED that consolidation shall be complete within six months of the effective date of the FCC's LATA boundary waiver order.

IT IS FURTHER ORDERED that the consolidation shall be timed not to conflict with NRUF data gathering.

IT IS FINALLY ORDERED that Qwest shall notify the Commission of the projected date of consolidation at least 30 days prior to consolidation taking effect.

MADE AND ENTERED at Lincoln, Nebraska, this 30th day of August, 2005.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

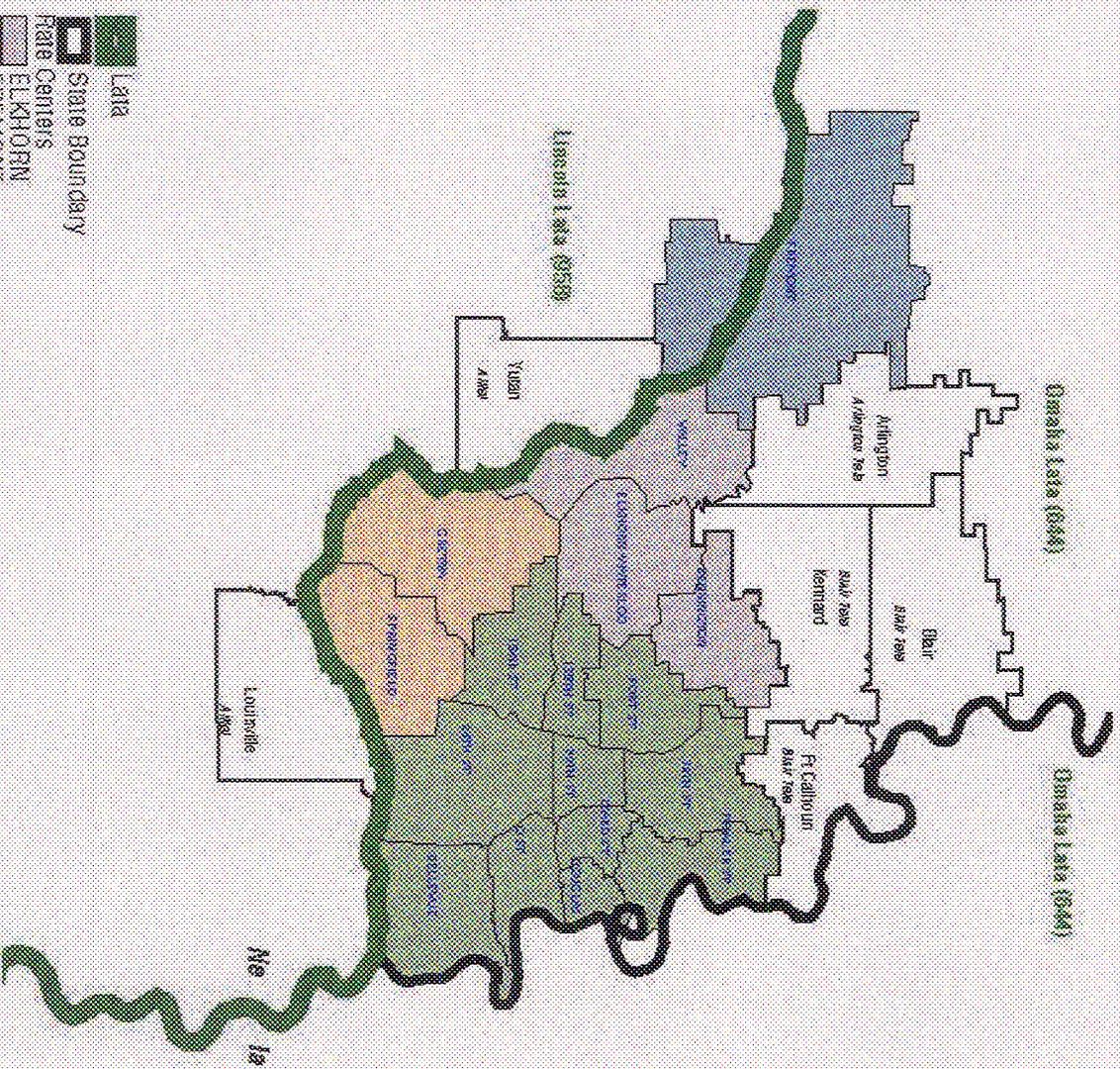
ATTEST:

Executive Director

ATTACHMENT B

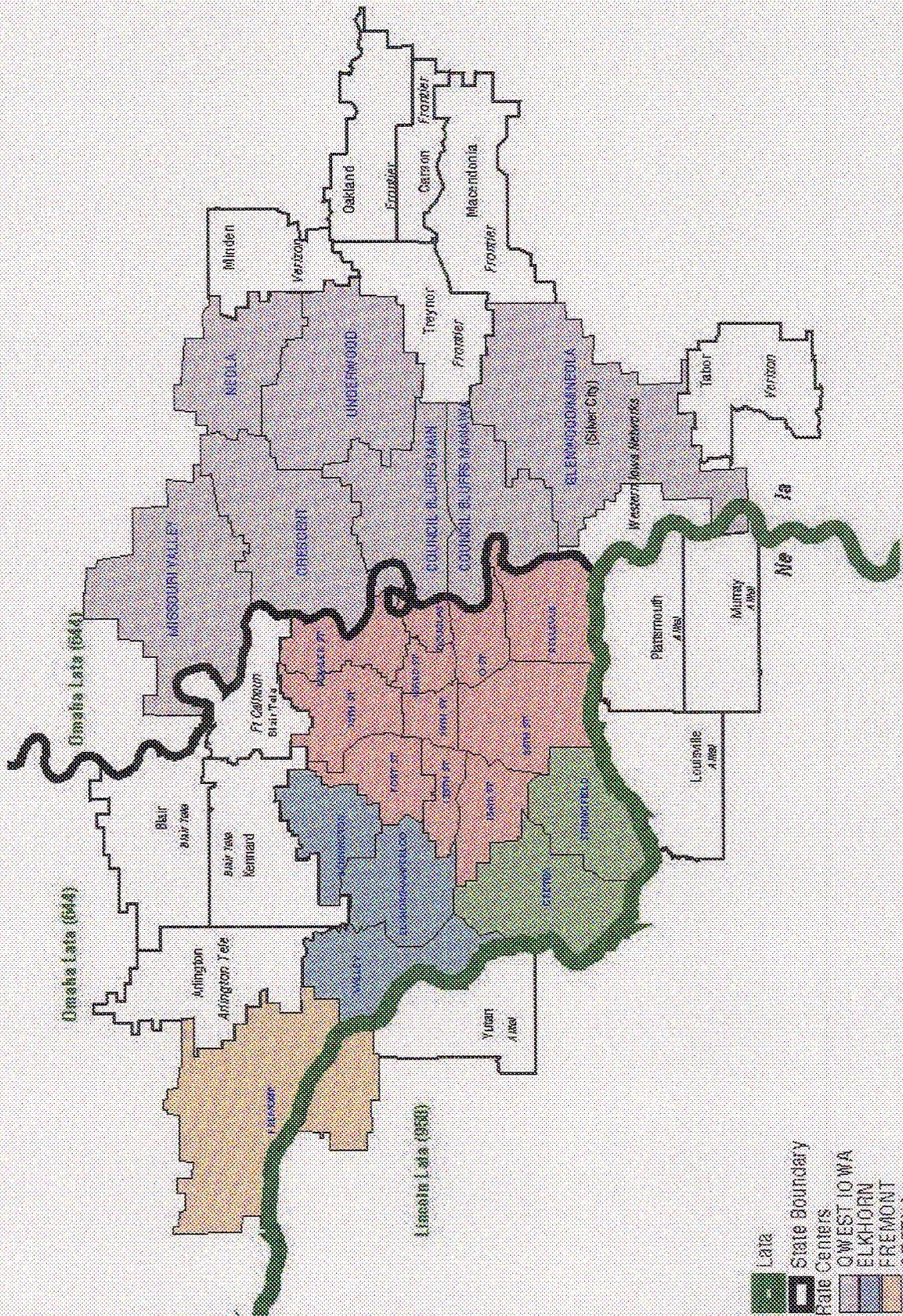


Current Elkhorn EAS



- Lata
- State Boundary
- State Centers
- ELKHORN
- FREMONT
- GREYNA
- OMAHA
- Independent Exchanges

Proposed Elkhorn EAS

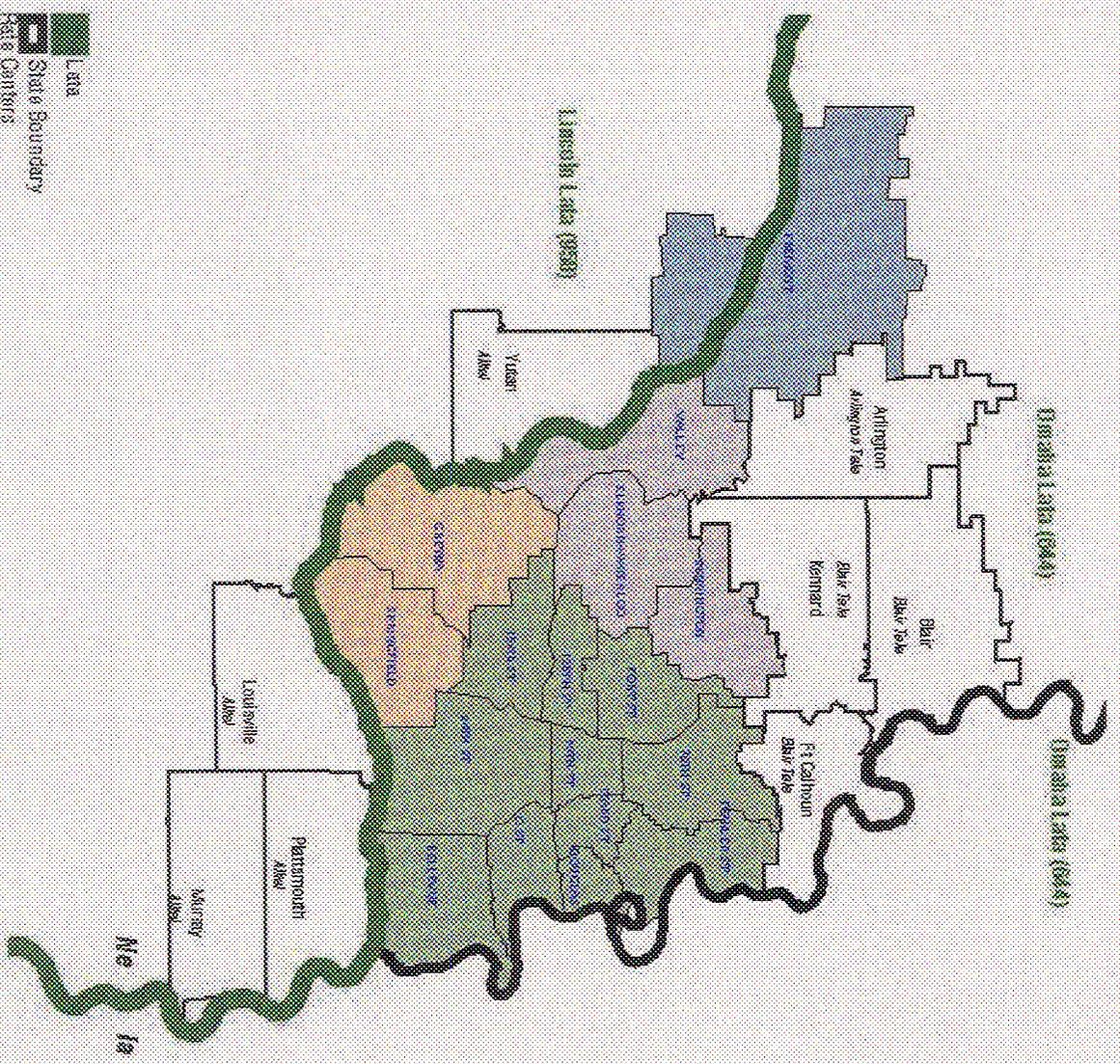


- Lata
- State Boundary
- Rate Centers
- QWEST IOWA
- ELKHORN
- FRETNA
- OMAHA
- Independent Exchanges





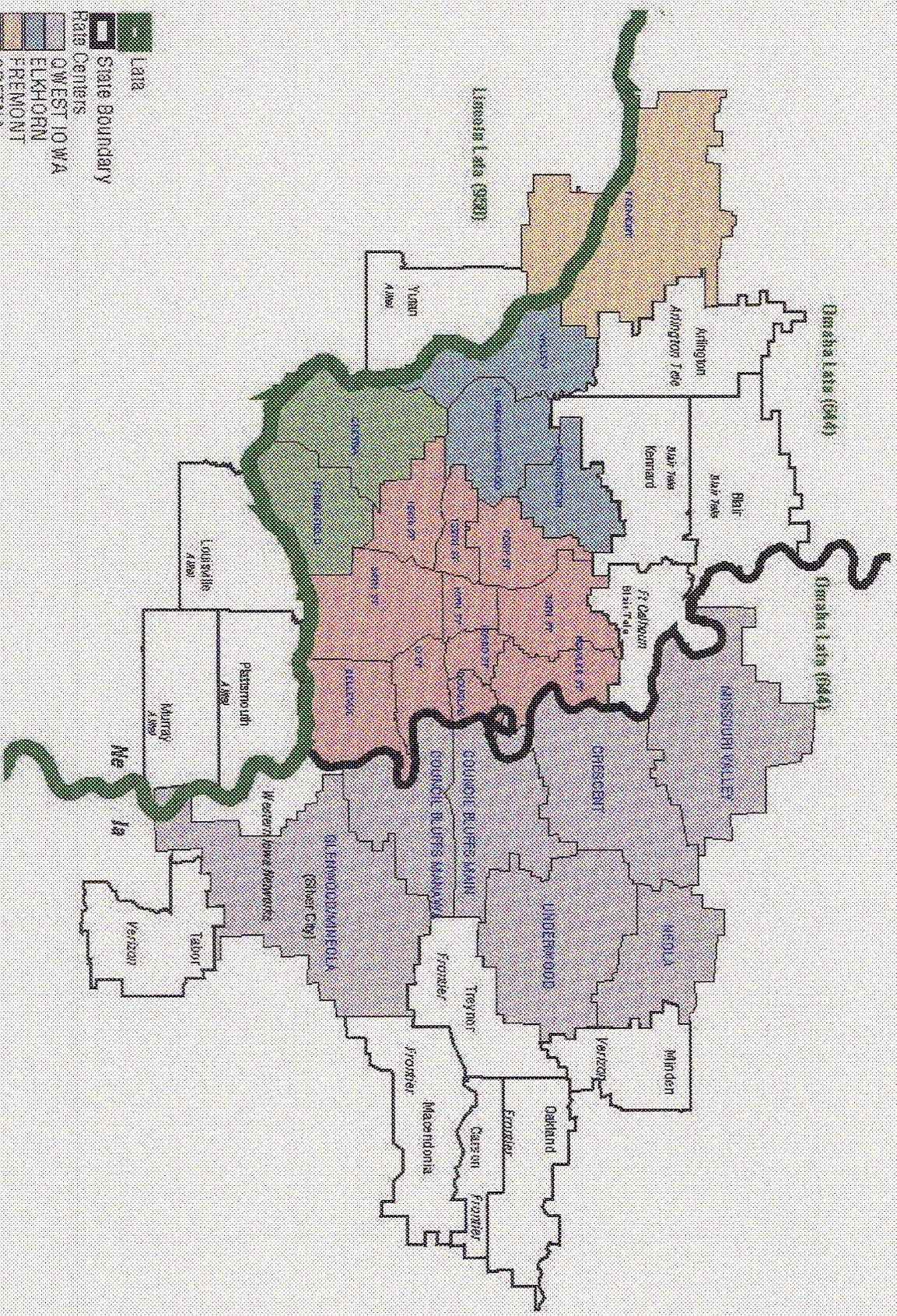
Current Gretna EAS



- Lata
- State Boundary
- Elkhorn
- Fremont
- Goshute
- Lincoln
- Nevada



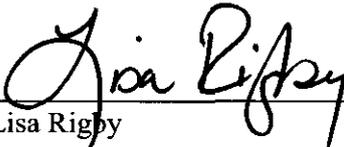
Proposed Gretna EAS



- State Boundary
- Rate Centers
- QWEST IO WA
- ELKHORN
- FREMONT
- GRETNA
- OMAHA
- Independent Exchanges

CERTIFICATE OF SERVICE

I, Lisa Rigby, do hereby certify that I have caused the foregoing **PETITION OF QWEST CORPORATION** to be filed with the FCC via hardcopy, served via e-mail on the FCC personnel and the FCC's duplicating contractor listed below and served, via first class United States mail, postage prepaid, on the other parties listed below.


Lisa Rigby

October 31, 2005

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