

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

In the Matter of the Application of Charter)
Fiberlink-Missouri, LLC to Overturn the)
North American Numbering Plan)
Administrator's Decision to Withhold)
Numbering Resources Related to the)
Wentzville Exchange)
)

Case No. LO-2008-0199

STAFF RECOMMENDATION

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its recommendation respectfully states:

1. On December 18, 2007, Charter Fiberlink—Missouri , LLC (Charter) filed its Application for Review and Reversal of NANPA Decision seeking review and reversal of the decision of the Pooling Administrator, NeuStar, Inc. to withhold certain numbering resources. Charter states that it requested an additional block of 10,000 telephone numbers from the Pooling Administrator in the Wentzville Rate Center.

2. Charter's request was denied by the Pooling Administrator because the North American Numbering Plan Administration (NANPA) does not distinguish between MCA and non-MCA blocks of telephone numbers. Charter has non-MCA numbers available in the Wentzville rate center but no MCA blocks. The Missouri Public Service Commission (Commission) requires all local exchange carriers to segregate NXX codes to distinguish between MCA and non-MCA telephone number blocks. Each carrier must have a block of 1,000 MCA telephone numbers and a block of non-MCA telephone numbers available for use by its customers. Charter must open a new code 10,000 MCA

numbers in order to obtain a block of 1,000 MCA numbers in the Wentzville rate center and return the remaining 9,000 blocks back to the pool.

3. The Commission may overturn the Pooling Administrator's decision to withhold numbering resources from Charter if the Commission determines that Charter has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies. 47 C.F.R. § 52.15(g)(4).

4. In the attached Memorandum, labeled Appendix A, the Staff agrees that Charter has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies. Without an order from the Commission approving Charter's request to receive the desired block in the Wentzville rate center, Charter will be unable to meet the needs of its customer because it will not have a block of 1,000 MCA telephone numbers available in the Wentzville rate center as required by the Commission. The Staff recommends that the Commission issue an order overturning the Pooling Administrator's decision.

WHEREFORE, the Staff recommends that the Commission, at its earliest convenience, issue an order that:

- (1) determines that Charter has demonstrated a verifiable need for numbering resources and has exhausted all other available remedies; and
- (2) reverses the decision of the Pooling Administrator and approves Charter's request to open a new NXX code of 10,000 telephone numbers to be designated as MCA numbers in the Wentzville rate center.
- (3) orders Charter to return 9,000 blocks of 1,000 numbers to the pool within 30 days of receiving its block of 1,000 MCA numbers.

Respectfully submitted,

/s/ Jennifer Heintz

Jennifer Heintz
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Missouri Bar No. 57128

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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 11th day of January 2007.

/s/ Jennifer Heintz

MEMORANDUM

To: Missouri Public Service Commission Official Case File
Case No.LO-2008-0199
Charter Fiberlink – Missouri, LLC

From: Sara Buyak
Telecommunications Department

William Voight 1/10/08
Utility Operations Division/Date

William Haas 1/10/08
General Counsel's Office/Date

Subject: Staff Recommendation to Approve Charter's Request to Override a Decision by the Pooling Administrator

Date: January 10, 2008

SUMMARY: Charter Fiberlink – Missouri, LLC (Charter) has requested that the Commission reverse a decision by the Pooling Administrator, which denied Charter's request for ten thousand telephone numbers for the Metropolitan Calling Area Service (MCA) in the Wentzville rate center. This memorandum recommends approval of Charter's request.

BACKGROUND: On December 18 2007, Charter filed with the Missouri Public Service Commission (Commission) a request for ten thousand MCA telephone numbers to be assigned to the Wentzville rate center. Charter states that it was denied the request by the Pooling Administrator because there are currently non-MCA telephone number blocks available in the Wentzville rate center but no MCA telephone number blocks. Charter currently has a block of non-MCA telephone numbers but no blocks of MCA telephone numbers. Charter requests the Commission review and reverse the decision of the Pooling Administrator.

Charter states that it submitted the necessary worksheets to the Pooling Administrator, and offers copies of those documents as Attachment 2, 3, 4, and 5 to its application in this Case. Charter was denied the additional telephone numbers because NANPA does not recognize distinctions between MCA and non-MCA blocks, and, therefore, will not open a new NXX code until all prior blocks are exhausted. The Commission requires all local exchange carriers to segregate NXX codes in order to distinguish between non-MCA and MCA telephone number blocks. Therefore, each carrier must have a block of 1,000 telephone numbers for the non-MCA and a block of 1,000 telephone numbers for the MCA to offer customers service. On December 11, 2007, Charter submitted a code request for a new 10,000 code to designate as MCA telephone numbers. Charter must open a new code of 10,000 telephone numbers to designate as MCA to get a single 1,000 MCA block and return the 9,000 blocks back to the pool.

RECOMMENDATION: Charter does meet the requirements for additional telephone numbers because there are no MCA telephone numbers available in the pool to be assigned as MCA. NANPA does not maintain separate pools for Non-MCA and MCA telephone number blocks and does not have MCA telephone numbers available for assignment. Charter requests a code of 10,000 telephone numbers to designate for the MCA. Charter will return

9,000 of the telephone numbers back to the pool within 30 days. Therefore, the Staff recommends approval of Charter's application. Additionally, the Staff recommends the Commission's order include the statement substantially as follows:

1. Charter's request for a 10,000 code to be designated as MCA telephone numbers in the Wentzville rate center be granted;
2. Charter to return 9,000 blocks of telephone numbers back to the pool within 30 days.

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. Staff recommends the Commission grant the requested relief/action on the condition the applicant corrects the delinquency. The applicant should be instructed to make the appropriate filing in this case after it has corrected the delinquency.**

☐ **No annual report** ☐ **Unpaid PSC assessment. Amount owed:**)

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OF THE STATE OF MISSOURI**

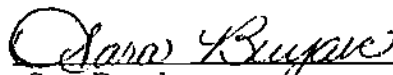
In the Matter of the Application of Charter)
Fiberlink Missouri, LLC for Review and)
Reversal of North American Number Plan)
Thousands-Block Pooling Administrator's)
Decision to Withhold Numbering)
Resources)

Case No. LO-2008-0199

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 10th day of January 2008.



SUSAN L. SUNDERMEYER
My Commission Expires
September 21, 2010
Callaway County
Commission #06942086


NOTARY PUBLIC