

**BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

In the Matter of the Application of Southwestern	)	
Bell Telephone Company d/b/a AT&T Missouri	)	
for Review and Reversal of North American	)	<b><u>Case No. IO-2010-0197</u></b>
Number Plan Thousands-Block Pooling	)	
Administrator's Decision to Withhold Numbering	)	
Resources.	)	

**STAFF RECOMMENDATION**

**COMES NOW** the Staff of the Missouri Public Service Commission (Staff), by and through counsel, and for its Staff Recommendation states as follows:

1. On January 5, 2010, Southwestern Bell Telephone Company d/b/a AT&T Missouri (AT&T Missouri or the Company) filed AT&T Missouri's Application And Motion For Expedited Treatment (Application), requesting that the Missouri Public Service Commission (the Commission) reverse the decision of the North American Numbering Plan Thousands-Block Pooling Administrator, Neustar, Inc. (NANPA) to withhold certain numbering resource from the Company.

2. As contained in the Company's Application, AT&T Missouri's request to NANPA for the numbering resources is based upon the expanding telecommunications needs of an office of the State of Missouri in Lee's Summit, Missouri.

3. In the attached Memorandum, labeled Appendix A, Staff states that the Company's request for 1 block of one-thousand telephone numbers was denied by NANPA because the Company did not meet the "months to exhaust criteria" contained in Federal Regulation 47 CFR 52.15. However, under 47 C.F.R. 52.15(G)(4) the Commission may overturn NANPA's decision to withhold numbering resources from AT&T Missouri if the

Commission determines that the Company has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies.

4. As contained in Appendix A, Staff agrees that AT&T Missouri has met this standard. Staff states that AT&T has demonstrated a verifiable need for 1 block of one-thousand telephone numbers in the Lee's Summit rate center.

5. AT&T Missouri is not delinquent in filing its annual report or in the submission of its Commission assessments.

**WHEREFORE,** it is Staff's recommendation that the Commission issue an Order that: (1) finds that AT&T Missouri has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies; and (2) overturns the decision of NANPA by approving AT&T Missouri's request for 1 block of one-thousand telephone numbers in the 816/607 NPA/NXX within the range of 2000-2999, 3000-3999, 4000-4999, or 7000-7999 in the Lee's Summit rate center.

Respectfully submitted,

/s/ Eric Dearmont

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### **Certificate of Service**

I hereby certify that copies of the foregoing have been mailed, hand-delivered, transmitted by facsimile or electronically mailed to all counsel of record this 15<sup>th</sup> day of January, 2010.

/s/ Eric Dearmont

# MEMORANDUM

To: Missouri Public Service Commission Official Case File  
Case No. IO-2010-0197  
Company Name: Southwestern Bell Telephone Company d/b/a AT&T Missouri

From: Sara Buyak  
Telecommunications Department

William Voight 1/13/10  
Utility Operations Division/Date

Subject: Staff Recommendation to Approve a Request to Override a Decision of the North American Numbering Plan Administrator

Date: January 12, 2010

## **Summary**

On January 5, 2010, AT&T filed a request to review and reverse a decision of the North American Numbering Plan Administrator (Pooling Administrator) for 1 block of one-thousand telephone numbers in the Lee's Summit rate center. Specifically, the State of Missouri requests 400 consecutive telephone numbers in the 816/607 NPA/NXX within the range of 2000-2999, 3000-3999, 4000-4999, or 7000-7999 in the Lee's Summit rate center. Included in this filing is the Letter from the State of Missouri, Thousands-Blocks Application Form – Part 1 A (Part 1), Pooling Administrator's Response/Confirmation – Part 3 Form, and AT&T's Months to Exhaust Utilization Certification Worksheet. Staff recommends the Commission approve AT&T's request.

## **Background**

On December 31, 2009, AT&T submitted a request to NeuStar for 1 block of one-thousand telephone numbers in the Lee's Summit rate center. On December 31, 2009, the Pooling Administrator denied AT&T's request because AT&T did not meet the months to exhaust criteria.

The Telecommunications Department Staff (Staff) reviewed the CO Assignment data that AT&T submitted to the Pooling Administrator. AT&T's months to exhaust is 59.52 months. The months to exhaust must be 6 months or less which is required of FCC guidelines before a request for additional numbering resources is permissible as set forth in Regulation 47-CFR 52.15 (h).<sup>1</sup>

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<sup>1</sup> Code of Federal Regulations Title 47-Telecommunication Chapter I – Federal Communications Commission, Subchapter B – Common Carrier Services, Part 52 Numbering.

Regulation 47-CFR 52.15 states, the Pooling Administrator shall withhold numbering resources from any U.S. carrier that fails to comply with the reporting and numbering resource application requirements established in this part. The regulation further states that the carrier may challenge the Pooling Administrator's decision to the appropriate state regulatory commission and the state commission may affirm, or may overturn, the Pooling Administrator's decision to withhold numbering resources from the carrier based on the determination that a carrier has demonstrated a verifiable need for numbering resources and has exhausted all other available resources.

### **Recommendation**

AT&T states that it does not meet the requirements for additional telephone numbers because the months to exhaust is 59.52. The months to exhaust must be 6 months or less as set forth in the FCC guidelines. Also, AT&T does not have 1 block of one-thousand consecutive telephone numbers to accommodate the needs of the State of Missouri for 400 consecutive telephone numbers. For this reason, AT&T has demonstrated a verifiable need for 1 block of one-thousand telephone numbers for the Lee's Summit rate center.

Staff recommends the Commission approve AT&T's request for 1 block of one-thousand telephone numbers in the in the 816/607 NPA/NXX within the range of 2000-2999, 3000-3999, 4000-4999, or 7000-7999 in Lee's Summit. Staff recommends the Commission issue an order overturning the decision of the Pooling Administrator by granting AT&T 1 block of one-thousand telephone numbers in the 816/607 NPA/NXX within the range of 2000-2999, 3000-3999, 4000-4999, or 7000-7999 in the Lee's Summit rate center. Specifically, Staff recommends the Commission's order include a statement substantially as follows:

1. AT&T's request for 1 block of one-thousand telephone numbers in the 816/607 NPA/NXX within the range of 2000-2999, 3000-3999, 4000-4999, or 7000-7999 in the Lee's Summit rate center is approved.

Staff is unaware of any other filing that may affect or be affected by this filing.

☒ The Company is not delinquent in filing an annual report and paying the PSC assessment.

☐ The Company is delinquent: (☐ No annual report ☐ Unpaid PSC assessment.  
Amount owed: )

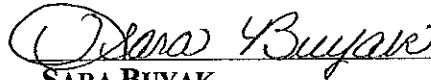
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Resources )

**AFFIDAVIT OF Sara Buyak**

STATE OF MISSOURI )  
 ) ss:  
COUNTY OF COLE )

Sara Buyak, employee of the Missouri Public Service Commission, being of lawful age and after being duly sworn, states that she has participated in preparing the accompanying staff recommendation and that the facts therein are true and correct to the best of her knowledge and belief.

  
SARA BUYAK

Subscribed and affirmed before me this 12th day of January 2010.

  
NOTARY PUBLIC



CASSIE M. MELLOWAY  
My Commission Expires  
October 30, 2011  
Cole County  
Commission #07337959