

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

In the Matter of the Petition of Pac-West)	
Telecom, Inc., for an Extension of the)	
Activation Period for Numbering)	Case No. LO-2007-0193
Resources and Motion for Expedited)	
Treatment)	

STAFF RESPONSE TO COMMISSION ORDER

COMES NOW the Staff of the Missouri Public Service Commission and in response to the Commission's *Order Granting Provisional Extension of Activation Period for Numbering Resources*, states:

1. Pac-West Telecom, Inc. filed an application on November 17, 2006 requesting the Commission to issue an order that grants an extension of the six-month deadline to activate certain numbering resources. Without this extension, Pac-West Telecom, Inc. expects that the North American Numbering Plan Administrator, NeuStar, Inc., ("NANPA") will reclaim the numbering blocks that it has been previously assigned.

2. Staff notes that the Commission's authority in this matter stems from the Federal Communications Commission's *Report and Order and Further Notice of Proposed Rulemaking* in *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200 (March 31, 2000), paras. 232-241 (see esp. para. 239, "We clarify that the state commissions need not follow the reclamation procedures set forth in the CO Code Assignment Guidelines [requiring reclamation after 18 months if codes have not been activated] ... as long as the state commission accords the code holder an opportunity to explain the circumstances causing the delay in activating NXX codes." This principle has also been enacted at 47 CFR 52.15(i), esp. at (4) and (5). This Commission accepted and implemented this delegation of authority in its Report and Order in *In the Matter of the Petition of the North American Numbering Plan Administrator, on Behalf of the*

Missouri Telecommunications Industry, for Approval of NPA Relief Plan for the 314 and 816 Area Codes, Case No. TO-2000-374, pp. 33, 40 (October 24, 2000).

3. The Commission has already granted an initial 14-day extension and has indicated that if no objections are submitted on or before December 1, 2006, the regulatory law judge assigned to this case may directly issue an order granting Pac-West Telecom, Inc. an extension up to the 90 days Pac-West Telecom, Inc. requested.

4. Staff has no objection to the relief Pac-West Telecom, Inc. has requested. Should the Commission grant the relief requested, Staff recommends that the Commission include the following language:

- That Pac-West Telecom, Inc. shall file a pleading in this case in the event of further delay or deviation from this extension.
- That Pac-West Telecom, Inc. shall file a status report or letter in this case when the numbering resources subject to the Commission's order are activated.

WHEREFORE, the Staff states it has no objection to the relief requested in this matter.

Respectfully submitted,

/s/ David A. Meyer

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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 30th of November 2006.

/s/ David A. Meyer_____