

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO**

DOCKET NO. 03M-505T

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IN THE MATTER OF CENTURYTEL OF EAGLE, INC.'S PETITION FOR SUSPENSION OF CERTAIN LNP REQUIREMENTS.

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**ORDER DIRECTING NOTICE AND SUSPENDING  
LOCAL NUMBER PORTABILITY REQUIREMENTS  
PENDING FURTHER ORDER OF COMMISSION**

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Mailed Date: November 28, 2003

Adopted Date: November 26, 2003

**I. BY THE COMMISSION**

**A. Statement**

1. On November 19, 2003 CenturyTel of Eagle, Inc. filed its Combined Petition for Suspension and Motion for Expedited Treatment and Waiver of Response Time. The Petition requests that, pursuant to the provisions of 47 U.S.C. § 251(f)(2), we suspend certain requirements regarding local number portability recently issued by the Federal Communications Commission (FCC) as applicable to CenturyTel's Lake George exchange. Now being duly advised in the matter, we direct CenturyTel to give notice of its Petition to any wireless telecommunications carrier having made a *bona fide* request for local number portability to CenturyTel. Pending further Commission orders in this docket, we suspend the requirement that CenturyTel implement the FCC's local number portability requirements for the Lake George exchange.

2. On November 10, 2003, the FCC issued its Memorandum and Opinion, *In the Matter of Telephone Number Portability*, CC Docket No 95-116 (FCC, released Nov. 10, 2003). That Memorandum and Opinion requires local exchange carriers (LEC) providing service within

the nation's 100 largest Metropolitan Statistical Areas (MSA), as of November 24, 2003, to port telephone numbers to wireless carriers where the requesting wireless carrier's coverage area overlaps the geographic location of the rate center where a customer's wireline number is provisioned. CenturyTel's Lake George exchange is located in the Denver MSA, the only Colorado MSA within the nation's 100 largest MSAs.

3. The Petition points out that under the provisions of § 251(f)(2), a rural LEC<sup>1</sup> such as CenturyTel may petition a state commission for a suspension or modification of the application of any requirement adopted under 47 U.S.C. §§ 251(b) or (c). The FCC's local number portability requirements issued in the Memorandum and Opinion, the Petition asserts, were adopted pursuant to § 251(b). Therefore, the Petition claims, the Commission may suspend the recently issued local number portability requirements pursuant to § 251(f)(2).

4. We determine that notice of CenturyTel's Petition should be provided to potentially interested persons prior to a ruling on the merits of the Petition. The Commission itself will issue notice of the Petition in accordance with the procedures applicable to applications filed with the Commission. In addition, we direct CenturyTel to provide notice of the Petition to all wireless carriers who have made a *bona fide* request for local number portability to CenturyTel for the Lake George exchange. CenturyTel shall immediately effect such notice by serving a copy of its Petition and this order on all such wireless carriers.

5. Section 251(f)(2) provides that, pending consideration of a petition under the statute, a state commission may suspend enforcement of a requirement to which the petition

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<sup>1</sup> Section 251(f)(2) defines a rural LEC as a carrier with fewer than 2 percent of the nation's subscriber lines installed in the aggregate.

applies with respect to the petitioning carrier. We now suspend the local number portability requirements issued in the Memorandum and Order as applicable to CenturyTel's Lake George exchange pending further order of the Commission.

## **II. ORDER**

### **A. The Commission Orders That:**

1. CenturyTel shall immediately give notice of its Petition in this docket to all wireless carriers having made a *bona fide* request for number portability to CenturyTel consistent with the above discussion.

2. Interested persons may file a request for intervention and a request for hearing in this docket, in accordance with the Commission's Rules of Practice and Procedure, 4 Colorado Code of Regulations 723-1, or before December 12, 2003.

3. Pending further order of the Commission in this docket, the local number portability requirements issued by the Federal Communications Commission in the Memorandum and Order, *In the Matter of Telephone Number Portability*, CC Docket No 95-116 (FCC, released Nov. 10, 2003), as applicable to CenturyTel of Eagle, Inc.'s Lake George exchange are suspended.

4. This Order is effective immediately upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING  
November 26, 2003.**

(S E A L)



**ATTEST: A TRUE COPY**

**Bruce N. Smith  
Director**

THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF COLORADO

**GREGORY E. SOPKIN**

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**POLLY PAGE**

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**JIM DYER**

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Commissioners